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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

In Re the Matter of: Petitioner. and

Respondent,

WOODNICK LAW, PLLC

Phoenix, Arizona 85020

Facsimile: (602) 396-5850

Isabel Ranney, #038564 Attorney for Respondent

Office@WoodnickLaw.com

Gregg R. Woodnick, #020736

Telephone:

1747 E. Morten Avenue, Suite 205

Case No.: FC2023-052114

NOTICE OF NON-APPEARANCE AT DEPOSITION PURSUANT TO RULE 57(g)

(Assigned to The Honorable Julie Mata)

, by and through undersigned counsel and pursuant Respondent,

to Rule 57(g), Arizona Rules of Family Law Procedure, hereby notifies this Court that

failed to appear at the properly noticed deposition scheduled for Petitioner

January 17, 2024 at 1:00 p.m.

Counsel conducting the deposition was notified the day prior to the deposition that Petitioner was not going to attend. Petitioner (and her former counsels) were previously Noticed and agreed to the date of the deposition on or about December 28, 2023. Notably, when

Petitioner obtained new counsel, she did not request an extension of time or otherwise indicate she would not be prepared for the deposition.

It should also be noted that Petitioner, through her prior counsel, filed a Motion to Quash the Deposition (filed 1/2/24), which is still pending before the Court. Respondent provided his Response/Objection on January 4th, 2023. No Reply was timely filed and no court order restricted this properly noticed deposition. Still, Petitioner willfully (see attached) failed to attend.

The reasons provided by Petitioner's new counsel for not attending the property noticed deposition fail to comport with Rule 57, Arizona Rules of Family Law Procedure. As a result of Petitioner's failure to attend and failure to adequate provide notice of her non-attendance, Respondent has incurred attorney's fees and costs, which he is entitled to under Rule 57(g).

Petitioner's counsel indicated that he will be filing for some sort of request for protective order. As Petitioner's most recent counsel was advised in the correspondence attached, this is not valid cause to fail to attend a deposition and does not comply with the Rules. (The communications regarding the deposition are attached heretofore as **Exhibit A**.)

The Court currently has a Motion for Sanctions pending. Respondent intends to reference this Notice in advancing the <u>consistent</u> arguments regarding appropriate consequences for Petitioner's continued noncompliance with the Rules, including legal fees and other relief available per law.

RESPECTFULLY SUBMITTED this 17th day of January, 2024. 1 2 WOODNICK LAW, PLLC 3 4 Gregg R. Woodnick Isabel Ranney 5 Attorneys for Respondent 6 ORIGINAL of the foregoing e-filed This 17th day of January, 2024 with: 7 8 Clerk of Court Maricopa County Superior Court 9 COPY of the foregoing document 10 delivered/emailed this 17th day of January, 2024, to: 11 The Honorable Julie Mata 12 Maricopa County Superior Court 13 Cory Keith 14 The Valley Law Group, PLLC 15 3101 N. Central Ave. Ste 1470 Pheonix, AZ 85012 16 17 Attorney for Petitioner 18 By: /s/ MB 19 20 21 22 23 24 25

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Exhibit "A"

From: Gregg Woodnick

To: Cory Keith

Cc: Subject:

Date: Wednesday, January 17, 2024 10:54:39 AM image001.png image002.png

Blank HIPAA.pdf approaching ethicate death odf

Cory,

I appreciate you letting us know that L so not planning on showing up to the Noticed deposition this afternoon. That said, and as I am sure you advised her in a CYA letter, she is not allowed to simply ignore a properly noticed deposition. In light of her actions, and exercising efforts to save costs, we are canceling the court reporter. We will include the anticipated cancellation fees required by the service in our cost statement and append it to the anticipated *China Doll Affidavit*. Note, we will prepare an affidavit confirming her non-appearance and send you the same after 1:00pm.

The matter has been set for trial.

needs to comply with Rule 49 (she has provided zero disclosure notwithstanding you being the <u>third</u> attorney I have communicated with about this FC case).

I am sending you again the fetal death certificate form I provided to you yesterday and submitting for the 3rd time HIPAA forms (attached) for each of the following providers: Dr. Tamara NP, Dr. Dr. Dr. Dr. Dr. As I explained to Lexi before she quit the case, we will not accept any "records" from your client that are not given to us from the providers directly. There is an arts-and-crafts history here. Fortunately, the herself invoked Rule 2 so she should be more than cooperative with signing releases so we can get the records from the source.

I am disappointed but certainly not surprised that the deposition is not proceeding today.

Gregg

WOODNICK LAW, PLLC

1747 E. Morten Ave., Suite 205

Phoenix, AZ 85020 Phone: (602) 449-7980 Fax: (602) 396-5850 www.woodnicklaw.com

Email:

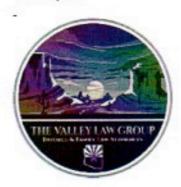
From: Cory Keith	
Sent: Tuesday, January 16, 2024 4:08 PM	500000
To: Gregg Woodnic	>
Cc: Isabel	Isabel 5
Maribet	3
Subject: RE: FC2023-052114;	

Gregg,

I appreciate your understanding of the interesting situation I walked into in this case. I know you and I are in opposition on this one, but I hope we can represent our clients with the understanding that we are both simply representing our clients and not take issue with each other for doing so. Let's hope our next case together isn't so contentious.

After speaking with my client, we will be filing a Motion for a Protective Order relating to both parties' depositions of each other. I will have this filed by the time of the deposition tomorrow. My client will be awaiting further Order from the Court with relation to this before subjecting herself to deposition of her and she will not be present for the deposition tomorrow. To be clear, this is not my client saying she does not want to be deposed - I believe her Motion to Quash adequately stated and put I notice of this - but instead that the deposition should be confidential to avoid continued embarrassment and annoyance as she has undergone thus far in and outside of these proceedings. In order to allow the Court to weigh in on this deposition and request for confidentiality appropriately, it is seek this leave prior to the deposition.

Thank you,



Please include my paralegal Isabel n all emails and correspondence. Her email is

Cory Keith Managing Attorney The Valley Law Group, PLLC. 3101 N. Central Avenue, Ste. 1470 Phoenix, AZ 85012

Phone:

Fax: 480-781-0722

Email: Cory,

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From: Gregg Woodnick	.>
Sent: Tuesday, January 16, 2024 2:06 PM	
To: Cory Keith	
Cc: Isabe	r; Isabel
Maribet	
Subject: RE: FC2023-052114;	

Cory,

- will not be agreeing to a Protective Order or filing this case under seal. Your client went to The Sun, People magazine, TMZ, Reddit, Medium etc and continues to post and contact the media to date. Also, it is highly doubtful that you will be able to meet the high burden to have a case sealed. (Note, your client already tried this and was denied relief).
- 2. As you are aware from the pleadings, we will absolutely be addressing the malignancy of her allegations including her historic prior allegations as they are <u>directly relevant</u> to her bad faith motivation to file this matter. Note, your client also repeatedly refers to her prior "pregnancies" in her emails and text messages to Clayton, which we disclosed. Moreover, her prior allegations are entirely relevant to our Motion for Sanctions, as she has a history of fabrications and her playbook in this underlying matter is almost identical (some of texts read like they are cut and paste) from the matter. We appreciate that subject matter of fabricating pregnancies is embarrassing, but her responses to the questions are absolutely relevant to the pending action in the court.
 - 3. Your objections at deposition are obviously limited by law. If tempts to terminate deposition because we are asking questions that are directly related to her sanctionable actions, that is obviously your choice. I am fairly confident that Judge Mata is not going to agree with you and she will be exposed to consequences including attorney's fees and paying for the reporter costs for yet another deposition so that the discovery process can be completed.
 - I have zero intention of asking questions that do not serve a legitimate purpose. Much of our time is going to be spent confirming foundation issues because your client (after she claimed

she was no longer pregnant) insisted on exercising Rule 2.

- Last, No matter what questions we ask, your client will claim they are meant to harass. I assure you that is <u>not</u> the case.
- I trus
 d you that she had the opportunity to avoid this by acknowledging that she
 was never pregnant to the standard of the opportunity to avoid this by acknowledging that she

Last, this deposition was properly set 3 weeks ago and I have spoken to two (2) other lawyers for that window. If is now refusing to participate without her demands being met, it is not only an unreasonable request (based on the history here and her publications) but a late one.

You are more than welcome to call me to discuss. I appreciate you are in a difficult situation having taken this case in this posture.

Gregg

WOODNICK LAW, PLLC

1747 E. Morten Ave., Suite 205

Phoenix, AZ 85020

Phone

Fax: (602) 396-5850

www.woodnicklaw.com

Email: gregg@woodnicklaw.com

From: Cory Keith Sent: Tuesday, January 16, 2024 12:22 PM

To: Gregg Woodnick <

Cc: Isabel

Maribeth

Subject: RE: FC2023-052114;

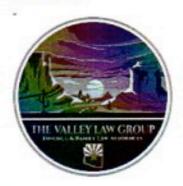
Mr. Woodnick.

Thank you for your email.

After reviewing this case more thoroughly, I am writing to request your position on both parties signing a Protective Order under Rule 53 with relation to the deposition. Specifically, we will be requesting that the deposition transcript, testimony, and any supporting video is documented as highly confidential and kept under seal. We will also request that the deposition scope is limited to matters relevant to this proceeding. Assuming your client does not intend to annoy, embarrass, oppress, harass, or leak the information, I am hopeful that they would be able to sign this agreement for same and move forward with the deposition

tomorrow. Please let me know your client's position as soon as possible. If we are unable to reach an agreement, I will be seeking court intervention prior to my client being present for any deposition.

Thank you,



Please include my paralegal Isabel Sissel on all emails and correspondence. Her email is

Cory Keith

Managing Attorney

The Valley Law Group, PLLC.

3101 N. Central Avenue, Ste. 1470

Phoenix, AZ 85012

Phone:

Fax: 480-781-0722

Email: Cory

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From: Gregg Woodnick

Sent: Tuesday, January 16, 2024 11:37 AM

To: Cory Keith
Cc: Isabel

Maribeth

Subject: FC2023-052114

Cory,

As a professional courtesy, I wanted to let you know (as I am sure police presence at my office tomorrow for the deposition.

Isabel

I am also attaching the Vital Records form for a fetal death certificate. Please encourage populate and bring to the deposition (my staff can notarize it for her here). She also needs to bring her Rule 49 and Exhibit A (per Rule 62).

The depo-videographer is not inexpensive and we just confirmed with John. needs to be here at 1:00p for a prompt start. I do anticipate needing *most* of the 4 hours.

We look forward to meeting you both in person tomorrow.

Gregg

WOODNICK LAW, PLLC

1747 E. Morten Ave., Suite 205

Phoenix, AZ 85020

Phone.

www.woodnicklaw.com

Email:

From: Gregg Woodnick <

Sent: Monday, January 15, 2024 1:19 PM

To

Cc: Isabel Ranney <

Cublant, CC2022 OF21

Subject: FC2023-0521

Cory,

I am a bit confused as we were contacted by a different firm indicating they would be taking over as representation of the Under normal circumstances I would have brushed that off as maybe wires being crossed, but I think you will be the 12th or 13th lawyer in this melee, so I want to make sure you are not already withdrawing (it has been a pattern here.)

Regardless, I am just happy has counsel, as it will keep our deposition on Wednesday productive. As a reminder remiss in her discovery obligations (to date, she has provided none). Per Rule 62, she needs to bring the requested documents to the deposition (attached as Exhibit A along with the Notice). I am also happy to resend blank HIPAA releases (they were ignored previously) for her to execute.

Also as to your date request to depose of course we can make that work...and yes we are available on Groundhog Day (2/2). I am just glad to hear agrees that further discovery is critical, so we welcome the formal Notice (please dispatch) for the record. I am requesting that we start a bit earlier (8:00 a.m. at your office) because it is on a Friday and I have other commitments in the afternoon. Isabel (copied) will be there with me as, in light of your client's history, we don't

engage with her without witnesses.

Happy to talk off-line today if you have a few minutes.

Gregg

WOODNICK LAW, PLLC

1747 E. Morten Ave., Suite 205 Phoenix, AZ 85020

Fax: (602) 396-5850

Email

From: Corv

Sent: Friday, January 12, 2024 5:00 PM

To: GRV

Cc: Isabel

Subject: RE: FC2023-052114; Owens vs. Echard

Mr. Woodnick.

I intend to depose at my office. Please let me know yours and your client's availability on the following dates:

February 1, 2024 @ 1:00pm

February 2, 2024 @ 9:00am

February 8, 2024 @ 9:00am

Thank you,



Please include my paralegal Isabel Sissel on all emails and correspondence. Her email is

Cory

Mana, Attorney

ine rane; ban Group, i bbc.

3101 N. Central Avenue, Ste. 1470

Phoenix, AZ 85012

Phone

Fax: 480-781-0722

Email: Cory,

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From: Isabei

Sent: Thursday, January 11, 2024 2:41 PM

To:

Cc: Con

Subject: FC2023-052114; Owens vs. Echard

Good Afternoon.

In regard to the above referenced matter, please see the attached Notice of Appearance that has been filed on behalf of Petitioner, otherwise requested.

Sincerely,

Isabel

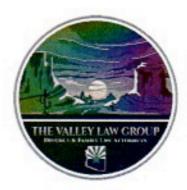
Paralegal

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