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10 **MARICOPA COUNTY SUPERIOR COURT**
11 **STATE OF ARIZONA**

12 **In Re Matter of:**

13 **LAURA OWENS,**

14 **Petitioner,**

15 **And**

16 **CLAYTON ECHARD,**

17 **Respondent.**

Case No: FC2023-052114

**PETITIONER'S RESPONSE TO
RESPONDENT'S AMENDED MOTION
FOR RELIEF BASED ON FRAUD**

(Assigned to Hon. Julie Mata)

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18 Petitioner Laura Owens ("Ms. Owens" or "Petitioner") respectfully submits the
19 following Response to Respondent Clayton Echard's ("Mr. Echard" or "Respondent")
20 *Amended* Motion for Relief From Judgment Based on Fraud.

21 As explained below, there has been no fraud of any kind in this proceeding. YES,
22 Ms. Owens made some misstatements along the way, including misstatements to third
23 parties, and at least one minor misstatement to the Court (in the order of protection
24 proceeding). As explained below, none of those misstatements affected the outcome of
25 the order of protection proceeding, nor do they have any effect on the paternity
26 proceeding (except, of course, to the extent they bear on Ms. Owens' overall credibility).

27 As will eventually become clear once all the facts are known, even accepting the
28 problems with Ms. Owens' credibility, there is objective medical proof Ms. Owens was,
in fact, pregnant, and she believed (with good reason) that Mr. Echard was the father.

1 Thus, even accepting *other unfortunate but unrelated* problems with credibility, Ms.
2 Owens had a valid good faith basis to commence the paternity proceeding against Mr.
3 Echard, and she also had a valid good faith basis to seek a protective order based on Mr.
4 Echard's abusive and harassing conduct.

5 For these reasons, the protective order previously entered on October 26, 2023 in
6 FC2023-052771 had a valid factual and legal basis, and there are no grounds to change
7 that decision. Accordingly, Mr. Echard's motion should be denied, and Ms. Owens
8 should be awarded her reasonable attorney's fees incurred in preparing this response
9 pursuant to A.R.S. § 25-324.

10 **I. PROCEDURAL PREFACE**

11 The posture of the current pleading is somewhat confusing, so in an abundance of
12 caution, this Response begins with a short comment to remove any potential
13 misunderstanding. First, on March 26, 2024, Mr. Echard filed a Motion for Relief From
14 Judgment Based on Fraud in FC2023-052771 (the OOP matter). That initial motion was
15 never served (the certificate of service indicates it was *emailed* to Ms. Owens, who was
16 self-represented at that point and had not agreed to accept electronic service).

17 Undersigned counsel was retained to represent Ms. Owens, first in the paternity
18 matter (FC2023-052114), and later in the OOP case. Upon appearing in the OOP matter
19 on April 9, 2024, undersigned counsel filed a notice explaining the previous pending
20 motion (for relief based on fraud) had not been served on Ms. Owens, and that no
21 response was currently due for that reason. The issue of service was later resolved
22 between counsel, and the undersigned had intended to file a timely response to the
23 motion seeking relief based on fraud.

24 In the interim, Mr. Echard filed a motion seeking a "joint hearing" in FC2023-
25 052114 and FC2023-052771, which this Court granted via minute entry order issued
26 April 26, 2024 (technically, the motion for joint hearing was never properly served either,
27 but Ms. Owens had no objection to that request). Finally, on April 26, 2024, Mr. Echard
28 filed pleading purporting to *amended* his prior motion for relief based on fraud, although

1 it appears the amendment was filed only in FC2023-052114 (the paternity case) and not
2 FC2023-052771 (the OOP case).

3 With that slightly complicated posture in mind, this pleading is intended to
4 represent Ms. Owens' response to both the original motion seeking relief based on fraud
5 filed in the OOP case, and the *amended* version of that motion just filed in the paternity
6 case. Hope that makes sense.

7 **II. INTRODUCTION**

8 Because the order of protection case has been functionally consolidated with the
9 paternity proceeding, a brief recap is in order. On October 6, 2023, Ms. Owens filed a
10 short *pro se* petition asking for an order of protection against Mr. Echard.

11 For her factual basis, the petition generally alleged Mr. Echard sent harassing and
12 threatening messages to Ms. Owens expressing his "anger and hatred" towards her. Ms.
13 Owens further claimed Mr. Echard published harassing and annoying messages about her
14 online, and that he encouraged others to do so. Ms. Owens also argued Mr. Echard posted
15 messages online sharing "private and confidential" information about her (and, again, he
16 encouraged others to do so). Ms. Owens claimed these actions had caused her "extreme
17 anxiety" and fear for her safety to such a degree that she was afraid to leave her own
18 home.

19 After an *ex parte* order was issued, a contested hearing was held on the petition on
20 October 25, 2023 at which Ms. Owens and Mr. Echard both testified. Following the
21 hearing, the Court found "by a preponderance of the evidence that there is reasonable
22 cause to believe that Defendant has committed an act of domestic violence within the last
23 year." Minute Entry Order 10/25/2023 (filed 10/26/2023).

24 Mr. Echard now seeks relief from this order....but only sort of. As a starting point,
25 and as a recurring theme, Mr. Echard argues "Plaintiff was never pregnant by Defendant"
26 (a point which was arguably litigated and resolved against him at the hearing). Mr.
27 Echard then proceeds to cite a handful of various "fraudulent" things done by Ms.
28 Owens, including modifying a sonogram image, and lying about which doctors saw her.

1 Taken as a whole, Mr. Echard’s motion seems to contain two main issues. First,
2 he claims Ms. Owens was “never pregnant”. If true, that would *potentially* affect her
3 statutory rights to seek relief under the Order of Protection statutes, A.R.S. §§ 13–3601
4 and 13–3602.

5 Second, Mr. Echard claims Ms. Owens lied about things such as the authenticity of
6 a sonogram image and other aspects of her pregnancy. In the narrow context of an OOP
7 proceeding, it appears Mr. Echard is attempting to raise those issues to show that *if* he
8 published a medical record online which did *not* belong to Ms. Owens, that means he did
9 not engage in the type of conduct that would support the order of protection entered here.

10 As explained below, none of these arguments are well-taken. The order of
11 protection was properly and lawfully issued, and no grounds exist to vacate or modify it.
12 As such, Mr. Echard’s motion should be denied, and Ms. Owens should be awarded her
13 reasonable attorney’s fees incurred in preparing this response.

14 **III. DISCUSSION**

15 Arizona has many different laws permitting orders against harassment, threats, and
16 other types of offensive conduct. The two main laws are A.R.S. § 12–1809 (permitting
17 injunctions against harassment) and A.R.S. § 13–3602 (allowing orders of protection “for
18 the purpose of restraining a person from committing an act included in domestic
19 violence.”)

20 These orders/injunctions are typically focused on preventing unlawful *conduct*, but
21 they also have the potential to impact certain constitutionally-protected activities
22 including free speech. To ensure the right to engage in vibrant discourse is not unduly
23 chilled, protective orders/injunctions are subject to strict procedural and technical
24 requirements, including very specific statutory standards which are necessary to protect
25 the First Amendment rights of litigants, while still providing relief for victims of
26 harassing conduct. *See, e.g., Streeter v. Visor*, 2015 Ariz. App. Unpub. LEXIS 1451, *5
27 (App. Div. 1 2015) (vacating injunction against harassment on First Amendment grounds,
28 and noting “A restriction like this based on the content of speech is permissible only if

1 narrowly tailored to achieve a compelling state interest.”) (citing *Perry Educ. Ass'n v.*
2 *Perry Local Educators' Ass'n*, 460 U.S. 37, 45 (1983)). Of course, Mr. Echard has not
3 raised any sort of constitutional challenge to the order Ms. Owens obtained in this matter,
4 so this Response will not explain why the order *is* constitutionally proper.

5 With this backdrop in mind, to the extent Mr. Echard claims he is entitled to relief
6 because Ms. Owens was “never pregnant”, this appears to be an attack on the Court’s
7 statutory authority to grant any relief at all under the OOP statute. That attack is baseless,
8 both legally and factually.

9 **a. Ms. Owens Was Legally Eligible For OOP Protection**

10 To begin, any party seeking an order of protection must show they are entitled to
11 relief under the law. Unlike a harassment injunction under A.R.S. § 12-1809 (which may
12 be obtained by *anyone*, regardless of the relationship between the parties), orders of
13 protection under A.R.S. § 13-3602 are limited in terms of eligibility. By definition, a
14 party seeking an order of protection must show they fit within one or more of the
15 categories described in A.R.S. § 13-3601(A) which include things like married couples
16 (§ 3601(A)(1)), parents who share a child (§ 3601(A)(2)), and cases in which “The victim
17 or the defendant is pregnant by the other party.” § 3601(A)(3).

18 But the OOP law is not limited to only marital or filial/paternal relationships.
19 A.R.S. § 13-3601(A)(6) allows relief in any case where “The relationship between the
20 victim and the defendant is currently or was previously a romantic or sexual
21 relationship.” (emphasis added).

22 Here, fleeting as it was, there is no dispute Mr. Echard and Ms. Owens had a
23 romantic relationship which involved some level of sexual conduct. Mr. Echard denies
24 sexual *intercourse*, but Ms. Owens claims sex occurred, in addition to oral sex and other
25 activities.

26 Thus, even if Mr. Echard was correct and even if Ms. Owens was “never
27 pregnant”, that point is entirely irrelevant to her right to seek relief under the OOP
28 statute. A romantic or sexual relationship is sufficient, and here we have both.

1 For that reason, Ms. Owens did not obtain the order of protection by fraudulently
2 claiming she was pregnant. Relief was still available under the law, even if Ms. Owens
3 was never pregnant at all, simply based on the brief romantic rendezvous.

4 **b. The Court Properly Found The Facts Supported Relief**

5 Aside from Ms. Owens' statutory entitlement to relief based on her relationship
6 with Mr. Echard, Mr. Echard argues the order of protection was obtained by fraud
7 because Ms. Owens was not *factually* entitled to the relief she sought. Again, Mr.
8 Echard's arguments are not well-taken.

9 As explained above, following a contested hearing, the court made a factual
10 finding that Ms. Owens established "by a preponderance of the evidence that there is
11 reasonable cause to believe that Defendant has committed an act of domestic violence
12 within the last year." Minute Entry Order 10/25/2023 (filed 10/26/2023). In evaluating
13 that finding, it is critical to understand in the context of an order of protection hearing, the
14 term "domestic violence" has a *very* specific legal definition:

15 "Domestic violence" means any act that is a dangerous crime against
16 children as defined in section 13-705 or an offense prescribed in section 13-
17 1102, 13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204,
18 13-1302, 13-1303, 13-1304, 13-1406, 13-1425, 13-1502, 13-1503, 13-1504,
19 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 1, 2, 3 or 6,
20 section 13-2910, subsection A, paragraph 8 or 9, section 13-2915,
21 subsection A, paragraph 3 or section 13-2916, 13-2921, 13-2921.01, 13-
22 2923, 13-3019, 13-3601.02 or 13-3623[.]

21 A.R.S. § 13-3601(A).

22 This long list of numbers means little to non-lawyers, and probably nothing more
23 to anyone else. The key to understand is this — the list includes an extremely broad range
24 of conduct including completely unrelated acts like *negligent homicide* (A.R.S. § 13-
25 1102) and *revenge porn* (A.R.S. § 13-1425). The statutory definition of "domestic
26 violence" also covers things like: "Recklessly parking any vehicle in such a manner as to
27 deprive livestock of access to the only reasonably available water." A.R.S. § 13-
28 1602(A)(4). Seriously, that meets the definition of "domestic violence".

1 Here, after the hearing, the court did not explain *precisely which aspect* of
2 “domestic violence” was proved. But we can rule a few things out; it is undisputed Mr.
3 Echard did not park his car in such a manner as to deprive livestock of access to water.
4 Whew. Nothing worse than thirsty cows.

5 Instead, given the allegations in Ms. Owens’ petition, it is fairly clear the court’s
6 finding was based on A.R.S. § 13–2904(A) (prohibiting disorderly conduct) and/or
7 A.R.S. § 13–2916 (using electronic communications to terrify, intimidate, threaten or
8 harass). Both in her petition and in her testimony at the hearing, Ms. Owens established
9 Mr. Echard sent her threatening, harassing, and insulting messages, and in the *ex parte*
10 order entered on October 6, 2023, the court clearly was focused on Mr. Echard’s online
11 attacks and harassment (which were *extensive* and not limited to posting a single
12 sonogram image):

13 **OTHER ORDERS:**

14 The Court finds reasonable cause to believe that the Defendant may commit an act of domestic violence or has
15 committed an act of domestic violence within the past year (or good cause exists to consider a longer period). Defendant
16 shall have no contact with Plaintiff other than as outlined herein and shall not cause others to contact Plaintiff other than
17 as outlined herein. Defendant shall not communicate or post untrue or harassing comments regarding Plaintiff online,
including but not limited to on social media, and shall not cause others to communicate or post untrue or harassing
comments regarding Plaintiff online or otherwise.

18 Notably, in Mr. Echard’s motion for relief, he never even attempts to refute the
19 allegations in Ms. Owens’ petition which address his harassing conduct toward Ms.
20 Owens, including messages he sent describing his rage, hatred, and fury towards her, as
21 shown below here.

Approx. Date	(Do not write on back or in the margin. Attach additional paper if necessary.)
23 6/1/2023	Clayton has sent threatening messages since discovering I was pregnant, such as: I legitimately hate you right now. my hatred will only grow if you decide to put me through all of this. My animosity would last for a lifetime and that's not something either of us want to subject ourselves to. One thing about me is when I make up my mind for good, especially when it's rooted in anger, I don't sway. Ever My hate is toward you and you only. if you decide to not take plan B and in the wild event that you are pregnant, I would hate you even more.
26 9/21/2023	Clayton Echard was The Bachelor and has many diehard loyal fans. He and I are involved in a very public paternity case that is being covered by every major media outlet. Clayton posted to a story to his 270k followers to look me up, which they have, and I have been sent threatening and harassing messages by his followers. I explained this to him and asked him to take down the post, which he did not. By posting personal and sensitive information about me publicly (and without my consent), he has made me feel humiliated and embarrassed.

1 This conduct, which has *nothing* to do with an “altered” sonogram, was sufficient,
2 standing alone, to support a finding of actual or potential domestic violence within the
3 unique statutory definition of the term. Mr. Echard does not challenge that point. As such,
4 even assuming Ms. Owens was not truthful about *other* issues, the undisputed evidence
5 supported the order entered here on that basis alone.

6 **i. Ms. Owens Was Pregnant**

7 In his obsessive, never-ending quest to smear and defame Ms. Owens (just like
8 Donald Trump did with writer E. Jean Carroll, to his later financial detriment), Mr.
9 Echard claims Ms. Owens was “never pregnant”, that she “has provided no verifiable
10 medical evidence to support her alleged twin pregnancy” and that “every obstetrician and
11 gynecologist [Plaintiff claimed to have seen] has indicated they have “no records as she
12 was never seen as a patient.” To be clear—each of these is a knowingly false statement
13 which will result in a forthcoming motion for sanctions against Mr. Echard and his
14 counsel. At some point, these constant lies must stop.

15 In the meantime, rather than pre-litigating the entire case in this pleading, Ms.
16 Owens simply directs the Court’s attention to the expert report of Dr. Michael T.
17 Medchill, submitted herewith. Dr. Medchill is a recently-retired Arizona OB/GYN with
18 more than 30 years of experience in the field. His *curriculum vitae* reflects that in
19 addition to his medical degree, Dr. Medchill also separately holds a Ph.D. in
20 immunology/biology, a masters degree in microbiology, and a BA (*magna cum laude*) in
21 biology. His work experience is even more impressive.

22 During his lengthy career as an OB/GYN in Arizona, Dr. Medchill served as the
23 Chairman of the OB/GYN department at St. Joseph’s Hospital in Phoenix. Although not
24 reflected in his CV or report, during his long career, Dr. Medchill personally delivered
25 more than 22,000 children, likely more than any other physician in the State of Arizona.
26 Prior to his recent retirement, Dr. Medchill was board certified by the National Board of
27 Medical Examiners and the American Board of Obstetrics and Gynecology. His
28 education, training, experience in the field are truly exceptional.

1 In his report, Dr. Medchill explained he has reviewed Ms. Owens' medical
2 records (which are *extensive*, contrary to Mr. Echard's claims), and other evidence
3 including an affidavit from Ms. Owens describing her contact with Mr. Echard and her
4 activities relating to the pregnancy. Based on his review, Dr. Medchill's expert opinion
5 is: "**She was clearly pregnant with 99+% certainty** based on five HCGs (from both
6 urine and blood)." Report at Medchill0009, ¶ 6 (emphasis added).

7 Importantly, Dr. Medchill also directly refutes an extremely frustrating,
8 inaccurate, and tired trope included in nearly every pleading filed by Mr. Echard, *to wit*:
9 "**Plaintiff [Ms. Owens] was never pregnant by Defendant [Echard]** as they did not
10 have penetrative sexual intercourse." Mot. at 2:10-11 (emphasis in original). On that
11 point, Dr. Medchill explains human beings can and do become pregnant even without
12 penetrative sexual intercourse, noting "I have heard that story many times".

13 Dr. Medchill provides a fascinating discussion about a patient he treated named
14 "Maria" who was confirmed to be pregnant despite claiming she never had intercourse.
15 Dr. Medchill explained his physical exam verified she was pregnant, and her hymen was
16 still intact (thus confirming she was, at least in the literal sense, a pregnant virgin):

17 Would it be reasonable for Ms. Owens to assume she was pregnant based
18 on the type of sexual contact she had and the lab test results she received?
19 Yes. There was not a description of the foreplay and there was disputed
20 testimony about the after play. It is well known that men are "like
21 basketball players-they dribble before they shoot" which is why the
22 withdrawal method has a much higher failure rate than most other methods
23 of birth control. They also dribble after they shoot, so if he did put his penis
24 in or near her vagina after orgasm, she could still get pregnant. The odds of
25 getting pregnant obviously go down if semen is released just outside of the
26 vagina but it is still possible. In fact, I had one patient who was clearly
27 pregnant (ultrasound confirmed), she absolutely denied intercourse,
28 denied even ever using tampons and stated that she was a virgin. I have
heard that story many times. In this case, however, I was shocked at the
time of her exam to see that her hymen was intact! That alone would be
remarkable enough to remember her but her name was Maria and her due
date was within a day or two of Christmas.

Report at Medchill0009, ¶ 5 (emphasis added).

1 Thus, contrary to the wholly unsupported and self-serving allegations of Mr.
2 Echard and his counsel, an OB/GYN with impeccable credentials has reviewed the facts
3 in this case and will opine at trial, that Ms. Owens was not only pregnant, she "was
4 clearly pregnant with 99+% certainty."

5 As if that evidence was not sufficient, equally notable is the expert report recently
6 disclosed by Mr. Echard, a copy of which is also submitted herewith. For his part, Mr.
7 Echard has disclosed two OB/GYN experts. The first, Dr. Faye Elizabeth Justicia-Linde,
8 is a medical doctor and professor who appears to have experience *teaching* in the field of
9 Obstetrics and Gynecology, although the extent of her practical and clinical experience as
10 an OB/GYN is unknown (her CV reflects limited work experience in the field other than
11 as a professor).

12 The second is Dr. Samantha Deans. Her work experience as an OB/GYN (like Dr.
13 Justicia-Linde) appears to be primarily teaching, as an assistant professor. In terms of
14 practical work experience in the field, Dr. Deans' CV indicates she has spent
15 approximately nineteen (non-consecutive) months working as an Associate Medical
16 Director for Planned Parenthood in Pennsylvania and Florida.

17 Given their relatively limited experience in the field, neither Dr. Justicia-Linde
18 nor Dr. Deans express any opinion about whether Ms. Owens was, or was not, pregnant.
19 Indeed, tellingly, nothing in their expert report ever comes close to refuting Dr.
20 Medchill's opinion that Ms. Owens was, in fact, pregnant with 99+% certainty.

21 Instead, Drs. Justicia-Linde and Deans offer a lukewarm and strictly-qualified
22 opinion stating they cannot "confirm" Ms. Owen had an "ongoing, viable clinical
23 pregnancy" which meets their technical definition of that term:

24 **We cannot confirm by any objective data that Ms Owens had an ongoing, viable clinical**
25 **pregnancy at any time in the last year. Clinical pregnancy is defined as "a pregnancy**
26 **diagnosed by ultrasonographic visualization of one or more gestational sacs or definitive**
27 **clinical signs of pregnancy. In addition to intra-uterine pregnancy, it includes a clinically**
28 **documented ectopic pregnancy."² We have received no verifiable documentation of a**
clinical pregnancy as defined.

1 With all due respect to the doctors, according to this bizarrely contrived
2 definition, if a woman became pregnant and gave birth to a healthy child *without ever*
3 *having an ultrasound*, Drs. Justicia-Linde and Deans would express the same opinion as
4 they did with Ms. Owens – no “verifiable *clinical* pregnancy” according to their
5 definition. In fact, by their definition, it is probably accurate to say undersigned counsel
6 is not currently alive and writing this brief.

7 That level of gamesmanship speaks volumes about what is really going on here.
8 But there is no need to speculate. The simple truth is this – **Mr. Echard’s own experts**
9 **do not support his contention that Ms. Owens was “never pregnant”.** **They don’t**
10 **even try to claim this.**

11 Instead, they simply created a bizarrely-specific definition of “*clinical pregnancy*”
12 and then suggest they can’t conclusively determine whether Ms. Owens ever met that
13 specific definition. Of course, the question of whether Ms. Owens had a “*clinical*
14 pregnancy” or just a plain old regular one is not relevant.

15 As a matter of law, A.R.S. § 25–804 *does not* limit paternity proceedings to only
16 “verifiable *clinical* pregnancy” under the definition created by Mr. Echard’s experts. And
17 for the record—this issue is also irrelevant because Ms. Owens never claimed to have had
18 a “*clinical* pregnancy” using the special definition created by Drs. Justicia-Linde and
19 Deans. She just claimed she was pregnant, as Dr. Medchill confirms she was. Maybe
20 someday Mr. Echard will stop falsely claiming Ms. Owens was “never pregnant”, but
21 sadly not today.

22 **ii. The “Sonogram” Was Not Fraudulent**

23 Another tired point raised by Mr. Echard is that Ms. Owens committed “fraud”
24 because the order of protection was based on sonogram image that Ms. Owens has since
25 admitted to altering. But this point does not in any way support the relief Mr. Echard asks
26 for here. This is so for two reasons.

27 First and most importantly, the order of protection was issued in this matter based
28 on evidence *unrelated* to the sonogram. Once again, throwing candor to the wind, Mr.

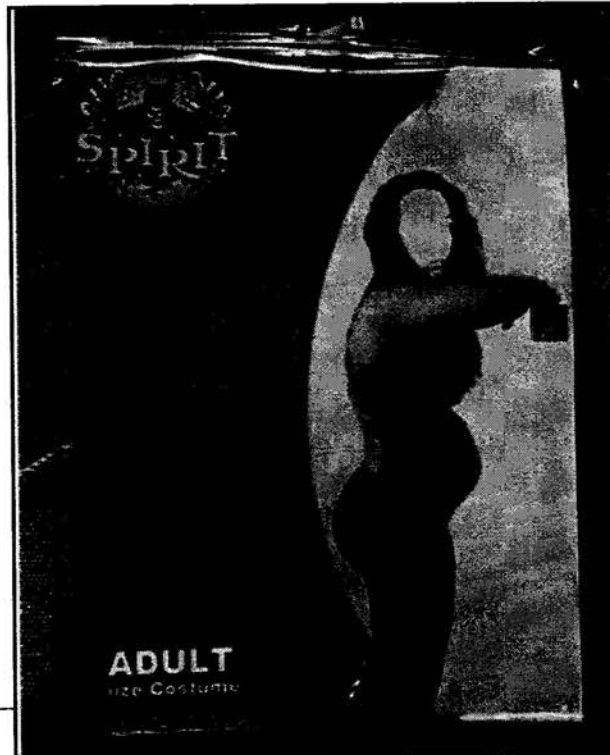
1 Echard argues “the Court explicitly stated the sole reason it was upholding the Order of
2 Protection was because of the image containing the sonogram.” Mot. at 8:23–24
3 (emphasis in original).

4 Ms. Owens’ response is that NO, that is NOT what the Court said, and since Mr.
5 Echard seems to have missed the Court’s ruling on this issue, it will be repeated here:

6 **OTHER ORDERS:**

7 The Court finds reasonable cause to believe that the Defendant may commit an act of domestic violence or has
8 committed an act of domestic violence within the past year (or good cause exists to consider a longer period). Defendant
9 shall have no contact with Plaintiff other than as outlined herein and shall not cause others to contact Plaintiff other than
as outlined herein. Defendant shall not communicate or post untrue or harassing comments regarding Plaintiff online,
including but not limited to on social media, and shall not cause others to communicate or post untrue or harassing
comments regarding Plaintiff online or otherwise.

10 The fact that the Court ordered Mr. Echard to refrain from posting “untrue or
11 harassing comments regarding Plaintiff online” shows the order was *not* based solely on
12 the sonogram image. It was based on Mr. Echard’s relentless attacks against Mr. Owens,
13 trying to falsely portray her as a “pregnancy faker” (a campaign which has been
14 extremely successful). Included in those attacks was this offensive photo showing Ms.
15 Owens’ body Photoshopped onto a fake Halloween costume package (this image is
16 attached to Mr. Echard’s motion as Exhibit 3).



1 Although this image is “fake” in the sense that Ms. Owens has never appeared on
2 a Halloween costume package, Mr. Echard offered no evidence to show that Ms. Owens
3 created this image or that she was responsible for posting it online (given the
4 embarrassing and insulting nature of the image, it stands to reason Ms. Owens had no
5 reason to create this image or to share it online). Indeed, the whole point of Ms. Owens
6 seeking the order of protection was to provide *relief* from these types of attacks.

7 In short, Ms. Owens has admitted to modifying one sonogram image in a non-
8 material way — she testified in her deposition that she changed the name of the facility
9 on the image to prevent Mr. Echard from knowing where it was done. Beyond that, Ms.
10 Owens has always maintained that the ultrasound image itself was not fake, it depicted
11 her body, and it was taken at Planned Parenthood during the pregnancy which gives rise
12 to this case. Simply changing the name of the location where the sonogram was taken
13 does not mean the remainder of the image is “fraudulent”.

14 It simply means Ms. Owens made a very dumb decision to alter the document in a
15 way that, ultimately, only harms Ms. Owens’ case. But lying about the location where the
16 image was created changes nothing about the fact that Ms. Owens was, indeed, pregnant.

17 Furthermore, Mr. Echard has also admitted to lying in this case (he lied to Ms.
18 Owens about real estate agreements she asked him to prepare on her behalf). The fact that
19 Mr. Echard has admitted lying to Ms. Owens does not mean he should automatically lose
20 this case, anymore than the sonogram issue shows Ms. Owens should lose. Both parties
21 in this case have acted stupidly at times. That is an unfortunate fact of life, and he who is
22 without sin shall cast the first stone.

23 The bottom line is that Ms. Owens concedes she made a mistake here. As a result
24 of that mistake, she cannot provide *verification* that her story about the sonogram is true,
25 and she understands this is an issue that may affect her credibility. At the same time, it is
26 important to note that even if the sonogram is completely ignored, there is still substantial
27 other objective, verified proof to support her pregnancy claim. Because so much other
28 proof exists, the sonogram becomes largely irrelevant (notably because the sonogram is

1 disputed, Dr. Medchill completely disregarded it in his report, yet he still concluded
2 sufficient other evidence exists to support Ms. Owens' pregnancy, with a high degree of
3 medical certainty).

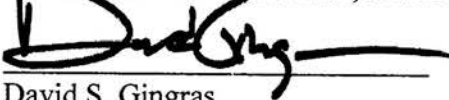
4 **IV. CONCLUSION**

5 For all the reasons stated above, there is no basis for this Court to vacate the order
6 of protection entered in this matter. Reasonable factual grounds existed to support the
7 Court's finding of actual or potential domestic violence, as that term is defined in A.R.S.
8 13-3601, and Mr. Echard's motion fails to show any basis for a different conclusion
9 now..

10 As such, Mr. Echard's *Amended* Motion for Relief Based on Fraud should be
11 denied in its entirety, and Ms. Owens should be awarded her reasonable attorney's fees
12 incurred in preparing this response pursuant to A.R.S. § 25-324.

13
14 DATED April 26, 2024.

GINGRAS LAW OFFICE, PLLC



David S. Gingras
Attorney for Petitioner
Laura Owens

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Original e-filed
and **COPIES** e-delivered April 26, 2024 to:

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