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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:

Case No.: FC2023-052114

LAURA OWENS,

Petitioner,

And

CLAYTON ECHARD,

Respondent.

EXPEDITED MOTION TO
CONTINUE TRIAL
AND
MOTION FOR ADDITIONAL TRIAL
TIME

[Expedited Ruling Requested]

(Assigned to the Honorable Julie Mata)

Respondent, **CLAYTON ECHARD**, by and through counsel undersigned and pursuant to Rule 34(c), *Arizona Rules of Family Law Procedure* (ARLFP) hereby requests that this Court continue the Evidentiary Hearing on sanctions and attorney's fees currently set for 2/27/2024 at 4 p.m. Respondent also requests that this Court allow an additional 75 minutes for this hearing, for a total of two (2) hours. This Motion is expedited, as trial is currently scheduled for the end of February and Petitioner has failed to provide any disclosure (see below) and has engaged in what appears to be a concerted effort to undermine the judicial process.

1 As repeatedly stated in Respondent's prior filings, Petitioner has wantonly and
2 willfully failed to provide *any* Rule 49 disclosure, respond to *any* Requests for Production,
3 and *refused* to attend a properly noticed Rule 57 deposition. Petitioner has further refused to
4 sign fetal death certificates or basic HIPAA releases related to any form of medical care she
5 testified to receiving for her alleged "*high-risk*" pregnancy. Notwithstanding this conduct,
6 Respondent appeared at Petitioner's noticed video deposition at her most recent counsel's
7 office and fully participated last Friday (2/2/2024).
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10 The issues of sanctions and attorney's fees cannot be adequately adjudicated without
11 disclosure and discovery from Petitioner, including the opportunity for Respondent to depose
12 Petitioner (again, Petitioner video deposed Respondent on February 2, 2024, after
13 intentionally failing to appear at her own properly noticed deposition). Additionally, the forty-
14 five (45) minutes currently allocated for this Hearing will not allow Respondent to fully
15 present his position on the issues.
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18 **As and for his Motion to Continue Trial, Respondent states as follows:**

19 1. On August 1, 2023, Petitioner initiated the underlying action when she filed her
20 Petition to Establish Paternity, Legal Decision-Making, Parenting Time, and Child Support,
21 alleging that she was pregnant with Respondent's twins after one night of oral sex.
22

23 2. Respondent maintains that this alleged pregnancy was a *hoax/con* much like the
24 previously litigated matters involving Petitioner and other men similarly situated. Here, as
25 with the prior matter, Petitioner faked medical records as her supposed "proof of pregnancy."
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1 This time, Petitioner chose a television personality¹ on which to perpetrate this fraud, and not
2 only faked the pregnancy but attempted to extort him to date her in exchange for an “abortion”
3 (of fictional twins). Respondent refused to date Petitioner, who then continued to promote the
4 false narrative that she was pregnant to the media and the court system (including during the
5 subsequent Injunction Against Harassment proceeding, where she appeared on video in court
6 wearing an ostensibly fake pregnant stomach and asked Judge Gialketsis to allow her to
7 “show” Respondent that she was pregnant). She then continued to contact the media,
8 including the tabloid *The Sun*, Reddit, Medium.com, podcasters Dave Neal and Reality Steve,
9 etc., furthering her entirely fraudulent fake pregnancy narrative.

10
11
12 3. On August 21, 2023, Respondent filed his Answer, denying that Petitioner
13 could scientifically be pregnant with his twins after they engaged only in oral sex on May 20,
14 2023.

15
16 4. Petitioner seems to acknowledge that no sex occurred in her bevy of (500)
17 emails and texts, which resulted in Judge Gialketsis granting an Injunction Against
18 Harassment against Petitioner after a two (2) day trial on the same.

19
20 5. **Nearly seven (7) months have passed** since Petitioner initiated this action,
21 during which NO disclosure has been provided by Petitioner, despite the requests made to her
22 numerous counsels in accordance with Rule 49.

23
24 6. **Petitioner has willfully and wantonly failed to comply with Rule 49.** Rule
25 49 provides, in pertinent part, as follows: “*Unless the parties agree in writing or the court*
26
27

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1 Respondent previously appeared on ABC’s *The Bachelorette* and was the star of *The Bachelor*.

1 orders otherwise, every party must serve an initial disclosure of information required under
2 sections (d) through (k) **not later than 40 days after the filing of the first responsive pleading**
3 **to a petition.**” (Emphasis added). As Respondent filed his Response on August 21, 2023,
4
5 Petitioner’s Rule 49 disclosure was due not later than September 30, 2023. As of filing, no
6 disclosure has been provided. Respondent intends on filing a Motion to Compel in short order.

7
8 7. On January 17, 2023, Petitioner failed to appear at a properly noticed
9 deposition. *See Respondent’s Notice of Non-Appearance at Deposition Pursuant to Rule*
10 *57(g)*. Notably, Respondent appeared and cooperated with Petitioner’s video deposition on
11 February 2, 2024.

12
13 8. Respondent is unable to fully and meaningfully present his argument for which
14 he should be awarded attorney’s fees and sanctions and a finding that the petition was filed in
15 bad faith against Petitioner without disclosure from Petitioner. She seems to know that after
16 the myriad of conversations had with Petitioner’s attorneys and is flaunting her failure to
17 provide the same.

18
19 Petitioner’s convenient claim and effort to get the case dismissed without full
20 adjudication by now saying she is “*no longer pregnant*,” does not indemnify her from
21 providing Rule 49 disclosure or participating in discovery in accordance with the rules, as
22 fully detailed in Respondent’s *Response/Objection to Petitioner’s Motion for Confidentiality*
23 *and Preliminary Protective Order*. To date, Petitioner has provided no verifiable proof of
24 pregnancy by Respondent, the foundational basis of her original Petition to Establish (and
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1 despite her invocation of **Rule 2**).² If she did have a miscarriage (seemingly impossible, as
2 she could not have been pregnant from oral sex) it does not explain her under oath testimony
3 with Judge Gialketsis where she displays her “pregnant stomach” and confirms in her
4 testimony that she is not only pregnant (24 weeks at the date of testimony), but under the care
5 of multiple medical providers for her high-risk condition.
6

7 **Simply said, Petitioner’s pregnancy was faked.** The bump displayed in Judge
8 Gialketsis’ courtroom was ostensibly purchased, as evidenced by Petitioner clearly *adjusting*
9 what appears to be a fake belly and guzzling a Monster Energy drink. (Curious for someone
10 claiming to have a high-risk pregnancy). Her entire Petition was predicated on either lies or
11 delusions and mirrors prior litigation involving Ms. Owens and a growing list of other victims
12 (at least three (3) known men, including Respondent).
13

14
15 9. Respondent has complied with all requests for disclosure and participated in a
16 video deposition as required by the Rules and requested by Petitioner. Petitioner has provided
17 none and continues to flout the Rules of the Court she invoked.
18

19 10. **There is good cause for a continuance given the wholesale lack of disclosure**
20 **and discovery by Petitioner.** As no disclosure has been received in relation to *any* claims
21 made by Petitioner, including the original claim of paternity on which this underlying matter
22 was filed, Respondent has been left with an incomplete picture of the full extent to which
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27 ² Petitioner’s counsel did offer to provide only limited disclosure at Respondent’s deposition, but not in a manner than
28 would satisfy the evidentiary standards of Rule 2 (which petitioner invoked) and Respondent is unwilling to accept any
disclosure that is not provided from the source itself due to Petitioner’ history arts-and-crafts medical evidence
(including faking sonograms).

1 Petitioner's baseless accusations and myriad of filings have harmed him. As such, Respondent
2 requests that the Hearing be continued to allow for disclosure to be received.

3
4 11. **Respondent has been patiently waiting for Petitioner to provide *any***
5 **disclosure for over seven (7) months.** The original claim on which this Petition was filed
6 was brought in bad faith over seven (7) months ago, and no disclosure with which to verify it
7 has been provided. Since then, Petitioner has involved several attorney's and Respondent has
8 engaged in significant efforts to facilitate disclosure and discovery but to no avail. As such a
9 continuance at this stage is appropriate and Respondent has made diligent efforts to avoid
10 having to file a Motion to Continue, including several discussions with Petitioner's
11 attorney(s).
12

13
14 12. Neither party will be prejudiced by a continuance.

15 13. This continuance is sought in good faith and not for delay, as Respondent needs
16 access to critical disclosure in order to properly litigate.
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18 **As and for his Motion for Additional Trial Time, Respondent States as Follows:**

19 14. The Evidentiary Hearing before this Court currently scheduled for 2/27/2024 is
20 set for forty-five (45 minutes). This allows each party less than twenty-five minutes each to
21 present their arguments for the issues of sanctions and attorney's fees.
22

23 15. As this case has been ongoing since August 2023, the issues for the Hearing
24 include, but are not limited to:

- 25
- 26 • Petitioner's bad faith in bringing the underlying paternity action (despite not
27 being pregnant by Respondent, as was impossible from oral sex);
28

- Petitioner's factual contentions/assertions of pregnancy not supported by any verifiable evidence from the onset of this action;
- Petitioner's wholesale refusal to participate in discovery and disclosure;
- Petitioner's repeated filings (including a Motion to Dismiss once she alleged she was "no longer pregnant") being unsupported by existing law;
- Petitioner's unreasonable behavior throughout this matter, culminating in Respondent's *Motion for Sanctions* under Rule 26(b) and (c);
- Petitioner's continued perpetration of fraud upon the court, including falsifying "medical evidence;"
- Petitioner's appearance in a separate court proceeding (CV2023-053952) and testimony that she was "24 weeks," due on "February 14, 2024" and being treated for a "high risk" pregnancy by "Dr. Makhoul" and "Dr. Higley;"
- Petitioner's failure to appear at a properly noticed deposition pursuant to Rule 57;
- Petitioner's unreasonable behavior justifying Respondent's request for his reasonable attorney's fees and costs, consistent with A.R.S. § 25-324;
- All other false and fraudulent behavior revisited in every filed motion/pleading in this matter pursuant to Rule 26(b).

Respondent's position on these issues cannot be adequately addressed with less than twenty-five (25) minutes being allocated to each party during the upcoming Hearing.

1 Therefore, Respondent respectfully requests that this Court allow the parties an additional
2 seventy-five (75) minutes of trial time, for a total of two (2) hours.

3
4 16. Undersigned reached out to Petitioner's counsel regarding their position on the
5 above but no response was received (**Exhibit 1**). In light of the quickly approaching deadlines,
6 expedited ruling is requested.

7 **WHEREFORE, Respondent respectfully requests the Court:**

8
9 A. Vacate the evidentiary hearing scheduled for 2/27/24 at 4:00 p.m.;

10 B. Reset the evidentiary hearing for sixty (60) days to allow time for Petitioner to
11 engage in discovery and disclosure;

12 C. Set the evidentiary hearing for at least two (2) hours;

13 D. Order such further relief as the Court deems just.
14

15 **RESPECTFULLY SUBMITTED** this 6TH day of February, 2024.

16 **WOODNICK LAW, PLLC**

17 

18
19 _____
20 Gregg R. Woodnick

Isabel Ranney

Attorneys for Respondent

21 **ORIGINAL** of the foregoing e-filed
22 this 6th day of February, 2024 with:

23 Clerk of the Court
24 Maricopa County Superior Court

25 **COPY** of the foregoing document
26 delivered this same day to:

27 The Honorable Julie Mata
28 Maricopa County Superior Court


1 **COPY** of the foregoing document
2 emailed this same day to:

3 Cory Keith
4 The Valley Law Group, PLLC
5 3101 N. Central Ave, Ste 1470
6 Pheonix, AZ 85012
7 cory@thevalleylawgroup.com
8 *Attorney for Petitioner*

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By: /s/MB

VERIFICATION

I, **CLAYTON ECHARD**, declare under penalty of perjury that I am the Respondent in the above-captioned matter; that I have read the foregoing *Expedited Motion to Continue Trial and Motion For Additional Trial Time* and I know of the contents thereof; that the foregoing is true and correct according to the best of my own knowledge, information and belief; and as to those things stated upon information and belief, I believe them to be true.



Clayton Echard (Feb 6, 2024 13:32 MST)
CLAYTON ECHARD

02/06/2024

Date

EXHIBIT “1”

From: Gregg Woodnick
To: Cory Keith
Cc: Isabel Sissel; Isabel Ranney
Subject: Echard/Owens
Date: Monday, February 5, 2024 11:41:59 AM

Cory,

It was nice seeing you on Friday.

Since we have not received any disclosure from Laura, the RFPs remain outstanding, the HIPAAs have not been executed (provided 3x), the Fetal Death Certificates (provided 2x) also ostensibly not executed and we still need to depose Laura after she failed to appear at her deposition, we are going to file a Motion to Continue and request additional trial time.

I assume you agree, but let me know so I can note it in the MTC.

Gregg

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