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9 **ARIZONA COURT OF APPEALS**  
10 **DIVISION TWO**

11 **In Re Matter of:**

12 **LAURA OWENS,**

13 **Petitioner,**

14 **And**

15 **CLAYTON ECHARD,**

16 **Respondent.**

Case No. 2 CA-CV 24-0315 FC

Maricopa County Superior Court

Case No: FC2023-052114

**MOTION FOR PROCEDURAL  
ORDER TO:**

1. **FILE OVERLENGTH BRIEF; and**
2. **EXTEND REPLY BRIEF  
DEADLINE**

**(NO OBJECTION BY APPELLEE)**

17 Pursuant to Ariz. R. Civ. App. P. 5(b) and 6(a), Petitioner/Appellant Laura Owens  
18 respectfully moves the Court for a procedural order granting the following relief.  
19

20 First, with respect to her Reply brief in this appeal, Laura requests leave to exceed  
21 the 7,000-word limit of Rule 14(a)(2) by a total of approximately 986 words (or less).  
22 Good cause exists for this request because after reviewing the Answering Brief of  
23 Appellee Clayton Echard, a dispute has arisen as to the accuracy of several facts set forth  
24 in Clayton’s brief. Addressing that new dispute requires some additional discussion.  
25

26 In short, Laura asserts that in the proceedings below, the trial court made  
27 numerous factual errors, including making critical findings of fact that were “either  
28

1 directly contrary to the admitted evidence, or supported by no evidence of any kind.”  
2 [Opening Brief](#) at 9. At the same time, Laura’s Opening Brief explained the central  
3 arguments in this appeal turned on points of *law*, not fact.

4 For that reason, Laura’s Opening Brief explained, “plentiful and egregious factual  
5 mistakes notwithstanding, factual errors are not the primary focus here.” *Id.* at 2. Because  
6 factual errors were (and are) not central in this appeal, Laura’s discussion of the facts in  
7 her Opening Brief was relatively limited.

8 In contrast, Clayton’s Answering Brief contains a lengthy and detailed summary  
9 of his view of the facts, including many facts which are, in Laura’s opinion, not relevant  
10 to this appeal. But much more importantly, Clayton’s brief cites numerous facts which  
11 appear to either contradict the record below, or which lack any evidentiary support in the  
12 record.

13 Again, Laura’s position is that these facts are, for the most part, not relevant to the  
14 legal arguments in this appeal. So, while the parties have differing views of the facts, that  
15 is not an issue the Court of Appeals needs to resolve. Nevertheless, Laura contends  
16 Clayton’s factual discussion is not accurate and/or misstates the record below  
17 (particularly with regard to certain extremely inflammatory factual *allegations*).

18 So, although Laura did not want such an extensive discussion of the facts, and  
19 while she does not believe this Court needs to decide which parties’ version of the facts is  
20 correct, Laura feels strongly — this Court must accurately understand the factual record  
21 below. For that reason, some additional discussion of the record is required, and this has  
22 proven to be impossible within the limitations of Civil Appellate Rule 14. Accordingly,  
23 Laura respectfully requests leave to exceed the 7,000 word limit of Rule 14(a)(2) by a  
24 total of approximately 986 words (or less).

25 In addition, Laura’s Reply brief is currently due tomorrow, January 29, 2024.  
26 Although Laura’s Reply is fully prepared and ready to be filed, Laura respectfully asks  
27 the Court to extend the deadline for the Reply until such time as Laura’s request for  
28 additional length is resolved. Assuming Laura’s request for 986 additional words is

1 granted, she will immediately file her Reply including the additional discussion of the  
2 record. On the other hand, if this request is *denied*, Laura will file a brief which complies  
3 with the 7,000 word limit of Rule 14 immediately upon receipt of the Court's ruling on  
4 the issue.

5 This request has been discussed with Clayton's appellate counsel who indicated  
6 no objection to the request.

7 DATED Jaanuary 28, 2025.

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9 David S. Gingras  
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11 Laura Owens  
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1 **Original** e-filed  
2 and **COPIES** e-delivered January 28, 2025:

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