



Clerk of the Superior Court  
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C. Brown, Deputy  
1/2/2024 10:27:01 AM  
Filing ID 17115721

1 Alexis Lindvall, Esq. [REDACTED]  
2 MODERN LAW  
3 1744 S. Val Vista Drive, Suite 205  
4 Mesa, Arizona 85204  
5 [REDACTED]

Attorney for Petitioner

6 IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA  
7 IN AND FOR THE COUNTY OF MARICOPA

Case No.: FC2023-052114

8 In Re the Matter of:

**EXPEDITED MOTION TO QUASH  
DEPOSITION OF PETITIONER**

9 [REDACTED]  
10 [REDACTED]

11 Petitioner,

*(Expedited Ruling Requested)*

12 and

(The Honorable Julie Mata)

13 CLAYTON ECHARD,  
14

15 Respondent.

16  
17 Petitioner, [REDACTED] S, files this Motion to Quash the deposition noticed  
18 by Respondent for January 17, 2024. There is a pending Motion to Dismiss this paternity  
19 establishment matter. Both parties agree that Petitioner is not pregnant, and they do not  
20 share any minor children. Despite this agreement that there is no paternity for this court  
21 to establish, Respondent will not stipulate to dismissal and instead noticed Petitioner's  
22 deposition. On December 28<sup>th</sup>, undersigned counsel emailed Petitioner's counsel and  
23 asked if Petitioner was "willing to postpone the deposition until we have a ruling on the  
24 dismissal?" Exhibit A, Email Exchange Between Counsel at 4. Respondent's counsel  
25 responded with a revised Notice of Deposition.

26 There are no hearing dates upcoming. Petitioner concedes she is not pregnant with  
27 Respondent's children. There is nothing left for this Court to adjudicate. Even if the





1 Court does not rule in favor of Petitioner's request for dismissal, there is no reason  
2 Petitioner's deposition must be taken immediately and cannot wait until after this Court  
3 rules on the Motion to Dismiss. This request is expedited because the deposition is  
4 currently scheduled for approximately two weeks from now.

5 **WHEREFORE**, Petitioner respectfully requests this Court quash Respondent's  
6 deposition of Petitioner currently scheduled for January 17, 2024, and any other  
7 deposition of Petitioner until after the dismissal is ruled upon.

8 **RESPECTFULLY SUBMITTED** this 2<sup>nd</sup> day of January 2024.

9 **MODERN LAW**

10 By: /s/ Alexis Lindvall  
11 Alexis Lindvall  
12 *Attorney for Petitioner*  
13

14 **ORIGINAL** of the foregoing eFiled  
15 this 2<sup>nd</sup> day of January 2024 with:

16 Clerk of the Superior Court  
17 Maricopa County Superior Court

18 **COPIES** of the foregoing delivered  
19 this 2<sup>nd</sup> day of January 2024 to:

20 Honorable Julie Mata  
21 Maricopa County Superior Court

22 Gregg Woodnick, Esq.  
23 **WOODNICK LAW, PLLC**  
24 *Attorney for Respondent*

25 By: /s/ Sarah Saxon  
26 Sarah Saxon  
27





12/29/23, 4:48 PM

Modern Law Mail - RE: Owens/Echard



Alexis Lindvall <alexis.lindvall@mymodernlaw.com>

**RE: Owens/Echard**

1 message

Isabel Ranney [redacted] Thu, Dec 28, 2023 at 2:14 PM  
To: Alexis Lindvall [redacted]  
Cc: Gregg Woodnick [redacted]

Lexi,

Of course, just let me know when you are able. I will place it on our calendar for the 17<sup>th</sup> at 1:00 pm, pending your client's confirmation.

Thank you,

Isabel Ranney

Isabel Ranney

Attorney



1747 E. Morten Ave., #205

Phoenix, Arizona 85020

www.woodnicklaw.com

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12/29/23, 4:48 PM

Modern Law Mail - RE: Owens/Echard

**From:** Alexis Lindvall [redacted]  
**Sent:** Thursday, December 28, 2023 1:13 PM  
**To:** Isabel Ranney [redacted]  
**Cc:** Gregg Woodnick [redacted]  
**Subject:** Re: Owens/Echard





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<https://mail.google.com/mail/u/0/?ik=8a31b080b5&view=pt&search=all&permthid=thread-f:1786477706186889353%7Cmsg-f:1786558005894238252&simpl=msg...> 1/7

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**From:** Alexis Lindvall [REDACTED]  
**Sent:** Thursday, December 28, 2023 1:13 PM  
**To:** Isabel Ranney [REDACTED]  
**Cc:** Gregg Woodnick [REDACTED]  
**Subject:** Re: Owens/Echard

Isabel, sorry, I have another hearing at 9:45 a.m. on the 17th. If you could wait for my availability and my client's availability before drafting notices that would probably save you further unnecessary attorney's fees. I already reached out to her regarding 1/17 at 1 p.m. and I am waiting for her response. I understand professional courtesy requires us to agree on a date even though I will be filing my motion tomorrow.

Thank you,

Lexi Lindvall, Esq.  
Attorney | Modern Law  
Call/Text: [REDACTED]  
Mesa | Peoria | Scottsdale  
[www.mymodernlaw.com](http://www.mymodernlaw.com)

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On Thu, Dec 28, 2023 at 2:11 PM Isabel Ranney [REDACTED] wrote:

Lexi,

No problem regarding the deposition on the 12<sup>th</sup>, as we will of course work with your schedule. I am attaching another Notice for January 17<sup>th</sup>, at 9:00 a.m. Please note this will be in person as our office, pursuant to Rule 57.

<https://mail.google.com/mail/u/0/?ik=8a31b080b5&view=pt&search=all&permthid=thread-f:1786477706186889353%7Cmsg-f:1786558005894238252&simpl=msg...> 2/7

12/29/23, 4:48 PM

Modern Law Mail - RE: Owens/Echard

We look forward to seeing you and Laura on the 17<sup>th</sup> at our office.

Thank you,

LECTATED BUT NOT READ





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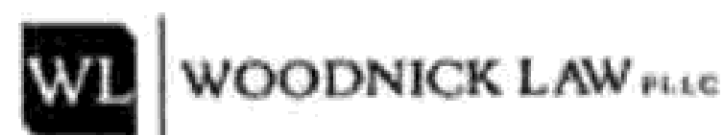
Thank you,

**DICTATED BUT NOT READ**

Gregg Woodnick

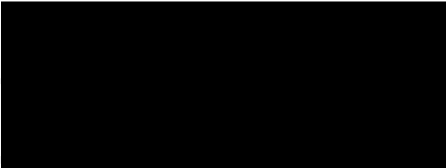
Isabel Ranney

Attorney



1747 E. Morten Ave., #205

Phoenix, Arizona 85020



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**From:** Alexis Lindvall [Redacted]  
**Sent:** Thursday, December 28, 2023 12:57 P  
**To:** Isabel Ranney [Redacted]  
g Woodnick [Redacted]  
**Subject:** Re: Owens/Echard

<https://mail.google.com/mail/u/0/?ik=8a31b080b5&view=pt&search=all&permthid=thread-f:1786477706186889353%7Cmsg-f:1786558005894238252&simpl=msg...> 3/7

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Isabel,

By now you have probably seen the motions that we filed earlier today. Is your client willing to postpone the deposition until we have a ruling on the dismissal? If not, I will be filing an expedited Motion to Quash the deposition sometime tomorrow. Even if it is not quashed, I am not available on 1/12 at 9:00 a.m. I have a hearing in a dependency matter scheduled for 10:45 a.m. (I am assuming you plan to depose my client for a while).





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By now you have probably seen the motions that we filed earlier today. Is your client willing to postpone the deposition until we have a ruling on the dismissal? If not, I will be filing an expedited Motion to Quash the deposition sometime tomorrow. Even if it is not quashed, I am not available on 1/12 at 9:00 a.m. I have a hearing in a dependency matter scheduled for 10:45 a.m. (I am assuming you plan to depose my client for a while).

[REDACTED] is not willing to commit perjury by signing the Affidavit you sent over. The Court will not be able to order her to sign it. She concedes she is not pregnant. There cannot be a finding of non-paternity for a non-existent child. Clayton's only viable claim at this point is for attorney's fees. If he insists on proceeding with a deposition when a motion to dismiss is pending, he's racking up needless fees.

Please let me know whether you will agree to postpone the deposition as soon as possible. If I don't hear from you or if you don't agree, I will proceed with filing the Motion to Quash.

Thank you,

Lexi Lindvall, Esq.

Attorney | **Modern Law**

Call/Text: [REDACTED]

Mesa | Peoria | Scottsdale  
www.mymodernlaw.com

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On Thu, Dec 28, 2023 at 12:56 PM Isabel Ranney [REDACTED] wrote:

Lexi,

Please see the attached Notice of Deposition for your client at our office on **January 12, 2024 at 9:00 a.m.** If this time does not work for you, we are also available on January 17<sup>th</sup> at 9:00 a.m. or 1 p.m. I am more than happy to reschedule it to better accommodate your schedule, but our preference is sooner rather than later.





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You will also find attached Exhibit A, consistent with Rule 57(b)(2), *Arizona Rules of Family Law Procedure*. This was initially sent to your client weeks ago, so she is well aware of her Rule 49 disclosure obligations as well as her duty to produce the documents requested. If you need me to send along a blank HIPAA release for your client to sign, I am happy to do so (one was included in our December 12<sup>th</sup> email to her).

Thank you,

Isabel Ranney

Isabel Ranney

Attorney



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Phoenix, Arizona 85020



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