



Owens trial

1 message

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

----- Forwarded message -----

From: **David Gingras** <[Redacted]>
Date: Thu, May 9, 2024 at 9:50 AM
Subject: RE: Owens v Echard
To: Michael Marraccini <[Redacted]>

Mike (please call me David),

Just FYI – there’s an ethical rule for lawyers that says I’m not allowed to communicate about a case directly with a “represented party” (meaning a person who is currently represented by a lawyer), *unless* I have consent from that person’s lawyer. That limit only applies to discussions *about* the matter in which the person is represented. So for example, if you were represented by a lawyer in a lawsuit involving a car accident, if I was the opposing lawyer, I could not speak directly with you about the car accident without your lawyer’s permission....but I could still talk to you about something else – sports, the weather, politics, etc.

I know that’s a weird rule, but it’s something I take seriously.

[REDACTED]

In this situation, it's not clear to me whether anyone represents you with respect to Laura's case. I know Randy Sue Pollock previously represented you with respect to the CA order of protection stuff (which is all resolved now). To my knowledge, she does not represent you with respect to the AZ case involving Laura and Clayton. I also don't think Gregg Woodnick is representing you with respect to Laura's case (he has never claimed to be acting as your lawyer). So at this point, I ***think*** you are technically not represented with respect to Laura's case, but I am not 100% clear on this. It's entirely possible for a lawyer to represent you with respect to ONE thing, but not with respect to something else.

So, to err on the side of caution, I need to make sure that IF you are represented by anyone with respect to the AZ case, I have permission from your lawyer to talk to you about the AZ trial (bearing in mind I understand you don't want to talk at this point). If you are NOT represented, that's fine...I just need to know.

I am only mentioning this so you didn't think I was ignoring your comments below. I DO want to respond, and I DO want to encourage you to change your mind about talking to me (I promise – it's not a big deal). But I just need to make sure you aren't represented by anyone first, since that hasn't been made clear by either Gregg or Randy Sue.

P.S. I removed that tweet from yesterday, and I'm happy to remove anything else if you ask.

David Gingras, Esq.

Gingras Law Office, PLLC

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



From: Michael Marraccini <[REDACTED]>
Sent: Thursday, May 9, 2024 8:15 AM

To: David Gingras <[REDACTED]>

Subject: Owens v Echard

Mr. Gingras,

Gregg Woodnick reached out to me and gave me your contact number because you have expressed a desire to speak to me. I want you to know that I was about to call you and tell you about my harrowing experience with Laura Owens and all the lies she told including, but not limited to, lying about being pregnant with twins, telling me she had cancer, threatening suicide, and emotionally terrorizing me to coerce me into a relationship with her. But before I could pick up the phone, I saw that you tweeted out a photograph of me and Laura and audio from a radio show we did together from that traumatic time in my life. I cannot express to you how inappropriate and offensive that action was. You have accused me of fabricating evidence and lying which led me to take my laptop directly to an expert for analysis.

I had moved on with my life and had no interest in opening up old wounds that have so injured me but you made it impossible for me to sit quietly. You posted my deposition online to accuse me of lying and you humiliated me purposefully. I deeply resent the allegations, which is why I decided to turn over my laptop as evidence in the Clayton Echard case against Laura. We both know that she sent those doctored medical records to me and now you have the proof. I could not in good conscience remain quiet and watch Laura use this same playbook against another innocent man.

I have decided that I will not speak with you on the phone. I will speak in a court of law on June 10th, under oath, and I will tell the truth about the horrors that Laura visited on my life. You may ask me any question you want and I will answer with the whole truth. You do not understand, or willfully refuse to accept, how traumatizing my interaction with Laura Owens has been. She has destroyed my reputation and ruined background checks by taking out a fraudulent order of protection against me based on lies that have affected me personally & professionally. She accused me of horrific acts of domestic abuse that never happened. She fabricated medical evidence and held threats of suicide over my head to keep me locked in a relationship that was toxic and deeply disturbing.

But perhaps the worst thing you have done is to suggest that I should talk to Laura, the woman who attempted to, and in many ways did, destroy me. This is the same woman who continues to renew the false order of protection against me and pretends to be terrified I'll be in the same courtroom as she. Why would someone so afraid of me want to speak to me and violate that order she insists she needs? This, just a day after you threatened to have me arrested if I showed up at the courthouse to be a witness. The fact you would suggest such an inappropriate call between me and my abuser proves to me you have no idea how inappropriate it would be to speak to the woman who fabricated wild tales about me and turned them into a TedX talk and an entry in Chicken Soup for the Soul that will live on forever.

This letter, which has been painful for me to write, has addressed everything you wanted to speak to me about by phone.

All the best,

Michael Marraccini

From: Gregg Woodnick
Sent: Wednesday, May 08, 2024 4:57 PM
To: David Gingras <[REDACTED]>
Cc: Isabel Ranney <[REDACTED]>; Maribeth Burroughs
<[REDACTED]>
Subject: RE: Owens v. Echard

David,

1. Let me know about your computer expert ASAP. Mike is fine with the tech issues being reviewed by your expert. There are other files on that computer that are personal/private so we need to figure out how to assure those are not accessed, but that should be navigable.
2. In addition to the tech confirmation, Collin Scanlon recalls all of this and he was present during the meeting with Ron Owens at [REDACTED] in SF where they discussed the situation. Ron was apologetic for what Laura had done.
3. Mike mentioned he is willing to talk to you. Of course I let him know you were very thoughtful during our call today. He needs to vet it with Randy. I did not mention Laura wanting to talk to him (only because I forgot), but am going to guess that he will take a hard pass...but I could be wrong.

This needs to end.

Gregg

From: David Gingras <[REDACTED]>
Sent: Wednesday, May 08, 2024 3:35 PM
To: Gregg Woodnick <[REDACTED]>
Cc: Isabel Ranney <[REDACTED]>; Maribeth Burroughs
<[REDACTED]>
Subject: RE: Owens v. Echard

Gregg,

Just to follow up – I'm in the process of looking for a computer person in San Fran to look at Mike's laptop. Laura wants to move forward with that review, and while I'm not confident it will change anything, I do think it may help her remove doubts about what the laptop shows. That alone could be worth the effort.

As discussed, I'd also appreciate you setting up a call w/ Marraccini if you can. I guess there's also a technical issue with that – Mike is (to my knowledge) represented by Randy Sue Pollock, and I don't have her consent to talk with him. So if Mike is open to having a call

[REDACTED] (which I hope he is), I'd just need to make sure I have consent from his counsel to speak with him.

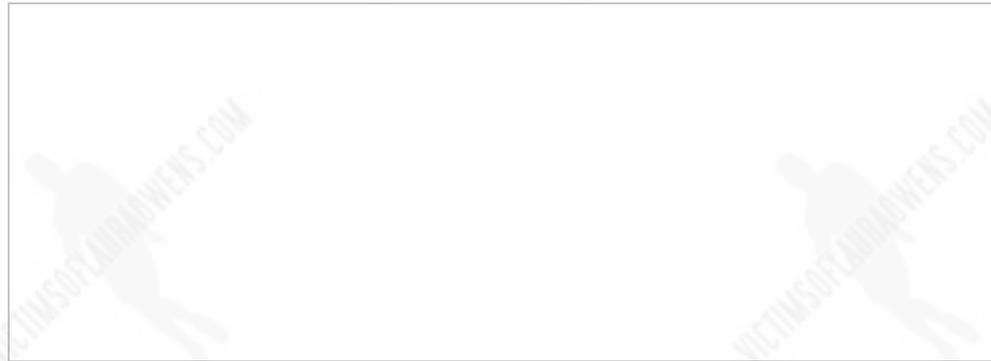
One last thing – after talking with Laura about this, she said she has lots of questions for Mike. I told her my preference is to have her send me any specific questions, and I'll see if Mike wants to answer them. She also said she's willing to speak directly with him, but that may not be appropriate in light of the restraining order. On the other hand, if Mike has a strong preference in favor of directly speaking with Laura, maybe we can make that happen (I'm licensed in CA and can probably do some sort of stipulation with Randy to modify the CA order to allow this, just to be safe).

P.S. This goes without saying, but to the extent I suggested Mike would be arrested if he comes to court in AZ, that suggestion is completely and totally withdrawn. I only said that because I didn't want Mike to show up without giving me the chance to at least interview him (as I would with *any* normal witness). As long as Mike agrees to have a reasonable call to answer to some questions, I'll stipulate and agree his appearance in AZ is NOT a violation of anything and will not expose him to arrest or any other legal consequences.

David Gingras, Esq.

Gingras Law Office, PLLC

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



From: David Gingras <[REDACTED]>
Sent: Monday, May 6, 2024 1:48 PM
To: Randy Sue Pollock <[REDACTED]>
Subject: RE: Owens trial

Ms. Pollock,

I am writing to document our discussion just now and to explain my position. Per the email below, we spoke about your client Mike Marraccini about two weeks ago. At that time, I told you I just wanted to speak with Mike and hear his side of the story. I also explained that IF Mike was going to be a witness in the Arizona paternity matter, I could (and would) be willing to subpoena him for a deposition, if he was unwilling to have a simple phone conversation.

In response to that discussion, you sent me the email below stating that Mr. Marraccini was NOT going to testify at the trial in June.

Since then, counsel for Mr. Echard has indicated Mr. Marraccini WILL be testifying in person at trial in June. This is, of course, inconsistent with what you said below.

To clarify the situation, I called you again today to ask if it was possible for me to speak with Mr. Marraccini. Your response was (to paraphrase): "No, we are not willing to cooperate with you."

In light of that response I want to make two things clear:

1. If Mr. Marraccini intends to testify at trial, then I have an absolute right to know this, and I have a right to interview him. That interview can be done informally in a phone call, or it can be done formally in a deposition. Either way, refusing to cooperate is NOT an available option IF Mr. Marraccini wants to participate as a trial witness.
2. On the phone, you suggested Mr. Marraccini may just "show up" at trial rather than participating as a subpoenaed witness (i.e., he would simply choose to be there, either as a spectator, or as a non-subpoenaed witness).

If that is his plan, I need to be clear about our position – if Mr. Marraccini shows up as *either* a spectator or as a non-subpoenaed witness, Laura will ask the Phoenix Police to have Mr. Marraccini immediately arrested for violating the restraining order issued against him (copies attached).

In short, I agree Mr. Marraccini CAN testify at trial without fear of arrest, *provided* he complies with the rules of procedure. That means, among other things, I have the right to interview him and take his deposition if necessary.

If Mr. Marraccini does not want to comply with the procedural rules, that's 100% OKAY. I am more than happy if he wants to stay home (assuming he hasn't been lawfully summoned). But if

[REDACTED]

he comes within 100 yards of Laura without being compelled to appear by valid subpoena, then he will risk arrest and prosecution for violating the restraining order.

NOTE – Rule ER 3.4(f) of the Arizona Rules of Professional Conduct provides a lawyer shall not: “request a person other than a client to refrain from voluntarily giving relevant information to another party....”

Based on this rule, I *assume* Mr. Woodnick has not instructed you or Mr. Marraccini to refrain from speaking to me. If that has occurred, it would be a *per se* violation of the ethical rules.

Also, and just to be clear – I am not, under any circumstances, suggesting Mr. Marraccini should *not* participate in the trial if he has relevant information. All I am saying is that if he WANTS to testify, he needs to do so in a manner that complies with the rules and the law. This is mandatory to ensure basic fairness to ALL sides.

Finally, please note that it is a felony [under Arizona law](#) for any person to unlawfully withhold testimony, to evade legal process to appear, and/or to fail to appear when legally summoned. For avoidance of any doubt, nothing in this email should be construed as an attempt to cause Mr. Marraccini *not* to appear. On the contrary, I would very much like him to appear, provided he does so in a manner that complies with the rules (including the rule that requires the prompt disclosure of the substance of his testimony, and the rule which entitles me to interview him prior to trial).

If you have any questions, please let me know.

[REDACTED]

David Gingras, Esq.

Gingras Law Office, PLLC

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]