



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

1 Alexis Lindvall, Esq. #034734
2 **MODERN LAW**
3 1744 S. Val Vista Drive, Suite 205
4 Mesa, Arizona 85204
5 (480) 649-2905 Phone
6 alexis.lindvall@mymodernlaw.com
7 *Attorney for Petitioner*

8 **IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**
9 **IN AND FOR THE COUNTY OF MARICOPA**

10 In Re the Matter of:

11 [REDACTED]

12 Petitioner,

13 and

14 **CLAYTON ECHARD,**

15 Respondent.

Case No.: FC2023-052114

**EXPEDITED MOTION TO QUASH
DEPOSITION OF PETITIONER**

(Expedited Ruling Requested)

(The Honorable Julie Mata)

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 28th, 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 2nd day of January 2024.

9

MODERN LAW

10

By: /s/ Alexis Lindvall
Alexis Lindvall
Attorney for Petitioner

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14

15

ORIGINAL of the foregoing eFiled
this 2nd day of January 2024 with:

16

Clerk of the Superior Court
Maricopa County Superior Court

17

18

19

COPIES of the foregoing delivered
this 2nd day of January 2024 to:

20

Honorable Julie Mata
Maricopa County Superior Court

21

22

Gregg Woodnick, Esq.
WOODNICK LAW, PLLC
office@woodnicklaw.com
Attorney for Respondent

23

24

25

By: /s/ Sarah Saxon
Sarah Saxon

26

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]
To: Alexis Lindvall <alexis.lindvall@mymodernlaw.com>
Cc: Gregg Woodnick [REDACTED], [REDACTED]
[REDACTED]

Thu, Dec 28, 2023 at 2:14 PM

Lexi,

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

Thank you,

Isabel Ranney

Isabel Ranney

Attorney



1747 E. Morten Ave., #205

Phoenix, Arizona 85020

Phone: 602-449-7980

Fax: 602-396-5850

www.woodnicklaw.com



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12/29/23, 4:48 PM

Modern Law Mail - RE: Owens/Echard

From: Alexis Lindvall <alexis.lindvall@mymodernlaw.com>
Sent: Thursday, December 28, 2023 1:13 PM
To: Isabel Ranney [REDACTED]
Cc: Gregg Woodnick [REDACTED], [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

12/29/23, 4:48 PM

Modern Law Mail - RE: Owens/Echard

From: Alexis Lindvall <alexis.lindvall@mymodernlaw.com>
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

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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 12th, as we will of course work with your schedule. I am attaching another Notice for January 17th, 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 17th at our office.

Thank you,

LECTATED BUT NOT READ





Lexi,

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12/29/23, 4:48 PM

Modern Law Mail - RE: Owens/Echard

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

Thank you,

DICTATED BUT NOT READ

Gregg Woodnick

Isabel Ranney

Attorney



1747 E. Morten Ave., #205

Phoenix, Arizona 85020

Phone: 602-449-7980

Fax: 602-396-5850

www.woodnicklaw.com

[Redacted]

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From: Alexis Lindvall <alexis.lindvall@mymodernlaw.com>

Sent: Thursday, December 28, 2023 12:57 P

To: Isabel Ranney [Redacted]
[Redacted] Woodnick

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

12/29/23, 4:48 PM

Modern Law Mail - RE: Owens/Echard

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).





12/29/23, 4:48 PM

Modern Law Mail - RE: Owens/Echard

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).

~~Clayton~~ 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 17th 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 12th email to her).

Thank you,

Isabel Ranney

Isabel Ranney

Attorney



1747 E. Morten Ave., #205

Phoenix, Arizona 85020

Phone: 602-449-7980

Fax: 602-396-5850

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