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7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

8 **IN AND FOR THE COUNTY OF MARICOPA**

9 In Re the Matter of:

10 **LAURA OWENS,**

11 Plaintiff,

12 v.

13 **GREGORY GILLESPIE,**

14 Defendant.

Case No.: CV2021-052893

15 **RESPONSE/OBJECTION TO**
16 **PLAINTIFF'S MOTION FOR SIXTY**
17 **DAY EXTENTION OF DEADLINES**

(Assigned to the Hon. Alison Bachus)

18 Defendant, GREGORY GILLESPIE, by and through undersigned counsel,
19 hereby files his Response/Objection to Plaintiff's Motion for Sixty Day Extension
20 of Time on All Deadlines. Defendant provides as follows:

21 Under normal circumstances, routine requests for time extensions should be
22 liberally granted. This is not a normal circumstance as Plaintiff has a history of
23 claiming representation when none exists, has already had multiple attorneys in
24 this matter and has been granted significant time extensions.

25 Earlier in this litigation, Plaintiff claimed to be represented by a California
26 law firm that has disclaimed involvement to this matter, despite Plaintiff sending
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1 what appears to be a manufactured fee agreement to Defendant on August 22, 2021.

2 Plaintiff filed her first Motion to Extend Time to File a Response to the
3 Defendant's Motion to Dismiss/Partial Motion for Judgment on the Pleadings on
4 February 25, 2022. In this Motion, Plaintiff claimed that she was in the process of hiring
5 an attorney. The Court denied Plaintiff's Motion on March 21, 2022.
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7 Plaintiff filed her second Motion to Extend Time to File a Response to the
8 Defendant's Motion to Dismiss/Partial Motion for Judgment on the Pleadings on March
9 11, 2022. Plaintiff indicated that she was "actively interviewing counsel."
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11 This Court specifically addressed Plaintiff's requests when it granted an extension
12 regarding a response, adding "*This deadline applies regardless of whether Plaintiff has*
13 *counsel.*"
14

15 Here, even if it is true that Plaintiff has been unable to secure new counsel, it is
16 because her Complaint lacks merit both factually and legally as addressed in the pending
17 Motion to Dismiss/Partial Motion for Judgment of the Pleadings.
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19 Case law is clear. A pro per litigant is "entitled to no more consideration than if
20 [you] had been represented by counsel." *Smith v. Rabb*, 95 Ariz. 49, 53 (1963). Plaintiff,
21 with or without a parade of prior attorneys, has failed to provide any discovery, nearly a
22 year after she filed her Complaint. She has ignored her Rule 26.1, *Arizona Rules of Civil*
23 *Procedure* obligations, refused to meet by video for a Good Faith Consultation out of fear
24 of being "intimated" by counsel, and instead agreed to a phone call on the condition that
25 it be recorded. Now, eleven (11) months since filing, she asks for more time while failing
26 to provide a scintilla of discovery.
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