

PARTY WITHOUT ATTORNEY OR ATTORNEY

STATE BAR NUMBER: **295975**

FOR COURT USE ONLY

NAME: **Omar Raul Serrato**FIRM NAME: **The Eagle Law Firm**

STREET ADDRESS:

CITY: **SAN BERNARDINO**STATE: **CA**ZIP CODE: **92401**

TELEPHONE NO.:

FAX NO.:

EMAIL ADDRESS:

ATTORNEY FOR (name): **Michael Marraccini**

ELECTRONICALLY

FILEDSuperior Court of California,
County of San Francisco**09/11/2025**

Clerk of the Court

BY: **GABRIEL WRIGHT**

Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF **San Francisco**STREET ADDRESS: **400 McAllister St.**

MAILING ADDRESS:

CITY AND ZIP CODE: **San Francisco 94102**BRANCH NAME: **Civic Center Courthouse**PETITIONER: **Laura Owens**RESPONDENT: **Michael Marraccini**DEPARTMENT: **405A**Hearing: **10/21/2025 8:30 am**

OTHER PARENT/PARTY:

REQUEST FOR ORDER ☐ CHANGE ☐ TEMPORARY EMERGENCY ORDERS

CASE NUMBER:

FDV-18-813693
☐ Child Custody ☐ Visitation (Parenting Time) ☐ Spousal or Partner Support
☐ Child Support ☐ Property Control ☐ Attorney's Fees and Costs
☒ Other (specify): **Motion to Dismiss under 473**

Note: Read form FL-300-INFO for information about how to complete this form. To ask to change or end an order that was granted in a Restraining Order After Hearing (form DV-130 or JV-255), read form FL-300-INFO and form DV-300-INFO.

NOTICE OF HEARING1. TO (name): **Laura Owens**☒ Petitioner ☐ Respondent ☐ Other Parent/Party ☐ Other (specify):

2. A COURT HEARING WILL BE HELD AS FOLLOWS:

a. Date: **October 21st, 2025** Time: **8:30AM** ☐ Dept.: **405A** ☐ Room.:
 b. Address of court ☐ same as noted above ☐ other (specify):

3. **WARNING to the person served with the Request for Order:** The court may make the requested orders without you if you do not file a *Responsive Declaration to Request for Order* (form FL-320), serve a copy on the other parties at least nine court days before the hearing (unless the court has ordered a shorter period of time), and appear at the hearing. (See form *FL-320-INFO* for more information.)

COURT ORDER

(FOR COURT USE ONLY)

It is ordered that:

4. ☐ Time ☐ for service ☐ until the hearing is shortened. Service must be on or before (date):
5. ☐ A *Responsive Declaration to Request for Order* (form FL-320) must be served on or before (date):
6. ☐ The parties must attend an appointment for child custody mediation or child custody recommending counseling as follows (specify date, time, and location):
7. ☐ The orders in *Temporary Emergency (Ex Parte) Orders* (form FL-305) apply to this proceeding and must be personally served with all documents filed with this *Request for Order*.
8. ☐ Other (specify):

Date:

JUDICIAL OFFICER

PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/PARTY:	CASE NUMBER: FDV-18-813693
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REQUEST FOR ORDER

Note: Place a mark **X** in front of the box that applies to your case or to your request. If you need more space, mark the box for "Attachment." For example, mark "Attachment 2a" to indicate that the list of children's names and birth dates continues on a paper attached to this form. Then, on a sheet of paper, list each attachment number followed by your request. At the top of the paper, write your name, case number, and "FL-300" as a title. (You may use *Attached Declaration* (form MC-031) for this purpose.)

1. ☐ **RESTRAINING ORDER INFORMATION**
 One or more domestic violence restraining/protective orders are now in effect between (specify):
☐ Petitioner ☐ Respondent ☐ Other Parent/Party (Attach a copy of the orders if you have one.)
 The orders are from the following court or courts (specify county and state):

a. <input type="checkbox"/> Criminal: County/state (specify):	Case No. (if known):
b. <input type="checkbox"/> Family: County/state (specify):	Case No. (if known):
c. <input type="checkbox"/> Juvenile: County/state (specify):	Case No. (if known):
d. <input type="checkbox"/> Other: County/state (specify):	Case No. (if known):

2. ☐ **CHILD CUSTODY** ☐ I request temporary emergency orders
☐ **VISITATION (PARENTING TIME)**
 - a. I request that the court make orders about the following children (specify):

<u>Child's Name</u>	<u>Date of Birth</u>	<input type="checkbox"/> Legal Custody to (person who decides: health, education, etc):	<input type="checkbox"/> Physical Custody to (person with whom child lives):
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 - b. ☐ The orders I request for ☐ child custody ☐ visitation (parenting time) are:

☐ Attachment 2a.

 - (1) ☐ Specified in the attached forms:

<input type="checkbox"/> Form <u>FL-305</u>	<input type="checkbox"/> Form <u>FL-311</u>	<input type="checkbox"/> Form <u>FL-312</u>	<input type="checkbox"/> Form <u>FL-341(C)</u>
<input type="checkbox"/> Form <u>FL-341(D)</u>	<input type="checkbox"/> Form <u>FL-341(E)</u>	<input type="checkbox"/> Other (specify):	
 - (2) ☐ As follows (specify): ☐ Attachment 2b.

 - c. The orders that I request are in the best interest of the children because (specify): ☐ Attachment 2c.

PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/PARTY:	CASE NUMBER: FDV-18-813693
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2. d. ☐ This is a change from the current order for ☐ child custody ☐ visitation (parenting time).
- (1) ☐ The order for legal or physical custody was filed on (date): . The court ordered (specify):
- (2) ☐ The visitation (parenting time) order was filed on (date): . The court ordered (specify):

☐ Attachment 2d.

3. ☐ CHILD SUPPORT

(Note: An earnings assignment may be issued. See *Income Withholding for Support* (form FL-195)

- a. I request that the court order child support as follows:

Child's name and age

☐ I request support for each child Monthly amount (\$) requested
based on the child support guideline. (if not by guideline)

☐ Attachment 3a.

- b. ☐ I want to change a current court order for child support filed on (date):
The court ordered child support as follows (specify):

- c. I have completed and filed with this *Request for Order* a current *Income and Expense Declaration* (form FL-150) or I filed a current *Financial Statement (Simplified)* (form FL-155) because I meet the requirements to file form FL-155.

- d. The court should make or change the support orders because (specify):

☐ Attachment 3d.

4. ☐ SPOUSAL OR DOMESTIC PARTNER SUPPORT

(Note: An *Earnings Assignment Order for Spousal or Partner Support* (form FL-435) may be issued.)

- a. ☐ Amount requested (monthly): \$

- b. ☐ I want the court to ☐ change ☐ end the current support order filed on (date):
The court ordered \$ per month for support.

- c. ☐ This request is to modify (change) spousal or partner support after entry of a judgment.
I have completed and attached *Spousal or Partner Support Declaration Attachment* (form FL-157) or a declaration that addresses the same factors covered in form FL-157.

- d. I have completed and filed a current *Income and Expense Declaration* (form FL-150) in support of my request.

- e. The court should make, change, or end the support orders because (specify):

☐ Attachment 4e.

PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/PARTY:	FL-300 CASE NUMBER: FDV-18-813693
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5. ☐ **PROPERTY CONTROL** ☐ I request temporary emergency orders
 a. The ☐ petitioner ☐ respondent ☐ other parent/party be given exclusive temporary use, possession, and control of the following property that we ☐ own or are buying ☐ lease or rent (specify):

b. The ☐ petitioner ☐ respondent ☐ other parent/party be ordered to make the following payments on debts and liens coming due while the order is in effect:

Pay to: _____	For: _____	Amount: \$ _____	Due date: _____
Pay to: _____	For: _____	Amount: \$ _____	Due date: _____
Pay to: _____	For: _____	Amount: \$ _____	Due date: _____
Pay to: _____	For: _____	Amount: \$ _____	Due date: _____

c. ☐ This is a change from the current order for property control filed on (date):

d. Specify in Attachment 5 the reasons why the court should make or change the property control orders.

6. ☐ **ATTORNEY'S FEES AND COSTS**

I request attorney's fees and costs, which total (specify amount): \$ _____

I filed the following to support my request:

- a. A current *Income and Expense Declaration* (form FL-150).
- b. A *Request for Attorney's Fees and Costs Attachment* (form FL-310) or a declaration that addresses the factors covered in that form.
- c. A *Supporting Declaration for Attorney's Fees and Costs Attachment* (form FL-300) or a declaration that addresses the factors covered in that form.

7. ☒ **OTHER ORDERS REQUESTED (specify):**

Motion to Dismiss under 473b and (d)

☐ Attachment 7

8. ☐ **TIME FOR SERVICE / TIME UNTIL HEARING** I urgently need:

- a. ☐ To serve the *Request for Order* no less than (number): _____ court days before the hearing.
- b. ☐ The hearing date and service of the *Request for Order* to be sooner.
- c. I need the order because (specify): _____

☐ Attachment 8

9. ☒ **FACTS TO SUPPORT** the orders I request are listed below. The facts that I write in support and attach to this request cannot be longer than 10 pages, unless the court gives me permission.

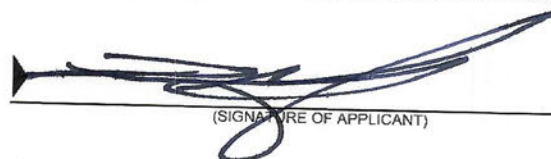
Please see attached

☐ Attachment 9

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date: **9/11/2025**
Omar Serrato

(TYPE OR PRINT NAME)


 (SIGNATURE OF APPLICANT)



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for Disability Accommodations Request (form JD-CV-110). (Civ. Code, § 54.8.)

Omar R. Serrato, SBN #295975



Attorney for Respondent, MICHAEL MARRACCINI

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

LAURA OWENS,

Petitioner

vs.

MICHAEL MARRACCINI,

Respondent

) Case No: FDV-18-813693

)

) MOTION TO DISMISS DVRO PURSUANT TO
) CCP §473(b)(d); NOTICE OF INTENT TO SEEK
) SANCTIONS PURSUANT TO §271.

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Report Follow-Up, Case Number 180018711, Picture of Investigating Officers)

2. Two days later, on January 9, 2018, Owens filed a request for a Domestic Violence Restraining Order in this Court (Case No. FDV-18-813693), which the Court granted on a temporary basis on January 10, 2018. Owens application for the DVRO alleged that Marraccini subjected her to extreme physical and emotional violence over the course of their relationship.
3. Owens submitted photographs of injuries that she claimed were caused by Marraccini's abuse, when in fact those photos were from an unrelated accident (Owens falling off a horse)¹. Owens also claimed the abuse was so severe it drove her to seek inpatient psychiatric treatment, a claim which she herself had contradicted in prior filings. (Exhibit B – Text Messages Regarding in-patient psychiatric therapy), (Exhibit C – Declaration of Laura Owens, March 29, 2018.)
4. Marraccini categorically denied Owens' allegations. On January 22, 2018, Marraccini filed his DV-120 Response, refuting every claim and alerting the Court to Owens's history of manipulative conduct, including instances where Owens had fabricated pregnancies and made conflicting medical claims during their relationship.
5. Both parties submitted additional declarations and some third-party witness

¹ In 2018, Owens submitted four photographs to this Court in support of her declaration. February 2017 Photographs – Two photographs purporting to show a bruise on Owens' arm are dated February 18, 2017. During that same month, Owens competed in three horse shows, including one held from February 15–19, 2017.

March 2017 Photograph – A third photograph, depicting redness around Owens' eye, is loosely dated "March 2017." That month, she competed in two horse shows: the Winter Equestrian Festival (March 15–19, 2017, WEF 10) and the Blenheim Spring Classic II (March 29–April 2, 2017).

May 2017 Photograph – A fourth photograph, showing redness around Owens' eyes and cheeks, is loosely dated "May 2017." In that month, she competed in three horse shows: the Del Mar National Horse Show, the Sonoma Horse Park Spring Classic, and the Central California Classic.

Despite Owens' extensive allegations of abuse, these four photographs constituted the entirety of her photographic evidence. (Exhibit D – Public Information Showing Owens Participation in horse events.)

1 statements in preparation for an evidentiary hearing on the DVRO. The evidentiary
2 hearing, originally set for January 26, 2018, was continued to allow discovery
3 (including depositions of the parties) and further evidence gathering.
4

5 6. By July 2018, Marraccini was emotionally and financially exhausted due to the
6 Petitioner's barrage of false narratives. Rather than continue to engage with what he
7 knew were baseless accusations, Marraccini made the practical decision to resolve
8 the matter by stipulation. On or about July 10, 2018, Marraccini, "simply wishing to
9 move on," agreed to enter into a stipulated restraining order, resulting in the
10 issuance of a two-year DVRO (through July 10, 2020) with no admissions of
11 wrongdoing and no factual findings against him.
12

13 7. The 2018 DVRO was issued without any finding that Marraccini committed domestic
14 violence.
15

16 8. The July 2018 stipulated DVRO was set to expire on July 10, 2020. On that date,
17 Petitioner Owens sought a renewal of the restraining order for an additional five
18 years.
19

20 9. The Court granted Petitioner's renewal request on September 11, 2020, extending
21 the DVRO to July 10, 2025. Petitioner has since treated the existence of the DVRO as
22 a tool to bolster her self-portrayal as a "domestic violence survivor."
23

24 10. Between 2021 and 2024, Petitioner made multiple public statements referencing the
25 restraining order and accusing Marraccini of heinous abuse – including a TEDx talk in
26 January 2022 and even a published essay (which was later removed due to questions
27 about its credibility). (https://www.youtube.com/watch?v=UIOX-_VDIfo)
28

1 11. In 2021–2023, Petitioner became involved in litigation in Arizona, where she accused
2 at least two other men of abuse after falsely claiming to be pregnant with their
3 children, strikingly similar to her modus operandi with Marraccini.

4
5 12. In one case, Owens obtained a protective order against a man (Greg Gillespie) after
6 he ended their relationship. (CV2021-052893). (Exhibit D, Civil Complaint – Owens
7 vs. Gillespie). In another, she obtained a restraining order and filed a paternity suit
8 against a former Bachelor TV show star (Clayton Echard) following an alleged “twin
9 pregnancy”.

10
11 13. These out-of-state matters culminated in June 2024, when the Maricopa County
12 Superior Court in Arizona conducted a trial on Petitioner’s paternity claims against
13 Mr. Echard.

14
15 14. In that proceeding, evidence was presented that Petitioner had never been pregnant
16 at all, that she had fabricated evidence (including bogus positive pregnancy tests and
17 doctored medical records), and that she had lied under oath in support of her
18 claims.

19
20 15. The Arizona court expressly found that Petitioner Owens had provided false
21 testimony and that her petition was “fraudulent,” as part of “a pattern of similar, if
22 not identical behavior” in comparison to her prior schemes. The court noted that
23 Owens’s claims were not credible and had been concocted to manipulate the targets
24 of her accusations. Petitioner was ordered to pay over \$149,000 in attorney’s fees to
25 Mr. Echard as a result of her bad-faith, fraudulent conduct. (FC2023-052771). **Exhibit**
26 **E – Findings After Trial – Judge Mata**

27
28 16. Shortly thereafter, in May 2025, Petitioner was indicted by a grand jury in Arizona on

1 seven felony counts, including fraudulent schemes, perjury, forgery, and evidence
2 tampering, all arising from her elaborate false pregnancy and abuse scams in the
3 Echard matter. (**Exhibit F – Criminal Indictment**)
4

5 17. It is against this backdrop that Petitioner filed yet another Request to Renew her
6 DVRO against Marraccini on or about July 10, 2025, seeking to extend the restraining
7 order permanently as the July 2025 expiration approached.
8

9 18. Owens renewal request is set for a hearing in October 2025. Marraccini has opposed
10 the renewal and now additionally brings an immediate motion to vacate the original
11 DVRO on the grounds of extrinsic fraud, citing newly discovered evidence that was
12 unavailable at the time of the 2018 stipulation.
13

14 19. New evidence of extrinsic fraud, including unknown evidence from the 2018
15 stipulation, allows this court to vacate the 2018 orders that have been obtained
16 through mistake or excusable neglect, based on what is now known to be Laura
17 Owens fraudulent scheme, perfected over the course of nearly a decade.
18

19 20. The evidence now available paints a devastating picture of Petitioner's lack of
20 truthfulness and her abuse of the judicial process. Marraccini urges the Court to
21 consider the full evidentiary record, which was not available at the time of the 2018
22 DVRO, and to exercise its authority to vacate an order that was fundamentally built
23 on fraud.
24

25 I. **POINTS AND AUTHORITIES**

26 **Relief Under CCP § 473(d) and Equitable Power:** Courts have the authority to set aside
27 void judgments or orders upon motion by either party after notice to the other party. Notice
28 has been achieved under the instant case by virtue of Marraccini's filed response to Owens

1 DVRO renewal request filed August 25, 2025, and through this filed motion.

2
3 CCP § 473 codifies the court's inherent power to vacate void judgments. In *People v.*
4 *One 1941 Chrysler 6 Touring Sedan*, the court declared that a void judgment could be set aside
5 under Cal. Code Civ. Proc. § 473. *People v. One 1941 Chrysler 6 Touring Sedan (1947) 81 CA2d*
6 *18, 22*. In *National Diversified Servs., Inc. v. Bernstein*, the court clarified that Cal Code Civ Proc
7 § 473 reflects the court's inherent power to address void judgments. *National Diversified Servs.,*
8 *Inc. v. Bernstein (1985) 168 CA3d 410, 416*

9
10 In addition to statutory authority, courts possess inherent equitable powers to set aside
11 judgments obtained through extrinsic fraud or mistake, even when statutory deadlines have
12 expired. Extrinsic fraud occurs when a party is prevented from fully participating in the case due
13 to deception or misconduct by the opposing party, such as being kept in ignorance of the
14 proceedings or being misled into not defending the case. In *Rodriguez v. Cho*, 236 Cal. App. 4th
15 742, the court reaffirmed that relief could be granted under equitable principles if extrinsic
16 fraud or mistake prevented a party from presenting their case, as in *Rodriguez v. Cho*, 236 Cal.
17 *App. 4th 742*. The court in *Olivera v. Grace*, 19 Cal. 2d 570 also highlighted that equitable relief
18 could be sought through a motion in the original action or an independent action in equity,
19 provided the fraud or mistake was extrinsic.

20
21 **The distinction between extrinsic and intrinsic fraud is critical.** Intrinsic fraud, such as
22 perjury or forged evidence (and there is certainly plenty of that in this case), presented during
23 the trial, does not warrant equitable relief because the affected party had the opportunity to
24 address it during the proceedings. In contrast, extrinsic fraud involves circumstances that
25 prevent a fair trial, such as a lack of notice or deliberate concealment of material facts. Extrinsic
26 fraud must relate to the manner in which the judgment was procured, not the issues decided in
27 the judgment. *Hanley v. Hanley*, 114 Cal. 690, 693. In addition, the courts have recognized that
28 the terms "extrinsic fraud" and "extrinsic mistake" are broadly interpreted to encompass

1 circumstances that deprive a party of a fair hearing, even if the circumstances do not strictly
2 qualify as fraud or mistake. This principle was discussed in In re Marriage of Park, 27 Cal. 3d
3 337, and reaffirmed in subsequent cases.

4
5 California courts have consistently articulated a **three-part test** for granting equitable
6 relief from a judgment on the grounds of extrinsic fraud or mistake. The moving party must
7 demonstrate: (1) a meritorious defense to the claims upon which the judgment was entered,
8 (2) a satisfactory excuse for not fully presenting that defense in the original action, and (3)
9 diligence in seeking relief once the fraud or mistake was discovered. Rappleyea v. Campbell, 8
10 Cal. 4th 975 (1994) 8 Cal.4th 975, 982, Burnete v. La Casa Dana Apartments, 148 Cal. App. 4th
11 1262,

12
13 The courts have also clarified that while **there is no strict deadline for filing a motion**
14 based on extrinsic fraud or mistake, the motion must be made within a reasonable time after
15 the fraud or mistake is discovered. This requirement is closely tied to the principle of avoiding
16 prejudice to the opposing party, as highlighted in Rappleyea and other cases. Burnete v. La Casa
17 Dana Apartments, 148 Cal. App. 4th 1262.

18
19 A Domestic Violence Restraining Order (DVRO), though civil in nature, is a serious order
20 often made under expedited circumstances. The statutory framework and case law emphasize
21 the significant impact and purpose of DVROs in protecting individuals from abuse, as seen in
22 the broad legislative intent to prevent domestic violence and the serious consequences of
23 violating such orders. Navarro v. Cervera, 108 Cal. App. 5th 229, G.G. v. G.S., 102 Cal. App. 5th
24 413.

25
26 A DVRO obtained through extrinsic fraud may be vacated in equity. If a court finds that a
27 restraining order was procured through deception or false evidence, the proper remedy is to
28 set it aside, thereby preserving the integrity of the court's processes. The policy favoring finality

1 of judgments yields to fraud that undermines the fairness of the original proceeding. The court
2 has the authority and duty to vacate a DVRO if evidence shows it was obtained by extrinsic
3 fraud.

4 Argument

5 I. Marraccini is not Time Barred under §473

6 Cal Code Civ Proc § 473 provides that a motion for relief from a judgment, order, or
7 proceeding must be made within six months of the entry of the judgment or order. This six-
8 month limitation is jurisdictional and cannot be extended under ordinary circumstances. *Cal*
9 *Code Civ Proc § 473*. However, California courts recognize an exception to this limitation in
10 cases involving extrinsic fraud or extrinsic mistake (*Weiss v. Othman, 2019 Cal. Super. LEXIS*
11 *34383, Weiss v. Othman, 2019 Cal. Super. LEXIS 34383*. Extrinsic fraud occurs when a party is
12 prevented from fully participating in the proceedings due to the opposing party's deceit or
13 concealment of material facts. *Kuehn v. Kuehn, 85 Cal. App. 4th 824*.

14
15 Marraccini challenges the 2018 Domestic Violence Restraining Order (DVRO) under
16 California Code of Civil Procedure (CCP) Section 473 and contests its subsequent renewals
17 based on the lack of litigation, absence of findings of domestic violence, and the petitioner
18 Owens' documented history of fraudulent conduct.

19
20 Cal Code Civ Proc § 473, a party may seek relief from an order or judgment if it was
21 obtained through mistake, inadvertence, surprise, or excusable neglect. The stipulated DVRO
22 issued in 2018 was not litigated on its merits and was agreed to under duress and exhaustion,
23 as he was emotionally and financially drained by Owens' false allegations. The stipulated order
24 contained no findings of domestic violence, which weakens its evidentiary basis for renewal.

25
26 Although statutory relief under § 473 would normally be time-barred, the doctrine of
27 extrinsic fraud applies. Marraccini did not know, and could not reasonably have known, that
28 Owens' conduct rose to the level of extrinsic fraud until recently. Owens' actions deprived him

1 of a fair opportunity to present his defense through material concealment of material facts,
2 which satisfies the criteria for equitable relief beyond the six-month jurisdictional bar. In such
3 cases, no statute of limitations applies, provided the aggrieved party seeks relief within a
4 reasonable time.

5
6 On May 25, 2025, Laura Owens was indicted on seven felony counts, including fraudulent
7 schemes, four counts of perjury, forgery, and evidence tampering (Exhibit F). Marraccini is a
8 named witness in the State of Arizona's case against Owens. This indictment represents the first
9 official corroboration that Owens's conduct was criminal in nature, and it provided Marraccini
10 with confirmation of the extrinsic fraud that had previously deprived him of a fair trial.

11
12 Owens sought renewal of the DVRO in July 2025, and Marraccini filed this motion in
13 September 2025. Accordingly, the motion was brought within a reasonable time, satisfying the
14 requirements of § 473.

15
16 **II. Owens's Pattern of Deceit Constitutes Extrinsic Fraud.**

17 Laura Owens has developed a scheme she frequently imposes on men she dates.

18
19 (1) **Initial Manipulation:** Owens begins relationships quickly, fostering dependency with
20 rapid discussions of family and commitment. Within months, she falsely claims
21 pregnancy, manipulating photographs and documents to lend credence to her
22 narrative. The takeaway: Owens expertly creates emotional traps, setting the stage
23 for deeper deceit.

24
25 (2) **Crisis Fabrication** (Miscarriage/Abortion/Inpatient Mental Health Care / Cancer /
26 Suicidal Ideations): Following the initial deceit, Owens invents medical emergencies
27 such as miscarriages, offering fake evidence like manipulated test results. She
28 assumes false identities to bolster these claims, fabricating correspondence from

1 supposed allies or medical professionals to strengthen her lies. This step illustrates
2 her meticulous crafting of fabricated crises to deepen her emotional control.²

3
4 **(3) False Allegations:** Owens then escalates by falsely accusing her partners of abuse,
5 presenting unsubstantiated claims of assault and harassment. This includes
6 submitting forged records and photographs as false evidence. Publicly posing as a
7 victim allows her to promote her false narrative. In each instance, evidence
8 contradicts her claims, as courts have often dismissed her lawsuits and noted her
9 lack of credibility. The pattern demonstrates her consistent use of deceit as a means
10 to manipulate those who dare reject her.

11
12 **(4) Assuming the Identity of Fake People:** Owens assumes the identities of aliases or
13 real individuals to support her conjured crises. For example, Dr. John C.K. Chan is an
14 actual medical professional for whom Owens authored forged medical letters
15 purporting to be from Dr. Chan, a gynecologic oncologist, stating she had ovarian
16 cancer and urging her partner to be supportive. (*Exhibit G – Forged Letter by Laura*
17 *Owens purporting to be Dr. Chan*) She forged notes from Dr. Rebecca Yee. (*Exhibit H*
18 *– Forged Letter by Laura Owens purporting to be Dr. Yee*). Owens faked
19 communications from entertainment manager David Katz in an attempt to mislead
20 Marraccini into thinking Mr. Katz would represent him in his podcast venture with
21 Owens. Owens claimed to have friends and associates who supported her story of
22 being pregnant with twins; the Court later found these claims unsubstantiated.
23 (*Exhibit E - Findings After Trial, Judge Mata, Maricopa County Superior Court,*
24 *Arizona, Case No. FC2023-052771*).

25
26 **(5) Forged Medical Records & Injury Photos** – To bolster her lies, Owens fabricates

27
28 ² With Mike Marraccini, she claimed multiple miscarriages and abortions in 2016-2017, while claiming to
be pregnant with twins. With Clayton Echard, she produced falsified ultrasound images and claimed to be
pregnant with twins.

documents and recycles unrelated injuries as abuse evidence.^{3 4} Over a ten-year span, Owens manufactured medical “proofs” to prop false narratives: forging an oncology letter (Dr. John C.K. Chan), claiming an oophorectomy and surgical abortion via purported notes (Rebecca Yee, M.D.)⁵, texting hCG and “oncology” materials, and rebranding horse-fall injuries as domestic-violence bruises. In Arizona, investigators found she altered an ultrasound image and fabricated a pregnancy video, and filings show she submitted falsified medical records to her own expert; a judge concluded she knowingly presented a false claim and referred her for prosecution, now charged with fraud, forgery, perjury, and evidence tampering. Together, these items form a continuous pattern of medical-evidence fakery used to mislead partners and courts.

(6) **Restraining Orders** – Over the past decade, Laura Owens has repeatedly presented herself as a victim of abuse, alleging physical assault, sexual assault, stalking, harassment, and pregnancy-related coercion by numerous men. In each known instance, however, her claims have been unsubstantiated, contradicted by evidence, or proven to be false outright. Courts have dismissed her lawsuits and, in the most egregious case, found that Owens fabricated evidence and lied under oath. Owens often makes such accusations reactively (e.g., after a breakup or after the other party seeks help or legal action against her), and she frequently invokes false pregnancies or health crises as part of the narrative. In several cases, Michael Marraccini (2018), Greg Gillespie (2021), and Clayton Echard (2023) obtained or attempted protective orders against the men only after they sought to distance

³ Owens attached a forged letter purporting to be from Dr. John C.K. Chan trying to convince Marraccini that she had cancer.

⁴ With Marraccini, she submitted photos of bruises from horseback riding accidents claiming they were caused by abuse. She also sent him a photograph of what appeared to be a positive pregnancy test. With others she submitted videos of Ultrasounds purporting them to be genuine evidence of pregnancy, when in fact, the ultrasounds belonged to her sister.

⁵ Laura Owens falsely used Dr. Rebecca Yee's name, a real physician, in 2016 to lend credibility to fabricated medical crises, including alleged pregnancy complications. There is no evidence that Dr. Yee corroborated Owens's claims.

1 themselves or took legal action against her.

2
3 (7) **Public Victim Narrative** – Owens then uses the existence of a DVRO or court filings
4 to promote herself as a survivor in public forums, TEDx talks, essays, and podcasts,
5 attempting to garner sympathy and credibility while vilifying her former partner.

6
7 (8) **Collapse of the Fraud** – Over time, her fabrications unraveled under scrutiny.
8 Independent courts and law enforcement eventually found her claims to be
9 baseless, leading to dismissals, findings of fraud, and, most recently, a felony
10 indictment for perjury, forgery, and fraudulent schemes. It was impossible for
11 Marraccini to have understood at the time that he was dealing with a serial fraud.

12
13 **Corroboration that Laura Owens is a Criminal:** Owens pursued a paternity claim in
14 Arizona against a public figure (a former reality TV bachelor), claiming she was pregnant with
15 his twins, only to have those claims exposed as elaborate fabrications. The Arizona judge, after
16 a full evidentiary hearing, found Owens’s testimony to be wholly not credible, describing her
17 claims as “unreasonable” and “without basis or merit.” (Exhibit E - Findings After Trial, Judge
18 Mata, Arizona, Case No. FC2023-052771)

19
20 The court noted that Owens had presented a false claim and falsified evidence, and
21 accused her of wasting the court’s time with her lies. In fact, the Arizona judge was so alarmed
22 by Owens’s conduct that she referred the matter to prosecutors, observing that Owens
23 appeared to have a pattern of similar fraudulent behavior in court. A grand jury thereafter
24 indicted Owens on seven felony counts. (Exhibit E).

25
26 The indictment charges Owens with fraudulent schemes, forgery, four counts of perjury,
27 and tampering with physical evidence. Investigators found that Owens went to extreme lengths
28 to manipulate the legal process: she allegedly altered ultrasound images, fabricated a

pregnancy video, and lied repeatedly under oath in the Arizona case. (Exhibit F - Grand Jury Criminal Indictment - Maricopa County, Arizona, July 2025) These are not mere allegations by Marraccini; they are findings and charges by courts and law enforcement authorities, demonstrating Owens's propensity to lie to courts and manufacture evidence to achieve her ends.

Corroboration of Owens' Fraudulent Conduct Constitutes Extrinsic Fraud: Marraccini's discovery of Owens' fraudulent conduct in subsequent legal proceedings constitutes extrinsic fraud. California courts have consistently held that extrinsic fraud justifies equitable relief from a judgment or order, even after the expiration of the six-month period under Cal Code Civ Proc § 473, Kuehn v. Kuehn, 85 Cal. App. 4th 824.

Here, Owens' pattern of deceit, as documented in the Arizona court findings and her subsequent indictment, demonstrates that she engaged in a scheme to manipulate the legal system and fabricate allegations against Marraccini. This conduct prevented Marraccini from fully litigating the 2018 DVRO, as he had no way of knowing Owens misconduct amounted to a fraudulent scheme to harass and stalk him for the duration of the order, or that she would continue this conduct indefinitely. This was bigger than the mischaracterization of photographs, he said, she said, and a little minor perjury. This was the concealment of a full-on fraudulent artifice, ripe with false medical evidence, false communications, a concerted emotional harassment manipulation campaign, and a concerted effort to ruin Marraccini's life.

Under California's three-part test, Marraccini must show "(1) a meritorious defense; (2) a satisfactory excuse for not presenting a defense in the first place; and (3) diligence in seeking to set aside the [judgment] once discovered." Rapplevea v. Campbell, 8 Cal. 4th 975 (1994) 8 Cal. 4th 975, 982.

(1) Meritorious Defense: To satisfy this element, the movant must demonstrate facts indicating that a different result would have been reached if the case had been

1 defended. For example, in People v. One Parcel of Land, 235 Cal. App. 3d 579, the
2 defendant showed a meritorious defense by declaring she did not knowingly allow
3 drug trafficking on her property. Similarly, in County of L.A. v. Warmoth, DNA
4 evidence was cited as potentially satisfying the meritorious defense requirement if
5 accurate, County of L.A. v. Warmoth, 62 Cal. App. 4th 1095.

6
7 Marraccini's defense is that Owens's abuse allegations were false, fabricated
8 from whole cloth. Substantial new evidence now confirms that Owens is a serial liar
9 who weaponizes false allegations, positioning herself as a victim to torment men
10 who have no interest in dating her. Had Marraccini been able to present new
11 evidence of Owens' fraudulent scheme, such as the Criminal Indictment, and
12 findings by other courts that anything Owens claims cannot be trusted, including
13 Judge Mata's findings, it is highly probable that no reasonable court could have
14 issued the DVRO. The evidence suggests that the likelihood of a different outcome
15 was significantly high. If the court had the opportunity to learn the full meritorious
16 scope of Owen's claims, there would have been a different result, satisfying the
17 meritorious defense requirement.

18
19 **(2) Valid Excuse for Not Presenting the Defense:** The movant must provide a
20 satisfactory explanation for failing to present a defense in the original action. In
21 People v. One Parcel of Land, 235 Cal. App. 3d 579, the defendant's attorney's
22 misconduct, including failing to oppose the default judgment and not returning calls,
23 was deemed a valid excuse, People v. One Parcel of Land, 235 Cal. App. 3d 579.
24 California courts have emphasized that the excuse must rise to the level of excusable
25 neglect or positive misconduct, as opposed to mere inexcusable neglect. People v.
26 One Parcel of Land, 235 Cal. App. 3d 579.

27
28 Extrinsic fraud typically exists where *"a party is deprived of his opportunity to*

1 *present his claim or defense to the court, ... kept in ignorance [of the true facts] or in*
2 *some other manner fraudulently prevented from fully participating in the*
3 *proceeding.” In re Marriage of Varner (1997) 55 Cal. App. 4th 128, 140.* That is
4 exactly what occurred here. Owens’s fraudulent conduct “prevent[ed] a fair
5 *adversary hearing,*” by inducing the court to decide the case on false information.
6 *Davi v. Belfiore (1957) 153 Cal.App.2d 325, 327.*

7
8 Through perjured testimony and fabricated corroborating evidence, Owens
9 misled the court and thwarted Marraccini’s ability to challenge her claims at the
10 evidentiary hearing. Marraccini had no way to expose Owens’s lies at the time. The
11 falsity of her testimony only came to light years later. Thus, unlike a mere case of
12 “intrinsic” fraud (e.g., perjury that could have been exposed at trial), Owens’s
13 actions amounted to **extrinsic** fraud because they “*fraudulently prevented*
14 *[Marraccini] from fully participating in the proceeding.” Kuehn v. Kuehn (2000) 85*
15 *Cal.App.4th 824, 832.* In essence, Owens’s scheme robbed Marraccini of any
16 meaningful chance to present his defense, which is precisely the kind of injustice
17 California courts will not tolerate.

18
19 **(3) Diligence in Seeking Relief:** The movant must act promptly upon discovering the
20 fraud or mistake. In *People v. One Parcel of Land, 235 Cal. App. 3d 579,* the
21 defendant demonstrated diligence by securing new counsel and filing for relief
22 within a month of discovering the default, *People v. One Parcel of Land, 235 Cal.*
23 *App. 3d 579.* Courts have stressed that a lack of diligence can bar equitable relief, as
24 seen in *Freedman v. Pac. Gas & Elec. Co., 196 Cal. App. 3d 696,* where a delay of
25 nearly three years was deemed insufficiently diligent, *Freedman v. Pac. Gas & Elec.*
26 *Co., 196 Cal. App. 3d 696.*

27
28 Marraccini satisfies this standard. The record shows that Owens's fraud remained

1 well concealed until recently; it was only through later developments (including
2 documentation of her perjury and falsified evidence) that Marraccini discovered the depth
3 of Owens's deception. Marraccini did not sleep on his rights after this discovery. To the
4 contrary, he acted with appropriate diligence:

- 5
- 6 - May 25, 2025: Owens was indicted on seven felony counts, including
- 7 fraudulent schemes, perjury, forgery, and evidence tampering.
- 8
- 9 - July 10, 2025: Owens filed a request to renew the DVRO, extending its effect
- 10 until July 10, 2025.
- 11
- 12 - September 11, 2025: Marraccini responded by filing this motion to vacate,
- 13 following a thorough investigation into Owens's deceitful conduct.
- 14

15 Through these actions, Marraccini has demonstrated reasonable diligence in seeking
16 relief after discovering Owens's fraud.

17

18 There has been no prejudice to Owens in the timing, as she sought renewal
19 of the 2018 DVRO prior to this filing in July 2025. This was after her criminal
20 indictment in May of 2025. Marraccini brings this motion a little over a month after
21 Owens' request to renew, and after he has substantially replied to Owens'
22 allegations, and after a new investigation into the layers of deceit that he's suffered
23 now for nearly a decade.

24

25 **III. Owens Fraudulent Conduct Undermines the Legitimacy of the DVRO**

26 Relief is right here. To leave the 2018 DVRO is to bless a fraud on the court. The order
27 was intended to protect genuine victims, not to arm a liar. Owens used it to sell her false story
28 of being a survivor. That lie stains the law and weakens faith in it. The courts have stated that

1 they will not allow their orders to be used as tools of deceit. When fraud wins an order, the
2 court has the power to strip it away. Kulchar v. Kulchar (1969) 1 Cal. 3d 467, 471.

3
4 There is now strong evidence that Owens won the DVRO on a lie. The order was made
5 without any finding of abuse. Her deceit is plain. To maintain the order would be to perpetuate
6 the fraud. It would allow her to use the court's seal to pose as a victim, to tarnish Marraccini's
7 name, and to twist the truth. The courts of California have the power to stop this. In *Olivera v.*
8 *Grace* (1942) 19 Cal. In 2d 570, the court stated that equity may strike a judgment when the
9 need for justice outweighs the pull of finality. This is such a case.

10
11 In *Marriage of Park* (1980) 27 Cal. 3d 337, the court said fraud that keeps a man from a
12 fair hearing is enough to open a closed case. Finality does not save a lie. Owens used the DVRO
13 to dress her falsehoods in law. That abuse tips the scales. The court must guard the truth of its
14 orders. That weighs far more than Owens's thin claim to an order won by fraud.

15
16 Relief here serves the purpose of the law. The DVPA was made to protect the truth. It
17 was made so the courts could believe those in need. When Owens lied, she broke that trust.
18 She hurt Marraccini, and she hurt real victims who come in fear and in honesty. To strike the
19 order is to say the law is for protection, not revenge or vanity. To leave it is to reward her lies
20 and punish a man who did no wrong. That cannot stand.

21 22 **IV. Relief is Necessary to Prevent Further Misuse of the DVRO**

23 The 2018 order must be struck. If it stands, Owens will continue to use it to harm
24 Marraccini and possibly others. To leave it is to reward her lies. It would give her leave to twist
25 the courts again. The Arizona court saw it: her pattern of false claims. Marraccini was likely one
26 of the first. The law cannot be bent to serve such deceit.

27
28 For Marraccini, the order still cuts deep. A DVRO carries weight. It brands a man. It

1 follows him professionally, in his right to hold a gun, in his name. Each time he has to fly, TSA
2 pulls him aside. They take him to a small room. They question him, sometimes for hours. They
3 treat him as if he were a criminal. Yet no court has ever found he did wrong.
4

5 Justice calls for Marraccini's name to be cleared. The order was born of fraud. Lifting it
6 now harms no one. The relationship ended long ago. Marraccini lives in California. Owens went
7 to Arizona. She chased other lawsuits. She ran her fraudulent scheme on others. Whatever
8 need she claimed in 2018 was never real. There was no cause then. There is none now.
9

10 Marraccini has moved on. He has a wife, two children, and a life of his own. It is a life
11 Owens wanted but could never have. She should not matter to him now. She should be
12 nothing. A sour memory fading in the sun of what he has built. The court holds the chance to
13 end this. To strike down the wrong. To guard others from the reach of Owens and her
14 predatory ways.
15

16 **V. Sanctions Are Warranted Under Family Code § 271**

17 Respondent seeks a sanction award of the entirety of Mike's Legal Fees pursuant to
18 Family Code § 271 for the attorney's fees and costs incurred due to Petitioner's conduct in this
19 litigation.

20 This filing serves as notice that Respondent will pursue sanctions based on Petitioner's
21 misuse of the DVRO process, her fraudulent claims, and the unnecessary legal expenses her
22 conduct has caused. By including this notice in the present motion, Respondent satisfies the
23 statute's procedural requirement and ensures Petitioner has a fair opportunity to address the
24 sanctions request. Respondent submits that the Court may rule on sanctions with the motion to
25 vacate or, alternatively, defer the determination to a later hearing after the DVRO is resolved,
26 with this filing preserved as timely notice of Respondent's intent to seek relief.

27 Respondent further seeks sanctions under Family Code § 271 in light of Petitioner's
28 conduct, which can be accurately described as a 'litigation ambush.' Petitioner's actions in

1 obtaining and litigating the Domestic Violence Restraining Order (DVRO) have flagrantly
2 violated the Family Code's policy favoring cooperation and settlement. This litigation ambush is
3 characterized by Petitioner's fraudulent and misleading behavior, marking a deliberate attack
4 on judicial resources and fairness.

5
6 **1. Fraudulently Procured the DVRO:** Petitioner obtained the restraining order through
7 false and/or misleading representations, effectively perpetrating a fraud on the Court
8 during this ambush.

9
10 **2. Misled the Court and Abused the DVRO Process:** The petitioner presented misleading
11 evidence and omitted testimony to maintain the DVRO, further exemplifying the
12 ambush strategy that undermines the integrity of these proceedings. This misuse echoes
13 the core purpose of Family Code § 271, which penalizes tactics that price parties out of
14 justice and discourage cooperation, emphasizing the need for fair proceedings.

15
16 **3. Forced Unnecessary Fees and Litigation:** By pursuing an unwarranted DVRO, Petitioner
17 has turned this ambush into a costly affair, compelling Respondent to incur substantial
18 attorney's fees and costs to defend against the order and now to seek its dismissal.

19
20 This misconduct has escalated the conflict, prevented early settlement, and imposed
21 unnecessary litigation expenses on Respondent. Such conduct is exactly what Family Code §
22 271 is meant to deter. Section 271 allows the Court to award attorney's fees and costs as a
23 sanction based on conduct that furthers or frustrates the law's policy to promote settlement
24 and reduce litigation costs by encouraging cooperation. The statute's purpose is not simply fee-
25 shifting, but to punish bad behavior and encourage cooperation in family law cases. Here,
26 Petitioner's bad-faith tactics, executed under the guise of a litigation ambush, have clearly
27 frustrated the policy of the law by undermining settlement and increasing costs, triggering §
28 271's applicability.

1 Sanctions must be scaled to the payor's ability to pay and must consider the financial
2 circumstances of both parties. In re Marriage of Norton, 206 Cal. App. 3d 53 (1988), In re
3 Marriage of Battenburg, 28 Cal. App. 4th 1338 (1994). Sanctions under Cal Fam Code § 271
4 must not impose an unreasonable financial burden. In re Marriage of Battenburg, 28 Cal. App.
5 4th 1338 (1994). The court has a duty and the authority to impose sanctions for conduct that
6 frustrates settlement or increases litigation costs, aligning with the policy goals of Cal Fam
7 Code § 271. In re Marriage of Bergman, 168 Cal. App. 3d 742 (1985).

8 However, it is important to note that §271 does not require the conduct to rise to the
9 level of bad faith or frivolousness, as is required under other statutes like Cal Code Civ Proc §
10 128.5. Instead, it focuses on whether the conduct frustrates the policy of promoting settlement
11 and reducing litigation costs.

12 California courts have consistently imposed monetary sanctions under § 271 (and its
13 predecessor statutes) in response to similar bad-faith litigation tactics and abuse of the judicial
14 process. For instance, in In re Marriage of Battenburg (1994), the Court of Appeal upheld
15 sanctions against a party who pursued a “bogus spousal abuse” claim. In re Marriage of
16 Battenburg, 28 Cal. App. 4th 1338 (1994). A spouse’s deliberate delaying tactics and bad-faith
17 conduct during divorce proceedings justified a \$15,000 attorney’s fee award as a sanction. In re
18 Marriage of Bergman, 168 Cal. App. 3d 742 (1985). “Reprehensible conduct falling short of bad
19 faith” can warrant fee sanctions under the family law statutes. In re Marriage of Norton, 206
20 Cal. App. 3d 53 (1988). These authorities make clear that courts will award attorneys’ fees as
21 sanctions where, as here, a party has acted in bad faith or engaged in litigation abuses that
22 thwart the policy of amicable resolution and fair dealing.

23 In this case, Respondent asserts that Petitioner’s conduct is more serious than the
24 examples cited above. By allegedly creating a false basis for a DVRO and requiring Respondent
25 to incur significant legal expenses, Petitioner has increased costs and utilized court resources.
26 This is the type of delay and expense that § 271 is intended to prevent. Respondent respectfully
27 requests that the Court order Petitioner to pay Respondent’s reasonable attorney’s fees and
28 costs resulting from this conduct, as permitted under Family Code § 271. The Court of Appeal

1 has clarified that § 271 sanctions must correspond to the actual attorney's fees and costs
2 caused by the conduct. The requested sanction seeks only those actual fees and expenses
3 incurred due to Petitioner's alleged misuse of the DVRO process. Awarding these fees and costs
4 will compensate Respondent and help deter future misuse of the court system.

5 If the Court does not grant sanctions immediately, the Respondent requests that the
6 Court defer deciding on the § 271 sanctions until after the DVRO motion is resolved, thereby
7 keeping the issue open for a later hearing. Waiting would let the Court fully consider
8 Petitioner's responsibility for Respondent's fees after the DVRO is addressed. This would
9 protect Respondent's right to relief under § 271 and let the Court focus on the DVRO first. Still,
10 because of the clear litigation abuse and § 271's focus on prompt action, Respondent believes a
11 sanctions award now is justified. Respondent asks the Court to grant the requested fees and
12 costs to ease the financial impact of Petitioner's actions and to discourage similar tactics in the
13 future. This would support the policy of encouraging cooperation and help restore fairness, as
14 intended by Family Code § 271.

15
16 Dated: September 10, 2025

Respectfully Submitted,

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19 
20 Omar R. Serrato
21 Attorney for Respondent, Michael Marraccini
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[REDACTED]

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

Respondent

) Case No: FDV-18-813693
)
)
) DECLARATION IN SUPPORT OF MOTION TO
) DISMISS DVRO PURSUANT TO CCP §473(b)(d);
) NOTICE OF INTENT TO SEEK SANCTIONS
) PURSUANT TO §271.

1 I, Omar R. Serrato, declare:

- 2
- 3 1. I am an attorney duly licensed to practice before all courts of the State of California and
- 4 counsel of record for Respondent Michael Marraccini in this matter. I make this
- 5 declaration based on my personal knowledge, my review of the court's file and docket,
- 6 documents and records maintained in my firm's litigation file, publicly available court
- 7 records, and evidence obtained in the course of my investigation. If called as a witness, I
- 8 could and would competently testify to the facts stated herein.
- 9
- 10 2. This declaration is submitted in support of Respondent's concurrently filed Motion to
- 11 Vacate the 2018 Domestic Violence Restraining Order pursuant to Code of Civil
- 12 Procedure § 473(d) (the "Motion"), and to provide notice of Respondent's intent to seek
- 13 sanctions under Family Code § 271. The factual background, chronology, and legal
- 14 grounds summarized below are the same as those set forth in the Motion.
- 15
- 16 3. From my review of the file and records in this case:
- 17 - Petitioner applied for a DVRO on January 9, 2018; the Court issued a temporary order
- 18 on January 10, 2018, because the Petitioner's claim necessitated immediate interim
- 19 protection measures.
- 20
- 21 - Respondent filed a DV-120 Response on January 22, 2018. After continuances for
- 22 discovery, the parties entered a stipulated DVRO on or about July 10, 2018, for two
- 23 years, without any findings that the Respondent committed domestic violence. This
- 24 stipulation was significant because no evidence was presented, leaving the
- 25 Respondent's defense unexamined.
- 26
- 27 - Petitioner sought renewal on July 10, 2020; on September 11, 2020, the Court
- 28 extended the DVRO to July 10, 2025, because the renewal was uncontested,

1 perpetuating the limitation on Respondent's rights without fresh evidence of
2 misconduct.

3
4 - On or about July 10, 2025, Petitioner filed another request to renew; the renewal
5 hearing is presently set for October 2025. Respondent opposed and now moves to
6 vacate the underlying 2018 order based on extrinsic fraud and newly discovered
7 evidence that was unavailable in 2018, which is significant as it challenges the order's
8 legitimacy.

9
10 4. New Evidence Unavailable in 2018; Pattern of Fabrication. Since entry of the stipulated
11 order, substantial, independent evidence has surfaced bearing directly on Petitioner's
12 credibility and her use of fabricated claims and evidence in related matters, including:

13
14 - Arizona Paternity Action (FC2023-052771). After a trial in June 2024, the Maricopa
15 County Superior Court found Petitioner's testimony not credible, characterized her
16 claim as fraudulent, identified a pattern of similar behavior, and ordered her to pay
17 \$149,000+ in fees. Exhibit E is a true and correct copy of the Findings After Trial (Judge
18 Mata).

19
20 - Grand Jury Indictment. On or about May 25, 2025, a Maricopa County grand jury
21 returned an indictment charging Petitioner with fraudulent schemes, perjury (multiple
22 counts), forgery, and tampering with physical evidence arising from the Arizona matter. A
23 certified copy of the indictment (reflected in July 2025 filing) is attached as Exhibit F.

24
25 - Other corroborating materials include police reports, Petitioner's own prior sworn
26 statements, civil pleadings in Owens v. Gillespie (CV2021-052893), and documents
27 evidencing forged medical letters and re-used injury photographs—all described in the
28 Motion and authenticated below as Exhibits A–D, G–H.

1
2 5. Diligence & Timing. Respondent acted promptly once this evidence crystallized:

- 3 - May 25, 2025 – indictment returned;
4 - July 10, 2025 – Petitioner filed renewal request;
5 - August 25, 2025 – Respondent filed opposition;
6 - September 10, 2025 – Respondent filed the present § 473(d) Motion supported
7 by this declaration. In my professional judgment, this sequence reflects diligence
8 and falls well within 'reasonable time' principles that govern equitable relief for
9 extrinsic fraud. For instance, referring to cases such as *Rappleyea v. Campbell*
10 (1994), which emphasizes the necessity of acting within a reasonable time once
11 new evidence is available, and further supported by the decision in *St. Paul Fire*
12 *& Marine Ins. Co. v. Weiner* (1995), which indicates the timeliness of such
13 actions, reinforces this sequence's appropriateness.
14

15 6. The 2018 order was issued by stipulation, without factual findings of abuse. First, a
16 Meritorious Defense is established through the newly available evidence, judicial
17 findings of fraud in a subsequent contested proceeding, and a felony indictment, which
18 undermine the Petitioner's credibility and reveal a pattern of fabricating evidence.
19 Second, a Satisfactory Excuse is presented since this extrinsic fraud prevented a fair
20 adversarial hearing in 2018. Third, Diligence is demonstrated as the Respondent
21 promptly moved to vacate the order and seek sanctions once this evidence surfaced.
22 This aligns with the equitable principles warranting vacatur in equity. The Motion details
23 this showing and applies the *Rappleyea* three-part test (meritorious defense,
24 satisfactory excuse, diligence).
25

26 7. Authentication of Exhibits (True and Correct Copies). In the ordinary course of my
27 representation, I have obtained and maintained the following documents. Each is a true
28 and correct copy of what it purports to be, and personal identifiers have been redacted

1 where appropriate:

- 2 - Exhibit A: San Francisco Police Department Follow-Up, Case No. 180018711, and
3 photograph of investigating officers relating to the January 7, 2018 incident.
4
 - 5 - Exhibit B: Text messages concerning inpatient psychiatric treatment referenced
6 by Petitioner.
7
 - 8 - Exhibit C: Declaration of Laura Owens (March 29, 2018) filed in this case.
9
 - 10 - Exhibit D: Civil Complaint – Owens v. Gillespie (CV2021-052893) filed in Maricopa
11 County Superior Court.
12
 - 13 - Exhibit E: Findings After Trial (Judge Mata) in FC2023-052771 (Maricopa County
14 Superior Court, Arizona) issued June 2024 and awarding fees.
15
 - 16 - Exhibit F: Grand Jury Criminal Indictment (Maricopa County, Arizona) reflecting
17 charges for fraudulent schemes, perjury, forgery, and tampering with physical
18 evidence (returned on or about May 25, 2025, filed in July 2025).
19
 - 20 - Exhibit G: Letter purporting to be from John C.K. Chan, M.D. (forgery).
21
 - 22 - Exhibit H: Letter purporting to be from Rebecca Yee, M.D. (forgery).
23
- 24 8. § 271 Notice (Sanctions). Consistent with Family Code § 271, Respondent gives notice
25 through the Motion and this declaration of his intent to seek monetary sanctions in the
26 amount of his reasonable attorney’s fees and costs caused by Petitioner’s litigation
27 conduct, including her misuse of the DVRO process and the resulting, unnecessary
28 expense to Respondent. Fee records and ability-to-pay information can be submitted in

1 camera or by supplemental declaration at the Court's direction.

- 2
- 3 9. Based on the foregoing and the evidentiary record summarized above, I respectfully
- 4 submit that: Because the 2018 DVRO was procured in an environment tainted by
- 5 extrinsic fraud that denied Respondent a fair adversarial process, and because the newly
- 6 discovered independent evidence postdating 2018—particularly the Arizona court's
- 7 findings and 2025 indictment—undermines the integrity of the order, therefore the
- 8 equitable and statutory grounds set out in the Motion justify vacating the 2018 DVRO
- 9 and awarding § 271 sanctions in an amount and manner the Court deems just.
- 10

11 I declare under penalty of perjury under the laws of the State of California that the

12 foregoing is true and correct.

13 Executed on September 10, 2025, at San Bernardino, California.


14

15 Dated: September 10, 2025

Respectfully Submitted,

16

17

18 

19 _____

20 Omar R. Serrato

21 Attorney for Respondent, Michael Marraccini

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EXHIBIT A

San Francisco Police Department
REPORTTEE FOLLOW-UP

Case Number: 180018711

Case numbers are assigned to an Investigator based on facts obtained during the initial investigation.

- | | | | |
|-------------------------------------|-----------|--------------|----------|
| <input checked="" type="checkbox"/> | Company A | (Central) | 315-2400 |
| <input type="checkbox"/> | Company B | (Southern) | 575-6000 |
| <input type="checkbox"/> | Company C | (Bayview) | 671-2300 |
| <input type="checkbox"/> | Company D | (Mission) | 558-5400 |
| <input type="checkbox"/> | Company E | (Northern) | 614-3400 |
| <input type="checkbox"/> | Company F | (Park) | 242-3000 |
| <input type="checkbox"/> | Company G | (Richmond) | 666-8000 |
| <input type="checkbox"/> | Company H | (Ingleside) | 404-4000 |
| <input type="checkbox"/> | Company I | (Taraval) | 759-3100 |
| <input type="checkbox"/> | Company J | (Tenderloin) | 345-7300 |

Please contact the investigation unit checked above to provide additional information not available during initial police report.

Information such as:

- Serial numbers of lost or stolen items
- Video evidence of the incident
- Name(s) of possible witness(es) or suspect(s)

BOWAN / 2059
Officer's Name and Star No. SFPD105 (rev.03/15)

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EXHIBIT B

I've answered all your questions today and have asked you to get help. I told you to prove it with actions. I'm not going to keep taking more questions until I see you do something for me.

iMessage
[3] 2016-12-11 05:30:40 (UTC)
Sender: Self ([REDACTED])
Participants: [REDACTED], Self ([REDACTED])

I'm tired of doing your merry go round and want you to get help

iMessage
2016-12-11 05:32:48 (UTC) [3]
Sender: ([REDACTED])
Participants: [REDACTED], Self ([REDACTED])

□ I just said that

iMessage
2016-12-11 05:32:48 (UTC) [3]
Sender: [REDACTED]
Participants: [REDACTED], Self ([REDACTED])

I'm going to check myself in now I'm on my way

iMessage

[2] 2016-12-11 06:26:08 (UTC)

Sender: Self ([REDACTED])

Participants: [REDACTED], Self ([REDACTED])

Don't be scared and I'll see ya when you get out

iMessage

2016-12-11 06:26:08 (UTC) [2]

Sender: [REDACTED]

Participants: [REDACTED], Self ([REDACTED])

I just met my family at the hospital.

iMessage

2016-12-13 05:30:40 (UTC) [3]

Sender: [REDACTED]

Participants: [REDACTED], Self ([REDACTED])

I forgot to tell you that my therapist is wanting me to set aside time at the end of each day to focus on what I am grateful for. I am so, so incredibly thankful for you and your care towards me. It's interesting because one of the things we talked about was "love" and how much anxiety I have had about that in our relationship. It really hit me over the head today that just over this past weekend, you SHOWED me the love more than I have ever felt from any guy. It really got me emotional. I feel your feelings for me and I didn't want you to think they went unnoticed. You are so wonderful and appreciated by me and I promise to show how lucky and proud I feel to be with you each day. My goal is to each moment with you and appreciate every baby step that eventually leads to big ones. You deserve the world and I am not just going to try, I AM going to give it to you as the great partner you deserve. Xoxo.

iMessage

2016-12-13 05:30:40 (UTC) [1]

Sender: [REDACTED]

Participants: [REDACTED], Self ([REDACTED])

Declaration of Laura Owens

released later that night after I had calmed down and no longer felt like I was a risk to myself. (Contrary to Mr. Marraccini's allegation in his declaration, I was never treated in an "inpatient facility.") My psychiatrist adjusted my medication after this.



JB

Jan



meet her at.

I followed what Ronn told me to do to get her back home.

Dec 11, 2016, 10:30 AM

Hi Mike, we wanted to thank you so much for what you did for us and Laura this weekend. You saved her and we will forever be grateful to you. She is getting treated as an inpatient right now and then will continue to be treated as an outpatient. They are going to change the medication they put her on for anxiety. We would love to take you out to thank you later this week or the following if you are available, does that work? We also know this took a big toll on your family this weekend and we would love to take everyone out to the House of Prime Rib this holiday season if your mom and sister are in SF.

Dec 12, 2016, 11:04 AM



iMessage



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EXHIBIT C

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Elisha Jussen-Cooke (SBN 283446) Cooperative Restraining Order Clinic [REDACTED]		FOR COURT USE ONLY FILED San Francisco County Superior Court MAR 29 2018 CLERK OF THE COURT BY: <u>[Signature]</u> Deputy Clerk
TELEPHONE NO.: [REDACTED] FAX NO. (Optional): [REDACTED]	E-MAIL ADDRESS (Optional): [REDACTED]	
ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94101 BRANCH NAME:		
PLAINTIFF/PETITIONER: Laura Owens DEFENDANT/RESPONDENT: Michael Marraccini		
DECLARATION		CASE NUMBER: FDV-18-813693

Please see attached Declaration of Laura Owens in support of her request for a restraining order against Michael Marraccini.

Hearing date set for April 13, 2018, at 1:30 p.m., in Department 403.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 3/28/2018

Laura Owens

(TYPE OR PRINT NAME)

Laura Owens

(SIGNATURE OF DECLARANT)

☐ Attorney for ☐ Plaintiff ☐ Petitioner ☐ Defendant
☐ Respondent ☐ Other (Specify):

1 Declaration of Laura Owens

2 I, Laura Owens, declare as follows:

3 1. I make all of the statements herein of my own personal knowledge, except as to those
4 matters stated on information and belief, and as to those matters, I believe them to be true, and if called
5 as a witness, could and would testify competently thereto.

6 HISTORY OF RELATIONSHIP

7 2. Mr. Marraccini and I were romantically involved from March 2016 until late Fall 2017.
8 Contrary to what he alleges in his declaration filed on January 22, 2018, we did not stop dating in March
9 2017.

10 3. I met Mr. Marraccini in March 2016 through The League, a dating app for professionals
11 that matches people together based on their LinkedIn and Facebook profiles. His profile said that he was
12 in "Real Estate Development" and that he went to California Polytechnic Institute. (See Exhibit 1,
13 screenshots of Mr. Marraccini's profile from The League taken April 26, 2016 and May 10, 2017). He
14 asked me out to dinner and I accepted.

15 4. Initially, Mr. Marraccini was very charming. In the early months of our relationship, we
16 saw each other often and seemed to have a lot in common. Mr. Marraccini showed interest in my career
17 (I am the CEO of Quartet Farms, a company that buys and sells show horses). He talked about his own
18 career ambitions and said he was a real estate developer and that he had his real estate license. He also
19 frequently talked about his many job offers at big developments firms. I wanted to be with someone who
20 was career oriented like I am and thought we were a good match. We talked about my love for animals
21 and animal welfare, which he also claimed to care deeply about. He also often talked about his alleged
22 relationships with celebrities. He liked that my father Ronn Owens is a famous local talk show host and
23 was excited at the prospect of meeting celebrities.

24 5. In or around late May or early June 2016, I was asleep when I was suddenly struck in the
25 face by Mr. Marraccini. I don't know exactly how he hit me; I think either his elbow or fist hit me near
26 my eye. I can't say for sure, but I believe he may have been asleep and involuntarily hit me somehow.
27 I had a black eye for a day or two after this. (One of his friends told me that one of his ex-girlfriends
28 also woke up with a black eye because Mr. Marraccini "accidentally" hit her while he was asleep).

1 Declaration of Laura Owens

2 6. In June 2016, Mr. Marraccini and I were out for a walk. While we were walking along
3 the water, he grabbed me by my jacket and pushed me towards the water, acting like he was going to
4 throw me in. (I had previously told Mr. Marraccini that I don't know how to swim). Later during the
5 walk, we were passing by a shrub when Mr. Marraccini used one of his hands to shove me into it. He
6 did these things as "jokes," but they felt somewhat aggressive.

7 7. In June 2016, I found out that I was pregnant and felt very conflicted about whether to
8 have the baby or terminate the pregnancy. I was diagnosed with polycystic ovary syndrome in 2010 or
9 2011, which can cause infertility. I was afraid I might never be able to get pregnant again, but also did
10 not necessarily feel ready to have a baby. I told Mr. Marraccini about the pregnancy and shared my
11 feelings about terminating versus having the baby. Initially he was supportive about giving me some
12 time to think about the decision, but said he thought it would be best if I had an abortion.

13 8. A day or two after I told him, Mr. Marraccini called me while on a trip with his friends
14 and said that he decided an abortion was the best option for us. When he came back from his trip, he
15 told me that if I had the baby, he would never want to meet the baby or be part of his or her life and that
16 he would hate me for going through with the pregnancy. He said that if I had the abortion, it would
17 prove to him that I was the type of girl he wanted to be with and would show him how much I valued
18 our relationship. He said he wanted a future together and could see us having kids down the road, but
19 that he wasn't ready to be a father yet. He promised to be there and support me after the abortion.

20 9. One night in late June 2016, Mr. Marraccini and I had dinner with my parents and were
21 discussing my pregnancy (they knew I was pregnant already). Even though I had not made up my mind
22 yet, Mr. Marraccini told my parents that "we" decided to do the responsible thing and have an abortion.

23 10. Mr. Marraccini pressured to make an appointment at Planned Parenthood for the abortion.
24 When I didn't do it fast enough, he scheduled it for me. Because I wanted to be with him and thought
25 we could have a future together, and since I didn't want to bring a child into the world without a father,
26 I decided to go through with the abortion. In July 2016, I terminated my pregnancy.

27 11. In the days following my abortion, I felt sad and started to feel immense guilt. I felt
28 selfish for choosing my relationship with Mr. Marraccini over the baby. I grieved for the child that

1 Declaration of Laura Owens

2 would never be and started to feel depressed. On several occasions, when I tried to talk with Mr.
3 Marraccini about how I felt, he got angry and lost control of his temper. He'd scream at me, and his face
4 would turn bright red. He'd ball his hands into fists and pump them at his side while pacing around.
5 I was afraid of this side of him, which I hadn't seen before.

6 12. About one week after the abortion, Mr. Marraccini got mad when I told him I felt guilty
7 about the abortion. He screamed at me. He said I needed to get over it and that he didn't want to stay
8 with me for long if I couldn't. I felt betrayed since he promised to be there for me throughout the healing
9 process. When I told him this, his response was, "I would have said anything to get you to abort."

10 13. Between July and November 2016, things between Mr. Marraccini and I were rocky. I
11 continued to struggle with feelings of sadness due to the abortion. I would frequently try to talk to him
12 about this, but whenever I brought it up, he just got mad and yelled at me. He'd say that I should be over
13 it. He'd tell me that he wanted someone more cheery, like his ex-girlfriends were. He would regularly
14 demean me. For example, he constantly told me I was "worthless" and "ugly" and said that nobody
15 would want to be with me because of my depression. He criticized my performance and said that he was
16 "just stating the facts" by telling me I was bad at my job. He started calling me "crazy" and telling me
17 that I was mentally ill. He'd tell me that I was bipolar and needed to be medicated. I had never been
18 depressed before having an abortion.

19 14. It was also during this time- between July and November 2016- that I was spending a lot
20 of money on Mr. Marraccini. In the beginning of our relationship, he would pick up the check when we
21 went out for dinner or we would split it. After a month or so, he stopped doing this and would allow the
22 bill to sit on the table until I paid it. By late Summer 2016, it became implied that I would pay for
23 everything. Then, starting in or around October 2016, Mr. Marraccini wanted to go out to fancy dinners
24 several times a week, which I paid for. In November 2016, he started calling me his "sugar momma."
25 In 2017, after he lost his job, he started asking me to pay for his rent (which I did on a couple of
26 occasions). He also asked me to take him on multiple vacations and buy him a \$10,000 watch, which
27 I did. I felt like he was taking advantage of me, but I loved him, so I did what I could to make him
28 happy.

1 Declaration of Laura Owens

2 15. I really wanted our relationship to work, but I felt like Mr. Marraccini did not like me and
3 didn't want to be with me. When I would ask him if he wanted to break up, he said that he did not and
4 would tell me he really cared about me and thought we could work through our issues. This happened
5 multiple times throughout our relationship. I felt like he wanted to continue dating me for the money
6 and connections that my father's local fame provided, but that he didn't care about me.

7 16. In November 2016, Mr. Marraccini and I went to a Tony Robbins conference (which he
8 asked me to pay for). He said the conference would help our relationship by helping me to get over the
9 abortion. He was struggling at work and told me this conference would help give him more direction
10 to find out what he really wanted to do, which he said would make him a better partner. During the
11 conference, Mr. Marraccini emotionally and verbally abused me, often in front of other people. For
12 example, journaling and sharing within a group was an important part of the of conference. Every time
13 I shared with the group what I had written, Mr. Marraccini laughed at me, made fun of me, and put me
14 down in front of everyone else. I was in tears throughout the conference because of his beratement.
15 Once when I was crying, one of the people who worked for the Tony Robbins Corporation approached
16 me and asked if I was okay. They told me they had overheard Mr. Marraccini putting me down and
17 asked if I wanted to break up with him publicly on stage. I felt ashamed and said no.

18 17. After the conference, in late November or early December 2016, Mr. Marraccini and I
19 took a break. He told me that it was unnatural for me not to be over the abortion and that he didn't want
20 to be with someone who was depressed. He told me he would only be with me if I was medicated.

21 18. During this time, I sought treatment for the depression that Mr. Marraccini insisted I
22 suffered from. A couple of weeks later, he asked me to dinner at my favorite restaurant, and we started
23 seeing each other again.

24 19. On December 9, 2016, I felt suicidal and reached out to my parents for help. I was
25 overwhelmed and felt bad about the abortion and Mr. Marraccini's hatred towards me. My parents
26 contacted Mr. Marraccini and pleaded with him to be supportive and intervene. I did not want to talk
27 with him and ignored his calls for several hours. My parents called the police and had them come check
28 on me. The police took me to the ER, where I was given IV fluids. I spoke with a psychologist and was

1 Declaration of Laura Owens

2 released later that night after I had calmed down and no longer felt like I was a risk to myself. (Contrary
3 to Mr. Marraccini's allegation in his declaration, I was never treated in an "inpatient facility.") My
4 psychiatrist adjusted my medication after this.

5 20. On December 30, 2016, Mr. Marraccini and I flew to Iceland. We had been planning this
6 trip since early November and decided on Iceland since Mr. Marraccini wanted to go there. He said the
7 trip would help our relationship. He told me everything he wanted to do in Iceland, and I planned and
8 paid for it. (The trip cost at least \$15,000, and I emptied my childhood savings account to pay for it).

9 21. During the flight from San Francisco to Reykjavik, Iceland, Mr. Marraccini berated me
10 nonstop for hours. He criticized me for nearly everything I said or did. If I turned my head to look at
11 him when he said something, he'd criticize me for turning too quickly, telling me that my reflexes were
12 "unnaturally fast" and that there was something wrong with me. He criticized my career and told me
13 I was bad at my job and was worthless. He told me I was "ugly" and that nobody else would ever want
14 to date me. When I would try to kiss him and cheer him up, he'd tell me I was "gross" and a bad kisser.
15 He said I was bad in bed. Then he said he wanted to have a threesome since sex with me was so boring.
16 He suggested a threesome with my sister or with a black man. He said it would turn him on to watch
17 someone else have sex with me. I told him no and that I felt uncomfortable. He seemed to enjoy putting
18 me down. His criticisms went on for hours, and I cried on and off throughout the entire flight.

19 22. About 6 hours into the flight, Mr. Marraccini went to the bathroom. I stayed in my seat
20 and was crying. A passenger in the row in front of me slipped me a note (a true and correct photocopy
21 of which is attached hereto as Exhibit 2, which said:

22 Dear Girlfriend,

23 I know the Lord had me over hear your conversation to let you know
24 you are a very beautiful young woman that should have a man that makes
25 you cry w/ wonderful laughter not bullying you. You are being verbally
26 abused, and he will never love you like you deserve. I'm very concerned
27 about you & I'm praying for you. Run from him & get help & protection.
28 He doesn't care what you think or say or do. He is a very sick man &

1 Declaration of Laura Owens

2 will make you sick if you stay with him. Please take this to heart & get
3 help fast.

4 Karen @

5 flouer@aol.com

6 23. I was shocked when I read the note. For the first time, I started to realize that Mr.
7 Marraccini was emotionally abusive, which is not something I wanted to acknowledge. After reading
8 it, I quickly put the note in my backpack to make sure he didn't see it. I was scared that he would lose
9 his temper and make a scene if he found out about it. I also did not want him to know who gave it me
10 in fear that he would lash out at her. For the rest of the flight, I tried to avoid talking to him since I
11 didn't want him to get mad.

12 PHYSICAL ABUSE

13 24. In the middle of the first or second night of our Iceland trip, I was sound asleep when Mr.
14 Marraccini woke me up by screaming at me. He was in a rage, the likes of which I had never before
15 seen. He was furious at me for sending a photo of us in Iceland to a friend of mine via Snapchat (which
16 got back to him via another friend). I didn't think I had done anything wrong and couldn't understand
17 why he was so mad, but he just kept screaming at me. He said he didn't want people to know he went
18 to Iceland with me since he told everyone he was going alone. He told me he was embarrassed to be
19 seen with me (throughout the trip he didn't want me in any of his social media posts or photos). Then
20 he told me that if I went along with what he wanted and was "good" on the trip, that maybe he would
21 post photos of us together and tell people he was with me. He insulted me and put me down, repeatedly
22 calling me a "fucking psychopath" and "crazy." As he was screaming at me, I pulled out the note from
23 the Wow Airlines passenger. I told him he treated me so badly that even a total stranger was concerned
24 for my wellbeing, but he didn't seem to care and just brushed it off. I had never seen him so enraged
25 and was afraid he would snap and hurt me. I felt like he wasn't even treating me like a human being.
26 I cried myself to sleep that night.

27 25. When I woke up the next day, on or around January 1, 2017, Mr. Marraccini was in a
28 totally different mood. He said he wanted to have a good trip and start things off differently. He started

1 Declaration of Laura Owens

2 to kiss me. While we were making out, he used both of his hands to shove me into the headboard,
3 causing my head to slam into it. (He had never been rough with me like this before.) Then he started
4 to have sex with me. As he was having sex with me, he put his right hand around my neck and strangled
5 me. I was having trouble breathing and started gasping for air. When I did this, he asked me if I liked
6 it. It was hard to talk, but I managed to say "no." He strangled me until he climaxed. Then he got off
7 of me. I felt shocked and deeply confused. My neck and throat were sore. I remember lying in bed and
8 staring at the wall for a long time trying to wrap my head around what he had just done to me. Mr.
9 Marraccini just went back to sleep.

10 26. Later that day, Mr. Marraccini wanted to have sex again. I wanted him to be affectionate
11 and loving towards me and didn't think he would hurt me again since it had never happened before.
12 While we were having sex, he told me to pick a number. I said "40." Then he used his open hand to
13 slap my butt really hard. I said "ouch!" and told him that hurt. Then he slapped my butt again. I told
14 him to stop, but he kept going. He slapped me 40 times in a row and counted down from 40 each time
15 he did this. He told me that the harder he hit me, the more it turned him on. After we finished having
16 sex, my butt was stinging and was bright red. I felt ashamed that I had allowed somebody to do that to
17 me. The next day, we talked about him slapping me. I told him I didn't like it and that he hurt me.

18 27. Throughout the rest of the trip, Mr. Marraccini wanted to have sex daily. Every time we
19 had sex, he strangled me and hit my butt with his bare hand repeatedly. This happened between 12 and
20 15 times. My butt was bruised and sore from him hitting me. I asked him to stop slapping me every
21 time, but he just laughed. Given his temper, and since he is so much bigger than me, I felt like there was
22 little I could do to fight back. There was also part of me that deeply wanted to be with Mr. Marraccini
23 and wanted him to be attracted to me and affectionate, so I tried to put up with it. When he continued
24 to strangle me during sex, I told him he was hurting me and asked him why he did it. He said he wanted
25 to be in complete control since it turned him on. He told me, "I own you." I told him I didn't like it and
26 wasn't okay with it and asked him to stop. He apologized and promised not to strangle or slap me again.

27 28. Throughout our trip, Mr. Marraccini continued to put me down and did things that felt
28 like they were intended to hurt and manipulate me. For example, I am an animal lover (especially

1 Declaration of Laura Owens

2 horses, which I ride for a living), and Mr. Marraccini has known this since we started dating. When we
3 first got together, he also claimed to love animals. During our trip, he ordered horse while we were out
4 to dinner. I was appalled and had the waiter cancel the order. On another occasion, he got mad and
5 made fun of me because I refused to eat whale or puffin. He said I was boring and that if I didn't eat
6 whale or puffin, he didn't want to be with me since it "proved" I wasn't open to trying new things.

7 29. We came back from Iceland on or around January 9, 2017.

8 30. On January 10, 2017, Mr. Marraccini lost his job. Things got worse after this. He told
9 me he was depressed and lost all motivation. He was constantly angry. I felt like he resented me
10 because I have a successful career that I'm passionate about. It also seemed like he wanted to isolate
11 me from my family. He said things like, "Your mom doesn't love you. You need to realize that."

12 31. I had hoped the abuse would stop once we came home, but it didn't. Mr. Marraccini
13 became even *more* aggressive after he lost his job. Every time we had sex, he strangled me. This
14 happened 4-5 times per week and at least 100 times total. He also frequently smacked my bare butt with
15 his open hand, sometimes more than 50 times in a row. Sometimes he would tell me to take an Ambien
16 (a sleeping pill, which I had been recently prescribed) before sex so that it would be easier for him to
17 have his way with me. Sex with Mr. Marraccini felt like abuse, not loving and intimate. I often cried
18 while he had sex with me. After he would finish having sex with me, I would tell him that he hurt me
19 and ask him to stop strangling me. Sometimes he apologized and said that he "just lost control." He'd
20 swear he was going to work on himself and promised to stop. Other times, he'd brush it off and act like
21 I enjoyed it (even though I repeatedly told him I did not). On numerous occasions, he told me the control
22 was a turn-on for him and that he needed it since sex with me was "too boring" or "too vanilla."

23 32. In mid-February 2017, while we were having sex, Mr. Marraccini was on top of
24 me. He put his left hand on my arm to hold me down. He squeezed so hard that I had a bruise
25 for several days, which I took photos of a day or two later. (See Exhibit 3, photos of my bruised
26 arm taken on February 18, 2017). Then he used his right hand to strangle me. I could barely
27 breathe. When I started gasping for air, he shoved two fingers down my throat, which caused
28 me to gag. When I did this, he said, "Good girl. Good girl." I felt panicked and didn't

1 Declaration of Laura Owens

2 understand what he was doing. I was crying. I kept thinking that I didn't want to do anything
3 to upset him as he did this, since I didn't want to push him over the edge. After he stopped
4 having sex with me, I asked him why he put his fingers down my throat and told him I didn't like
5 it. He brushed it off and ignored me.

6 33. On another occasion in February 2017, Mr. Marraccini strangled me during sex
7 so hard that it left red marks on my neck. I sent pictures of the marks to my sister, but did not
8 save these photos because I was afraid he would find them (I deleted many pictures and texts for
9 this reason). There were two other occasions when I had marks on my neck where he strangled
10 me (I cannot remember exactly when it was, but believe it was in May and July 2017).

11 34. Sometime in February 2017, I noticed tiny red spots around my eyes after Mr.
12 Marraccini strangled me (which I now know is called petechial hemorrhage). This became
13 common, and I took photos on a couple of occasions. (See Exhibit 4, photo of redness around
14 right eye and cheek taken in March 2017 and Exhibit 5, photo of redness around my eyes and
15 cheeks taken in May 2017). Sometimes my eyes were also bloodshot, and I had dark circles
16 around my eye sockets. At one point, my mom confronted me about the red spots and asked how
17 I got them. I told her Mr. Marraccini was strangling me during sex and that I believed the tiny
18 spots were a result of the strangulation.

19 35. On or around Valentine's Day weekend in February 2017, we took a trip to Napa
20 Valley. I had recently gotten a dog from a shelter who had been attacked and had a shaved head
21 and stitches. The whole time, Mr. Marraccini complained about how ugly the dog was. He said
22 he wanted to "punt" the dog. He told me I was cruel for keeping the dog alive because it was
23 old and blind and ugly and that I should have let it die in the shelter. At one point, the dog had
24 an accident in the hotel room. Mr. Marraccini got mad at me and screamed at me for having a
25 dog that wasn't potty trained. During this trip, Mr. Marraccini strangled me during sex several
26 times.

27 36. Sometime in February 2017, Mr. Marraccini asked me to take (and pay for) a trip to
28 Dubai with him. He said it was a good time because he wasn't employed. He told me the trip would

1 Declaration of Laura Owens

2 be good for us and would help restore our relationship. He hadn't told me that he loved me yet, but said
3 he had a "feeling" he would be ready to say it in Dubai (he often said he was "almost" ready to say "I
4 love you."). I wanted good things for us and for him to be happy, so I agreed. He berated and verbally
5 abused me throughout the Dubai trip in March 2017. He took me to a watch store and asked me to buy
6 him a \$10,000 watch and be his "sugar mamma." When we had sex, he strangled and/or slapped me
7 every time. I felt abused and taken advantage of and withdrew from him emotionally during this trip.

8 37. In or around late March 2017, I was with Mr. Marraccini at my house when he started
9 having sex with me on the couch. He was on top of me. He grabbed a pillow and put it over my face.
10 He held it down with his right hand and was thrusting it into my face. I was wriggling under him and
11 trying to get him off of me. I tried to scream, but could barely make a sound with the pillow smothering
12 my face. It was hard to breathe, and I remember thinking to myself, "Is he going to kill me?" I felt like
13 he was treating me like a cadaver and that I was just a body he was abusing and having sex with. When
14 he climaxed, he told me this was the best sex we've ever had. He told me he liked controlling my access
15 to air and that he wanted to control every aspect of my life. I felt completely demoralized.

16 38. Sometime in March 2017, I sought treatment for anxiety related to Mr. Marraccini's
17 abuse of me. I was unable to sleep and was having nightmares and night sweats.

18 39. In May 2017, Mr. Marraccini, his mother and his sister went into my apartment without
19 my permission while I was not home. I had given Mr. Marraccini a key while I was traveling in April
20 2017 and believe he made a copy without my permission. I found out about his going there with his
21 mother and sister when his mom mentioned to me that Mr. Marraccini had taken them into my house.

22 40. On or around June 9, 2017, Mr. Marraccini and I were in Carmel when he tried to lock
23 me in a sauna at a spa. Also during this trip, while we were walking together at dusk, he used one hand
24 to push me off of the sidewalk and into a bush. I caught myself before falling. When I asked him why
25 he pushed me, he just laughed and said he was having fun.

26 41. In or around June 2017, Mr. Marraccini was having sex with me. He stopped having sex
27 with me and then demanded I give him oral sex. He grabbed my head and thrust his penis into my
28 mouth. He held the back of my head so I couldn't move it and thrust his penis so far down my throat

1 Declaration of Laura Owens

2 that I threw up (this happened several times during our relationship).

3 42. In or around June 2017, Mr. Marraccini suffocated me with a pillow again during sex.
4 We were on the couch. I could barely breathe. I tried to scream, but nothing came out. I thought he was
5 going to kill me. I remember feeling responsible for what he was doing to me and so sad that things had
6 gotten to this point. I had gone from being a confident, independent woman and now I was being
7 suffocated. I remember thinking it didn't matter if he killed me since I had lost all self-respect anyway.
8 At some point I lost consciousness completely. When I came to, I was on the bed with the pillow over
9 me. His hand was pressing the pillow into my face, and my head was shoved against the wall sideways.
10 This was the most violent he had ever been towards me. Then he grabbed me and turned me around so
11 that I was on my stomach. I couldn't even lift my head up since I was so weak. Then he told me, "Get
12 on your knees." I was in a total daze. I did what he said since I was afraid of what he would do if I
13 didn't. He ejaculated in my mouth. I have never been so demeaned in my entire life. I didn't say a word
14 to him after this. I felt completely broken as a human being and hated myself for being with someone
15 who did this to me. I went to the bathroom. When I came back, Mr. Marraccini was asleep. In
16 November 2017, I brought this incident up to Mr. Marraccini after we had broken up. I asked him what
17 type of man needs to suffocate and strangle a woman in order to get himself off. He told me that it was
18 my fault because I "brought that out" in him.

19 43. I withdrew from the relationship after this. I was afraid of him and started spending less
20 time with him. I traveled a lot from July to October 2017 and had hoped that by pulling back, there
21 would be a natural end to our relationship. When I tried to talk with him about us not seeing each other
22 anymore, he'd tell me that he would work on being better.

23 STALKING

24 44. By October 2017, I was only spending time with Mr. Marraccini sporadically and was
25 deliberately trying to see less of him. I began canceling our plans since I didn't want to be around him.
26 When I did this, he started showing up at places within a two-block radius of my apartment that he
27 knows I frequent. He also started coming to my house unannounced even when I told him not to or was
28 ignoring his calls or texts.

1 Declaration of Laura Owens

2 45. In October or November 2017, my insomnia worsened. I was waking up in the middle
3 of the night in a sweat from nightmares about him trying to strangle and kill me. I was (and continue
4 to be) constantly afraid of seeing him. When traditional antidepressants stopped working, my doctor
5 prescribed Ketamine therapy, which was administered directly by my doctor to treat my PTSD and
6 depression (and not prescribed as a "horse tranquilizer," contrary to Mr. Marraccini's allegation in his
7 declaration).

8 46. One Wednesday night in October 2017, I was with my family at Maybeck's restaurant--
9 less than two blocks away from my apartment. My family and I regularly have dinner at Maybeck's on
10 Wednesdays, which Mr. Marraccini knew (he had come to Wednesday dinner at Maybeck's a couple
11 of times and had criticized the restaurant and said it was terrible). Mr. Marraccini and his sister walked
12 into Maybeck's and sat down three tables over. He stared at us. This made me very uncomfortable.

13 47. Sometime in November 2017, Mr. Marraccini asked if he could come over. I told him
14 no. It was late, and I was in bed already. Five to ten minutes later, he showed up at my house and
15 knocked at my front door. I stayed in bed and ignored him. He banged on the door and yelled my name
16 and said he knew I was home because he could hear the TV. I was worried my neighbors would get
17 upset with the loud banging and yelling, so I opened the door. I asked him why he came since I told him
18 not to. He said he was "in the neighborhood." Then he started trying to have sex with me. I was too
19 afraid of him to stop him. While we were having sex, he asked me, "How does it make you feel to know
20 I'm sleeping with a tall blond girl. She's the complete opposite of you, physically." I told him I didn't
21 care. Then he said, "Doesn't that make you jealous? I like to see you jealous. It's a turn-on." Then he
22 held me down using his left hand and strangled me. This was the last time we had sex.

23 48. I tried to avoid engaging with Mr. Marraccini and hoped he would just leave me alone.
24 He continued to contact me and asked to see me. I was polite and cordial to him since I was afraid of
25 what he would do to me if I wasn't.

26 49. On or around November 28, 2017, Mr. Marraccini sent me a text message saying that he
27 saw me and my family at Mamanoko. (See Exhibit 6, text messages between me and Mr. Marraccini
28 dated 11/28/2017). I sent him a text message to ask him where he was at the restaurant. (*Id.*) He

1 Declaration of Laura Owens

2 responded, "I was at the bar in the corner. I saw you all when you were walking out and we were just
3 being served. What did you think of it?" It made me very uneasy that he "happened" to be at the same
4 restaurant I was at (which was within 2 blocks of my apartment), and that he saw me there and said
5 nothing at the time.

6 50. I was afraid to walk down my street alone because I felt like he was stalking me. Starting
7 in December 2017, I had my parents or friends pick me up or drop me off at my front door or would take
8 Uber or Lyft everywhere, even to go a couple of blocks. Even though he does not live in my
9 neighborhood and had told me he was moving to Sacramento, I saw him at least 10 times within a
10 2-block radius of my apartment between December 2017 and the end of January 2018.

11 51. In December 2017, I posted on Instagram that I was going to dinner at Mamanoko. An
12 hour or so later, Mr. Marraccini showed up at there while I was having dinner with my mother. He
13 walked inside and came directly to our table. He was with a tall, blond woman, whom he introduced
14 as "Callie." He lingered at the table for a minute or so before sitting down at the table next to us,
15 although there were plenty of open tables elsewhere. This made my mother and me so uncomfortable
16 that we left.

17 52. After meeting Callie, I started thinking about how terrible I would feel if Mr. Marraccini
18 hurt her and I did nothing to warn her of his capacity for violence. I wished I had known how abusive
19 Mr. Marraccini was before I fell for him, and I considered telling her about my experiences.

20 53. The next day, Mr. Marraccini contacted me and asked to make me dinner. I said no. He
21 got upset that I turned him down and we got into an argument. I confronted him about his lies and the
22 physical abuse. He did not deny choking or smothering me with a pillow.

23 54. One Thursday in mid- or late December 2017, my parents were crossing the street to meet
24 me at Amici's in the Marina – a restaurant that I regularly go to with them and had been to several times
25 with Mr. Marraccini. He tried to stop my parents as they were walking, but they didn't engage with him.
26 While we were eating, he walked by the restaurant window three times and stared at us.

27 55. A few days after this, I was at Amici's again. Mr. Marraccini walked by the restaurant
28 and peered inside the restaurant as he passed. He made eye contact with me. About 10 minutes later,

1 Declaration of Laura Owens

2 he walked by and stared at me a second time.

3 56. I have been going to Barry's Bootcamp (a gym) around the corner from my house daily
4 since before we started dating. Throughout our relationship, he made fun of me for going. Then, in
5 December 2017, Mr. Marraccini joined that gym, even though he does not live in the neighborhood.

6 57. On January 5, 2018, I was at Mamanoko with my friend Joan O'Neill. We were sitting
7 by the window having dinner when I saw Mr. Marraccini walking towards the restaurant with a blond
8 woman. They stopped directly in front of our table outside the restaurant window and Mr. Marraccini
9 stared at us. I was afraid to look at him and tried to avoid eye contact. They walked away, but he came
10 back a few minutes later by himself and stood directly outside the window by our table. He stared inside
11 at us and tried to get our attention. We ignored him. A minute or so later, he entered the restaurant and
12 stood at the hostess stand, which was directly in front of me. He stared at me. I was so uncomfortable
13 and afraid that I looked down to avoid eye contact with him. Then he walked towards the back of the
14 restaurant and continued to stare at us for another 10 minutes or so. I felt like he was trying to intimidate
15 me. I was too afraid to leave the restaurant while he was there, in case he tried to follow me home.

16 58. On January 6, 2018, I decided to contact Callie Supsinskas via Facebook Messenger (the
17 woman Mr. Marraccini had introduced me to). (See Exhibit 7, Facebook Messenger message sent
18 January 6, 2018). I sent her a message telling her that "I would have given anything for someone to
19 reach out to me before I got deeply involved with him." (*Id.*) I told her about the red flags that I should
20 have paid closer attention to, such as Mr. Marraccini's lies about his career and prior romantic
21 endeavors. (*Id.*) I wrote that "he became physically abusive about six months into our relationship and
22 I simply don't want someone else to be hurt by him." (*Id.*) I told her about and attached a picture of the
23 note from the Wow Airlines passenger. (*Id.*) I also wrote, "Regardless of if you do anything with the
24 information I shared with you, I would beg you not to share it with Mike or bring up my name as he truly
25 scares me at this point." (*Id.*)

26 59. On January 7, 2018, I had dinner with my parents at Mamanoko. As we finished they
27 asked, "Don't you want us to take you home in case you see Mike?" I said no since they were parked
28 in a different direction and it would take me less time to just walk home. As I was walking home, I saw

1 Declaration of Laura Owens

2 Mr. Marraccini and his sister. They were less than 1½ blocks away from my house. They were standing
3 by the sidewalk staring at me. I was looking down at my phone and tried to pretend like I didn't see
4 them. Mr. Marraccini yelled at me, "Are you kidding me?!" Then his sister called me a psychopath.
5 They screamed at me for sending the Facebook Message to Ms. Supsinskas. When I pulled my phone
6 out to call my parents, his sister said, "Don't you DARE get your phone." They were standing in front
7 of me, which prevented me from walking past them. A couple was coming out of a nearby restaurant.
8 As they were walking past, I told Mr. Marraccini to stay away from me and that I was going to seek a
9 restraining order. I was terrified and hysterical. I called my parents to tell them what had happened.
10 Then I asked my friend Joan to come over since I was afraid Mr. Marraccini and his sister would come
11 to my house.

12 60. In the middle of the night, around 1:00 a.m., I got a call from the San Francisco Police
13 Department. They told me that Mr. Marraccini had emailed them a copy of the message I had sent to
14 Ms. Supsinskas and asked if I knew why. I said no and told them that he and his sister had accosted me
15 on the street. They questioned me about the domestic violence I alleged in the message and asked if they
16 could come and take a report. When the police arrived, I explained the circumstances surrounding the
17 message I sent to Ms. Supsinskas and the history of physical abuse and the stalking.

18 61. The next day, I was afraid to leave my house. I didn't know what to do, so I contacted
19 the Sheriff and asked for help figuring out how to get a restraining order. I also spoke with someone
20 from the District Attorney's Office that day. They asked if I wanted to file criminal charges, but I said
21 no.

22 62. On January 9, 2018, I filed a Request for a Domestic Violence Restraining Order. On
23 January 10, the Court granted me a Temporary Restraining Order.

24 63. Since then, Mr. Marraccini has violated the Temporary Restraining Order and has
25 continued to show up at places he knows I frequent within a block or two of my apartment.

26 64. For example, on January 28, 2016, Mr. Marraccini posted on Instagram that he
27 was at Delarosa, which is across the street from my house.

28 65. He also went to Barry's Bootcamp (less than 300 yards from my house) on at least

1 Declaration of Laura Owens

2 two separate occasions since the TRO has been in place.

3 66. Also, or around March 22, 2018, I was heading to dinner with my mother at
4 Mamanoko again. We parked on the street and were walking towards the restaurant. I saw Mr.
5 Marraccini standing out front of Mamanoko looking up and down the street. We turned around
6 and walked away.

7 WHY I WANT A RESTRAINING ORDER


8 67. I genuinely think that Mr. Marraccini wants to kill me. Given that he has strangled and
9 choked me, I know that he is capable of inflicting lethal violence. There is a deep hatred that he exudes
10 towards me, and I am afraid for my life. He has said to me in the past that if I ended up dead, he knew
11 he would be blamed. His hair-trigger temper horrifies me. I am afraid that if I encounter him alone, he
12 will lose control and harm me. I do not want to live in constant fear of him and hope that a restraining
13 order will send a message to Mr. Marraccini to stay away from me. I want to move on with my life.


14 [ORIGINAL SIGNATURE ON JUDICIAL COUNCIL FORM]
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EXHIBIT D


- Actions ▾
- Orders of Go/Signups
- Show Results ▾
- My Results
- Classes
- People
- Horses (Entries)
- Schedule ▾
- Ring Status
- Videos ▾

 ADD ENTRY

 CLASS ADDS/DROPS

 ORDER SUPPLIES

 CHECKOUT

 DIGITAL SIGNATURE











Select Show

2017 WEF 10 Horseware Ireland CSI 3* "AA" Premiere
Mar 15, 2017 - Mar 19, 2017

▾

OWENS, LAURA

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PERSONAL DETAILS						
NAME:		OWENS, LAURA				
CITY, STATE:		SAN FRANCISCO, CA				
COUNTRY:		United States				
USEF:		4585703				
EC SPORT LIC NO.:		N/A				
CLASSES						
	ENTRY	HORSE	RIDER	CLASS	COUNT	PLACING
	1950	CHANNING	VANESSA KING	2722 - \$600 Adult Amateur Hunter 18-35 B (Sponsored By:Wanderer's Club)	19	0
	1950	CHANNING	VANESSA KING	2723 - \$600 Adult Amateur Hunter 18-35 B (Sponsored By:Wanderer's Club)	19	8
	1950	CHANNING	VANESSA KING	2724 - \$600 Adult Amateur Hunter 18-35 B (Sponsored By:Wanderer's Club)	19	4
	1950	CHANNING	VANESSA KING	2725 - \$600 Adult Amateur Hunter 18-35 B (Sponsored By:Wanderer's Club)	19	0
	1950	CHANNING	VANESSA KING	2721 - \$100 Adult Amateur Hunter 18-35 U/S B (Sponsored By:Wanderer's Club)	19	0
	5259	BIG COUNTRY	LAURA OWENS	4048 - USHJA Hunter 3'	28	0
	5259	BIG COUNTRY	LAURA OWENS	4047 - USHJA Hunter 3'	28	0
	5259	BIG COUNTRY	ALISON FLURY	2724 - \$600 Adult Amateur Hunter 18-35 B (Sponsored By:Wanderer's Club)	19	0
	5259	BIG COUNTRY	ALISON FLURY	2725 - \$600 Adult Amateur Hunter 18-35 B (Sponsored By:Wanderer's Club)	19	0
	5259	BIG COUNTRY	ALISON FLURY	2721 - \$100 Adult Amateur Hunter 18-35 U/S B (Sponsored By:Wanderer's Club)	19	0
	5259	BIG COUNTRY	ALISON FLURY	2723 - \$600 Adult Amateur Hunter 18-35 B (Sponsored By:Wanderer's Club)	19	7
	5259	BIG COUNTRY	ALISON FLURY	2722 - \$600 Adult Amateur Hunter 18-35 B (Sponsored By:Wanderer's Club)	19	0

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OWENS, LAURA (5881387)

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Date Range: 1/1/2016 - 11/30/2024

SECTION: ADULT AMATEUR HUNTER 18-35 YEARS
SECTION RATING: C

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT.PNT	ZRD.PNT	HORSE	OWNER
2721	\$100 Adult Amateur Hunter 18-35 U/S (B)		6	29	5.00	0.00 / 0.00	0.00 / 30.50	ILLUSION (5083068)	REILLY, ELIZABETH (154193)
2721	\$100 Adult Amateur Hunter 18-35 U/S (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	SOUTHSIDE (5345715)	HELLMAN, SABRINA (4622378)
2722	\$600 Adult Amateur Hunter 18-35 (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	ILLUSION (5083068)	REILLY, ELIZABETH (154193)
2722	\$600 Adult Amateur Hunter 18-35 (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	CHANNING (5276517)	HELLMAN, SABRINA (4622378)
2722	\$600 Adult Amateur Hunter 18-35 (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	SOUTHSIDE (5345715)	HELLMAN, SABRINA (4622378)
2723	\$600 Adult Amateur Hunter 18-35 (B)		2	29	150.00	0.00 / 0.00	0.00 / 35.00	ILLUSION (5083068)	REILLY, ELIZABETH (154193)
2723	\$600 Adult Amateur Hunter 18-35 (B)		4	29	60.00	0.00 / 0.00	0.00 / 32.00	CHANNING (5276517)	HELLMAN, SABRINA (4622378)
2723	\$600 Adult Amateur Hunter 18-35 (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	SOUTHSIDE (5345715)	HELLMAN, SABRINA (4622378)
2724	\$600 Adult Amateur Hunter 18-35 (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	ILLUSION (5083068)	REILLY, ELIZABETH (154193)
2724	\$600 Adult Amateur Hunter 18-35 (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	CHANNING (5276517)	HELLMAN, SABRINA (4622378)
2724	\$600 Adult Amateur Hunter 18-35 (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	SOUTHSIDE (5345715)	HELLMAN, SABRINA (4622378)
2725	\$600 Adult Amateur Hunter 18-35 (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	ILLUSION (5083068)	REILLY, ELIZABETH (154193)
2725	\$600 Adult Amateur Hunter 18-35 (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	CHANNING (5276517)	HELLMAN, SABRINA (4622378)
2725	\$600 Adult Amateur Hunter 18-35 (B)		DNP	29	0.00	0.00 / 0.00	0.00 / 0.00	SOUTHSIDE (5345715)	HELLMAN, SABRINA (4622378)

TOTALS: 215.00 0.00 / 0.00 0.00 / 97.50

BAD POINT REASON: HORSE NOT SHOWN IN HOME ZONE, REGION, DISTRICT (GR1111.6)

SECTION: MISC. HUNTER (No points earned)
SECTION RATING: N

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	HORSE	OWNER
3070	Ariat National Medal		DNP	11	DONADOUI	GARCIA, MARIO (5217352)
3094	Palm Beach Adult Medal		4	13	AARON (5249359)	NOTMAN, ELIZABETH (5142599)
4066	Low Adult Hunter 26 Section B U/S (CALI)		DNP	34	ONDRUS (5064191)	QUARTET FARMS LLC (5412848)
4067	Low Adult Hunter 26 Section B (CALI)		2	35	ONDRUS (5064191)	QUARTET FARMS LLC (5412848)
4068	Low Adult Hunter 26 Section B (CALI)		1	35	ONDRUS (5064191)	QUARTET FARMS LLC (5412848)
4069	Low Adult Hunter 26 Section B (CALI)		7	34	ONDRUS (5064191)	QUARTET FARMS LLC (5412848)
4070	Low Adult Hunter 26 Section B (CALI)		DNP	34	ONDRUS (5064191)	QUARTET FARMS LLC (5412848)

SECTION: ADULT EQUITATION 18-35
SECTION RATING: N

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT.PNT	ZRD.PNT	HORSE	OWNER
3018	Equitation Adult Flat		DNP	12	0.00	0.00 / 0.00	0.00 / 0.00	AARON (5249359)	NOTMAN, ELIZABETH (5142599)
3019	Equitation Adult 3		1	14	0.00	20.00 / 0.00	0.00 / 20.00	AARON (5249359)	NOTMAN, ELIZABETH (5142599)
3020*	Equitation Adult 3		1	13	0.00	20.00 / 0.00	0.00 / 20.00	AARON (5249359)	NOTMAN, ELIZABETH (5142599)
EQADCH	Equitation Adult Amateur CHAMPIONSHIP		1	14	0.00	40.00 / 0.00	0.00 / 40.00	AARON (5249359)	NOTMAN, ELIZABETH (5142599)

TOTALS: 0.00 80.00 / 0.00 0.00 / 80.00

BAD POINT REASON: RIDER NOT SHOWING IN HOME ZONE, REGION, DISTRICT

3372 2017 WEF 10

Hunter Rating: AA - Premier

Start Date: 3/15/2017

End Date: 3/19/2017

State: FL Zone: 4

SECTION: USHJA HUNTER 3'0"
SECTION RATING: C

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT.PNT	ZRD.PNT	HORSE	OWNER
4047	USHJA Hunter 3 FP		DNP	28	0.00	0.00 / 0.00	0.00 / 0.00	BIG COUNTRY (5207950)	HIRT, MELISSA (153809)
4048	USHJA Hunter 3		DNP	28	0.00	0.00 / 0.00	0.00 / 0.00	BIG COUNTRY (5207950)	HIRT, MELISSA (153809)
TOTALS:					0.00	0.00 / 0.00	0.00 / 0.00		

2862 2017 BLENHEIM SPRING CLASSIC II

Hunter Rating: AA - Premier

Start Date: 3/29/2017

End Date: 4/2/2017

State: CA Zone: 10

SECTION: ADULT AMATEUR HUNTER 18-35 YEARS
SECTION RATING: C

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT.PNT	ZRD.PNT	HORSE	OWNER
183	Adult Amateur Hunter Classic - Final		12	15	0.00	0.00 / 0.00	0.00 / 0.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
150	A/A Hunters 18-35 FP		3	4	0.00	0.00 / 0.00	0.00 / 8.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
151	A/A Hunters 18-35		2	4	0.00	0.00 / 0.00	0.00 / 10.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
152	A/A Hunters 18-35		4	7	0.00	0.00 / 0.00	0.00 / 7.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
153	A/A Hunters 18-35		3	7	0.00	0.00 / 0.00	0.00 / 8.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
154	A/A Hunters 18-35 U/S		4	4	0.00	0.00 / 0.00	0.00 / 7.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
170	\$5,000 USHJA National Hunter Derby		DNP	32	0.00	0.00 / 0.00	0.00 / 0.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
TOTALS:					0.00	0.00 / 0.00	0.00 / 40.00		

BAD POINT REASON: HORSE NOT RECORDED BY 1ST DAY OF COMPETITION (GR1110.2)

SECTION: MISC. HUNTER (No points earned)
SECTION RATING: N

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	HORSE	OWNER
501	CPHA Foundation		DNP	27	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
518	Ariat Adult Medal		5	6	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)

SECTION: ADULT EQUITATION 18-35
SECTION RATING: N

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT.PNT	ZRD.PNT	HORSE	OWNER
431	Eq. Fences 18 & Over		2	8	0.00	15.00 / 0.00	15.00 / 0.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
432	Eq. Fences 18 & Over		3	7	0.00	10.00 / 0.00	10.00 / 0.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
433	Eq. Fences 18 & Over		4	9	0.00	6.00 / 0.00	6.00 / 0.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
434	Equitation on the Flat 18 & Over		3	9	0.00	10.00 / 0.00	10.00 / 0.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
EQADCH	Equitation 18 & Over CHAMPIONSHIP		2	8	0.00	24.00 / 0.00	24.00 / 0.00	POSEIDON (5390690)	STRACHAN, LINDSAY (5335541)
TOTALS:					0.00	65.00 / 0.00	65.00 / 0.00		

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OWENS, LAURA (5881387)

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SECTION: PERFORMANCE HUNTER - 3'3"
SECTION RATING: A

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT.PNT	ZRD.PNT	HORSE	OWNER
262	\$125 Performance Hunters 33		DNP	48	0.00	0.00 / 0.00	0.00 / 0.00	POSEIDON (5390690)	OWENS, LAURA (5881387)
TOTALS:					0.00	0.00 / 0.00	0.00 / 0.00		

SECTION: MISC. HUNTER (No points earned)
SECTION RATING: N

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT.PNT	ZRD.PNT	HORSE	OWNER
370	Warm Up Hunters 3		DNP	33				POSEIDON (5390690)	OWENS, LAURA (5881387)
680	The Equestrians Concierge Equitation Classic		DNP	38				POSEIDON (5390690)	OWENS, LAURA (5881387)

SECTION: ADULT EQUITATION 18-35
SECTION RATING: N

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT.PNT	ZRD.PNT	HORSE	OWNER
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US EQUESTRIAN RIDER REPORT

OWENS, LAURA (5881387)

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Date Range: 1/1/2016 - 11/30/2024

640	Amateur Flat Equitation 18 - 35	5	6	0.00	5.00 / 0.00	5.00 / 0.00	POSEIDON (5390690)	OWENS , LAURA (5881387)
641	Amateur Equitation 18 - 35 3	4	6	0.00	6.00 / 0.00	6.00 / 0.00	POSEIDON (5390690)	OWENS , LAURA (5881387)
642	Amateur Equitation 18 - 35 3	3	6	0.00	10.00 / 0.00	10.00 / 0.00	POSEIDON (5390690)	OWENS , LAURA (5881387)
TOTALS:				0.00	21.00 / 0.00	21.00 / 0.00		

SECTION: ADULT AMATEUR HUNTER 18-35 YEARS
SECTION RATING: C

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT.PNT	ZRD.PNT	HORSE	OWNER
100c	\$100 Adult Amateur Hunter 18-49 (Combined 100,105)	8	14	5.00	0.00 / 0.00	16.50 / 0.00	CHUPA CHUP (5359782)	GLENN, JAIME (5373529)	
98c	\$100 Adult Amateur Hunter 18-49 (Combined 98,103) FP	DNP	16	0.00	0.00 / 0.00	0.00 / 0.00	CHUPA CHUP (5359782)	GLENN, JAIME (5373529)	
99c	\$100 Adult Amateur Hunter 18-49 (Combined 99,104)	DNP	16	0.00	0.00 / 0.00	0.00 / 0.00	CHUPA CHUP (5359782)	GLENN, JAIME (5373529)	
TOTALS:					5.00	0.00 / 0.00	16.50 / 0.00		

SECTION: MISC. HUNTER (No points earned)
SECTION RATING: N

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT.PNT	ZRD.PNT	HORSE	OWNER
339	Ariat Medal		DNP	11				CHUPA CHUP (5359782)	GLENN, JAIME (5373529)

SECTION: ADULT EQUITATION 18-35
SECTION RATING: N

CLASS	DESCRIPTION	HEIGHT	PLACING	COMPLETED	MONEY	NAT PNT	ZRD PNT	HORSE	OWNER
366	Equitation 18 & Over Flat	1	21	0.00	20.00 / 0.00	20.00 / 0.00	CHUPA CHUP (5359782)	GLENN, JAIME (5373529)	
367	Equitation 18 & Over O/F	DNP	22	0.00	0.00 / 0.00	0.00 / 0.00	CHUPA CHUP (5359782)	GLENN, JAIME (5373529)	
368	Equitation 18 & Over O/F	DNP	21	0.00	0.00 / 0.00	0.00 / 0.00	CHUPA CHUP (5359782)	GLENN, JAIME (5373529)	
TOTALS:					0.00	20.00 / 0.00	20.00 / 0.00		





iMessage
2017-05-10 22:13:20 (UTC) [3][6][7]
Sender: ([REDACTED])
Participants: ([REDACTED] , Self ([REDACTED]))



IMG_2607.MOV.mov

iMessage
[3] 2017-05-10 22:21:52 (UTC)
Sender: Self ([REDACTED])
Participants: ([REDACTED] , Self ([REDACTED]))

Holy shit

iMessage
[3] 2017-05-10 22:21:52 (UTC)
Sender: Self (m.marraccini@gmail.com)
Participants: (415) 810-0604 ((415) 810-0604), Self (m.marraccini@gmail.com)

Was that you?

iMessage
[2] 2017-05-10 22:21:52 (UTC)
Sender: Self ([REDACTED])
Participants: ([REDACTED] , Self ([REDACTED]))

Holy shit

iMessage
[1] 2017-05-10 22:21:52 (UTC)
Sender: Self ([REDACTED])
Participants: ([REDACTED] , Self ([REDACTED]))

Holy shit

iMessage
[1] 2017-05-10 22:21:52 (UTC)
Sender: Self ([REDACTED])
Participants: ([REDACTED] , Self ([REDACTED]))

Was that you?

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[2] 2017-05-10 22:21:52 (UTC)
Sender: Self ([REDACTED])
Participants: ([REDACTED] , Self ([REDACTED]))

Was that you?

iMessage
2017-05-10 22:28:16 (UTC) [1]
Sender: ([REDACTED])
Participants: ([REDACTED] , Self ([REDACTED]))

Yes just now

iMessage
2017-05-10 22:28:16 (UTC) [2]
Sender: ([REDACTED])
Participants: ([REDACTED] , Self ([REDACTED]))

Yes just now

iMessage
2017-05-10 22:28:16 (UTC) [3]
Sender: ([REDACTED])
Participants: ([REDACTED] , Self ([REDACTED]))

Yes just now

iMessage
2017-05-11 00:25:36 (UTC) [3]
Sender: ([REDACTED])
Participants: ([REDACTED] , Self ([REDACTED]))

I'm really shaken up. I hope you know I just want to make sure you are sure you want to be with me

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EXHIBIT E

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2023-052114

06/17/2024

HONORABLE JULIE ANN MATA

CLERK OF THE COURT
L. Overton
Deputy

IN RE THE MATTER OF
LAURA OWENS

DAVID S GINGRAS

AND

CLAYTON ECHARD

GREGG R WOODNICK

DEANDRA ARENA
JUDGE MATA
MARICOPA COUNTY ATTORNEY'S
OFFICE
225 W MADISON ST
PHOENIX AZ 85003

UNDER ADVISEMENT RULING

An in-person Evidentiary Hearing was held on June 10, 2024, regarding the issues of sanctions, paternity, attorney's fees, and costs.

JURISDICTIONAL FINDINGS

THE COURT FINDS at the time this action was commenced at least one of the parties was domiciled in the State of Arizona and that said domicile had been maintained for at least 90 days prior to filing the Petition. There are no minor children common to the parties.

PROCEDURAL HISTORY

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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- Laura Owens (“Petitioner”) filed a pro per Petition to Establish Paternity, Legal Decision Making, Parenting Time and Child Support on May 20, 2023.
- Petitioner filed a pro per Motion to Communicate on August 23, 2023, a Motion to Compel on August 29, 2023, and Expedited Consideration Requested! Motion to Communicate filed September 14, 2023, and Expedited (!) Motion to Seal Court Record on September 14, 2023. All motions were denied.
- Clayton Echard (“Respondent”) filed a pro per Answer on August 21, 2023. The Court granted Respondent’s Motion for Leave to Amend Response filed by counsel on December 12, 2023, and Amended Response to Petition to Establish filed on January 26, 2024.
- The parties attended an Early Resolution Conference on September 28, 2023, wherein the parties entered into a Rule 69 agreement to comply with a Ravgen DNA test on October 2, 2023.
- On October 6, 2023, Petitioner filed for an ex parte Order of Protection (“OOP”) in FC2023-052771. After a hearing, the OOP was affirmed. The same day the Ravgen results indicated “little to no fetal DNA.”
- On October 18, 2023, Petitioner filed a Request for Pre-Decree Mediation citing Respondent’s unwillingness to communicate with Petitioner and citing “he even acts as if the unborn children don’t exist despite a pro ponderous of the evidence [sic]”. (Dkt. No. 23, p. 2).
- On October 24, 2023, the parties appeared before Commissioner Gialketsis (retired) in CV2023-053952 in response to the Injunction Against Harassment (“IAH”) filed by Respondent. On the parties’ stipulation, the Court previously reviewed both days of the hearing and identified that the Petitioner, appearing virtually, frequently stood up and rubbed what appeared to be a swollen abdomen. November 2, 2023, testimony resumed, and Petitioner testified that she was “100%” and “24 weeks” pregnant with Respondent’s children. She further testified that the twins were due on February 14, 2024. She further testified that due to epilepsy she was experiencing a high-risk pregnancy and was being cared for by two specialists, namely Dr. Makhoul and Dr. Higley. She testified she last saw Dr. Higley “last Friday” prior to the November 2, 2023, hearing.
- October 25, 2023, the parties appeared before Commissioner Doody to determine the validity of the contested OOP in FC2023-052771. Petitioner’s abdomen again appeared swollen. During this hearing, she testified to the validity of the sonogram sent to Respondent, the media, and a Dropbox on Reddit, and further testified the parties were having a son. She later testified she believed she was having fraternal twins, one boy and one girl.

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- December 6, 2023, a second Ravgen test confirmed “little to no fetal DNA.”
- A third test was done; however, the test results were lost in transit.
- December 12, 2023, Respondent filed a Notice of Filing Affidavit of Non-Paternity.
- December 28, 2023, Petitioner filed a Motion to Dismiss Petition to Establish Paternity, Legal Decision Making, Parenting Time and Child Support with Prejudice in conjunction with a Notice Requiring Strict Compliance with Arizona Rules of Evidence, thereby invoking A.R.F.L.P. Rule 2(a). Petitioner cited the basis for the dismissal that she “is not now pregnant with Respondent’s children.” (Dkt. No. 32 at 1). The motion was denied as the issue of attorney’s fees, costs, and sanctions remained.
- January 2, 2024, Petitioner filed an Expedited Motion to Quash Deposition of Petitioner. January 3, 2024, Respondent filed a Response/Objection to Petitioner’s Motion to Dismiss. The Court denied Petitioner’s Motion to Quash.
- Respondent withdrew his Motion for Sanctions Pursuant to Rule 26, on January 3, 2024.
- Petitioner filed a Motion for Confidentiality and Preliminary Protective Order on January 18, 2024.
- Respondent participated in a deposition on February 2, 2024.
- At a Status Conference on February 21, 2024, Petitioner was ordered by this Court to comply with Rule 49 disclosure requirements. During the hearing, Petitioner’s counsel advised that the Petitioner had miscarried sometime in September or October 2023.
- Petitioner was deposed on March 1, 2024.
- On June 3, 2024, Petitioner’s prior counsel, filed Ethical Rule 3.3 Notice of Candor, wherein counsel advises the Court that statements made by counsel at the February 21, 2024, Status Conference were factually incorrect. Specifically, counsel stated “Ms. Owens has not lied in this case. She has not intentionally lied to the Court.” (Dkt. No. 108 at 1). While counsel believed the statements to be accurate at the time, counsel later determined those statements were not true based on the Petitioner’s deposition taken March 1, 2024. (*Id.* at 2-4).
- Voluminous additional pre-trial pleadings were filed by both parties. Those motions were ruled on separately, by minute entry, and the rulings are not relevant for purposes of this hearing.

FINDINGS OF FACT

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2023-052114

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Petitioner, Laura Owens

- Petitioner contacted Respondent through LinkedIn.
- Petitioner and Respondent met on May 17, 2023, to locate potential investment properties in Scottsdale.
- Petitioner has a podcast, a real estate investing company, and buys and sells horses. (Ex. B. 49, p. 13, line 24-25).
- Between May 18-20, the parties viewed some properties in Scottsdale.
- On the evening of May 20, 2023, Respondent invited Petitioner over to his home, which she accepted.
- After Petitioner arrived, Respondent told her he was “high” on cannabis “gummies” and he offered one to her, which she accepted.
- During the late evening of May 20, 2023, and early morning of May 21, both parties agree that Petitioner performed oral sex on Respondent “to completion” twice.
- Petitioner testified she did not want to have sexual intercourse, but that Respondent “stuck it in” briefly.
- Petitioner’s implication that Respondent initiated sexual intercourse without consent was not alleged initially in the court filings. It was not alleged until 2024. (Ex. B. 49, p. 67).
- At trial, Petitioner testified that the parties had sexual intercourse, and that it was rape.
- Petitioner testified Respondent was too high to remember sexual intercourse, due to his voluntary intoxication.
- Petitioner believes she became pregnant on May 20, 2023. She testified that after May 20, 2023, her menstrual period stopped and did not resume until November 2023.
- Petitioner has had PCOS since the age of seventeen and does not have regular periods. (Ex. A. 11).
- Petitioner has a history of epilepsy. (*Id.*).
- Petitioner testified she has been pregnant four times. Each time, the alleged father believed she fabricated the pregnancy, and doctored medical records.
- On May 24, 2023, Petitioner asked Respondent to prepare written purchase offers for two properties Petitioner wanted to purchase in Scottsdale – one was located at 19777 North 67th Street in Scottsdale (offer amount was \$425,000) and the other was located at 7609 N. Lynn Oaks Drive in Scottsdale (offer amount was \$699,000).

SUPERIOR COURT OF ARIZONA
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- Petitioner asked Respondent, as her realtor, to prepare these purchase offers and to submit them to the seller or the seller's agent.
- Respondent prepared the purchase offers, which Petitioner signed on or around May 24, 2023, but Respondent never submitted them to the seller or the seller's agent.
- Petitioner later asked Respondent if he had heard anything from the seller in response to Laura's offers.
- Respondent advised he had not heard back from the seller.
- Petitioner testified that she advised the Real Estate Board and action was taken.
- On May 31, 2023, Petitioner took a home pregnancy test which showed a faint positive result.
- Petitioner testified that after multiple positive pregnancy tests, she told the Respondent she was pregnant.
- Petitioner denies using hormones, someone else's urine, or altering the test at all.
- Petitioner found Respondent's reaction to be hostile and dismissive.
- On June 1, 2023, Petitioner went to Banner Urgent Care at Greenway and 64th Street, she informed the nurse that she believed she may be pregnant, and she asked for a test to determine whether she was, in fact, pregnant. (Ex. A. 2).
- The test result from Banner Urgent Care was positive for pregnancy. (*Id.*).
- Petitioner testified that for more than six months prior to May 2023, she was not sexually active with any other men. Based on this, Petitioner testified that she believed she was pregnant, and Respondent was the only potential father.
- June 19, 2023, Petitioner went to Respondent's home at his request.
- Respondent provided a pregnancy test for Petitioner to take. Conflicting testimony makes it difficult to ascertain whether the test was taken in front of the Respondent or with the bathroom door closed due to a shy bladder. Both parties agree the test was positive.
- In the "Something to Consider" email the Court finds the language to imply Respondent was attempting to buy into the idea that rubbing or grinding their genitals together might have led to a pregnancy. (Ex. A. 2). The Court, however, does not find the email conclusive that Respondent believed her to be pregnant with his children, but rather an attempt to consider her ascertainment.
- In the "Something to Consider" email Respondent maintains that the lack of sexual intercourse would preclude him from being the father of the fetuses. The email does not deny the pregnancy test was positive. (Ex. A. 2).
- In the email, Respondent suggested that the positive test was the result of Petitioner's epilepsy medication.

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- Petitioner emailed Dr. Glynnis Zieman, MD from Barrow Concussion & Brain Injury Center on June 28, 2023. (Ex. A. 3). The subject of the email is “Pregnancy and Seizure Med?” (*Id.*).
- Petitioner denies sending Respondent an ultrasound video, citing instead that Greg Gillespie hacked into her email and sent the video to Respondent. (Ex. A. 5) (Ex. B. 49, p. 64).
- Petitioner testified that July 2, 2023, she anonymously sought care at a Planned Parenthood in Los Angeles. While she failed to provide records of any Planned Parenthood appointment, anonymous or under an alias, Respondent presumably sought records from all Mission Viejo Planned Parenthoods as that is where, up until today, Petitioner disclosed she sought care. (Ex. B. 49, p. 81, line 4). Petitioner testified that she had the sonogram at a Planned Parenthood in California either anonymously or under a pseudonym and changed the location to prevent Respondent from tracking down the records. The Court was not provided with those records at trial.
- Petitioner testified that on July 23, 2023, she experienced bleeding and passed two small fleshy objects smaller in size than her hand. She took pictures of the tissue and sought telehealth assistance.
- Petitioner testified that she texted a miscarriage hotline and sought telehealth assistance.
- The telehealth provider told Petitioner it was hard to tell if she miscarried and she should monitor the situation and seek further care as needed. Petitioner chose not to seek in person care that would have confirmed if she had been, still was, or had miscarried. The Court finds the “hard to tell” component of the telehealth visit was due to the nature of telehealth and the inability to provide care in the form of an exam, hCG test, blood test, ultrasound, or sonogram.
- Instead of seeking in-person care, Petitioner chose to take another hCG home pregnancy test on July 25, 2023, which was positive.
- Petitioner again took an at home test instead of seeking care on August 1, 2023.
- Petitioner testified that she made multiple appointments to see Dr. Makhoul. Three of the four appointments were rescheduled and then cancelled when the Petitioner tested positive for COVID. Dr. Makhoul’s records indicate forty-four pages of records confirming making and cancelling appointments.
- The Court was not provided with evidence of the positive COVID test but maintains that the nature of her high-risk pregnancy would warrant a visit to the emergency room who would be equipped to care for a high-risk pregnancy wherein the Mother was COVID positive.

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- In August 2023, the parties agreed to a DNA test through Ravgen.
- Petitioner paid \$725 to Ravgen for the test, but Respondent failed to provide a sample and Petitioner canceled the test on August 18, 2023. (Ex. A. 5).
- The Court does not find the sexual contact between Petitioner and Respondent resulted in a pregnancy.
- The Court finds that if the Petitioner was pregnant, it is profoundly unlikely that conception occurred because of rubbing, grinding, or oral sex.
- During this litigation, if Petitioner had maintained consistently an allegation of sexual assault, coupled with a police report, or physical exam, the Court may find differently. Evidence and testimony, however, do not support this inconsistent contention.
- Petitioner admitted to changing an hCG test result to reflect 31,000. (Ex. B. 17). She further testified she altered the document using Adobe, but not Adobe Acrobat.
- In late September or early October, both parties submitted samples to Ravgen for DNA testing.
- October 16, 2023, the Petitioner's blood was drawn, and the results were hCG levels of 102. (Ex. A. 9). Petitioner changed the results to reflect 102,000.
- Petitioner testified that on October 18, 2023, she was aware the alleged pregnancies were not viable and filed the Request for Pre-Decree Mediation in the hopes that at mediation she could tell the Respondent that the pregnancy was no longer viable.
- Upon denial of her Request, however, she did not file a Motion to Dismiss or make other arrangements to advise Respondent of the development.
- The Court finds this testimony incredible and a misuse of judicial resources.
- Petitioner was not treated by Dr. Makhoul, or Dr. Higley as testified to in her November 2, 2023, hearing on the IAH.
- Petitioner's alleged pregnancy was not treated by Dr. Makhoul, Dr. Higley, or any other in-person obstetrician or gynecologist.
- The Court finds failure to seek in person care for a high-risk pregnancy to be both unreasonable and uncreditable.
- The Court further finds that going to Banner for a pregnancy test, but not the passage of fetal tissue to be unreasonable and incredible. A reasonable person, if seeking emergency room care to confirm a pregnancy, would not rely on telehealth to confirm the non-viability of the pregnancies.
- Petitioner testified that on November 14, 2023, she sought OB/GYN services from a facility, MomDoc, to determine whether she was allegedly still pregnant.

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(Ex. A. 11). At that appointment, Petitioner took two pregnancy tests that were both negative.

- Petitioner testified that she currently weighs 91 pounds but weighed 133 in November 2023, during her MomDoc appointment. She experienced significant swelling in her abdomen and felt pregnant.
- The Court was presented with videos dated September 19, 2023, and October 9, 2023, Petitioner sent Respondent of her abdomen as evidence of pregnancy. (Ex. A. 6, 7). Dr. Medchill testified that while she appeared pregnant, that alone was not conclusive of pregnancy.
- Petitioner denies tampering with hCG tests but does admit to altering and fabricating ultrasounds and sonograms. She further testified that she changed the hCG numbers on two of the results. The Court finds little, if any difference, in altering the test itself for which she denies, and altering the results which she did tamper with by her own admission.
- During Petitioner's cross-examination, it became profoundly obvious that counsel for the Petitioner was attempting to coach her answers.
- Respondent's counsel, identifying the issue, moved between counsel and the Petitioner.
- From that point forward, the Petitioner began to exhibit extreme anxiety and unwillingness to answer questions.
- The Court had to remind the Petitioner twice that counsel would ask a question and she needed to answer it.
- At this time, Petitioner pushed back her chair and advised the Court she did not believe she was being treated fairly. The Court attempted to redirect Petitioner to no avail.
- At this time, Petitioner became emotional and asked for a brief recess, which the Court granted.
- The Court finds this interaction between counsel and Petitioner, diminishes the creditability and veracity of the Petitioner's responses during cross-examination.
- The Court finds it is impossible to determine the date of any alleged miscarriage, not because it is impossible, but rather because she failed to seek even a minimal level of care for her high-risk condition. Failure to demonstrate confirmation of ongoing pregnancy is a purposeful way to ensure Respondent would not be able to determine if she was pregnant and if so, for how long the pregnancy lasted.

Michael T. Medchill, MD

SUPERIOR COURT OF ARIZONA
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- Dr. Michael T. Medchill, MD, a retired OB/GYN and prior Chair at St. Joseph's Hospital, testified that pregnancy is possible without sexual intercourse. Dr. Medchill testified that he delivered 30,000 babies during his practice and saw many patients for miscarriages.
- Dr. Medchill testified that he reviewed approximately 200 pages of Petitioner's medical records from Barrow Neurological Institute in Phoenix that included summaries of Petitioner's medications. He did not, however, review primary care or historical OB/GYN records.
- Dr. Medchill testified that none of the medication records he reviewed would cause a false positive home pregnancy test.
- Dr. Medchill testified that a false positive hCG test could be the result of epilepsy medication, anxiety medication, Clozapine, horse urine, or IVF prescribed injections ("trigger shots").
- When asked by the Court, Dr. Medchill testified he did not review any Planned Parenthood records from Mission Viejo or Los Angeles facilities.
- Dr. Medchill testified that a home pregnancy can detect pregnancy eleven days after conception.
- Dr. Medchill testified that he is 99.9% sure that the Petitioner was pregnant based on the hCG tests. He did not change his perspective after Petitioner's admissions on the stand that she altered more than one test to reflect higher, viable hCG numbers.
- The Court finds Dr. Medchill's testimony that .1% chance that Petitioner received a false positive due to several medications she is in fact taking, possible trigger shot for hCG, and a prior history of ovarian cancer to diminish his creditability. Especially given that records that the Petitioner testified existed were not presented to her own expert for review and consideration.
- Dr. Medchill testified that a blood hCG level of 102 is proof of a non-viable pregnancy. While Dr. Medchill testified that a non-viable pregnancy is still a pregnancy, the Court finds that altering the number to reflect 102,000 which would be a viable pregnancy to indicate that she intended for the Respondent to believe that she was still pregnant with viable fetuses.
- Dr. Medchill concluded that the Petitioner became pregnant on May 20, 2023, and ended with a "spontaneous abortion" late October, early November, or possibly sooner in 2023. Given the alterations of the only records to indicate pregnancy the Court does not accept this conclusion.
- Dr. Medchill testified that woman may expel tissue during a spontaneous abortion, or the pregnancy might remain in her body, ultimately being reabsorbed.

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Given that the Petitioner testified under oath at a prior hearing that she was absolutely twenty-four weeks pregnant and had seen her doctor (presumably in-person) the Court does not accept that twenty-four-week-old twin fetuses would be reabsorbed into a mother's body. The Court further finds a miscarriage at that stage of pregnancy would result in emergency medical care and corresponding death certificates of the twins. If what Dr. Medchill testified to is true, and she miscarried much sooner, negating the need for the death certificates, then Petitioner perjured herself at a prior hearing.

Samantha Deans, MD, MPH

- Dr. Samantha Deans, MD, MPH, reviewed Petitioner's records and provided her analysis of the hCG results. (Ex. B. 39, 41). Additionally, she was the prior Associate Medical Director of Planned Parenthood in Florida, and Pennsylvania.
- She testified that Planned Parenthood does not accept anonymous patients. They do not accept patients using an alias. Patients are required to provide a government issued form of identification. She further testified that Planned Parenthood is not open on Sundays, when Petitioner testified, she sought care July 2, 2023.
- Dr. Deans testified that hCG does not confirm pregnancy. There must be serial hCG or an ultrasound and examination, which were never done, or never disclosed to the Court, the Respondent, Dr. Medchill or Dr. Deans.
- Dr. Deans reviewed the July 23, 2023, telehealth instructions that Petitioner "proceed to an emergency room for additional evaluation and care." (Ex. B. 41, p. CE0527). The instructions were not followed but Petitioner called the Abortion and Miscarriage Hotline which also recommended and encouraged the Petitioner to seek in-person medical care. (*Id.*).
- Dr. Deans testified that there is no data to indicate a conception date.
- After reviewing the records, Dr. Deans determined that the hCG tests were never dispositive of pregnancy and that the related miscarriage timeline, which included detailed analysis of the likely origin of hCG in Petitioner's blood and urine was not indicative of human gestational norms.
- Dr. Deans testified that heterophilic autoimmune responses due to exposure to animals could produce a positive hCG test, but the confirmation blood test would be negative.
- A prior history of cancer could also produce a positive hCG result. Petitioner has a prior history of ovarian cancer that prompted the surgical removal of her right ovary.

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- Familial hCG Syndrome can also produce a false positive hCG test. Dr. Deans testified that syndrome is very rare with only ten known cases in the world.
- Horse tranquilizers can create a positive hCG result.

Respondent, Clayton Echard

- Respondent denies all allegations of sexual intercourse.
- Respondent confirms both parties were under the influence of marijuana but denies being “high” and further denies memory loss because of the marijuana ingestion.
- Respondent testified that around May 22, 2023, he realized his behavior with Petitioner was unprofessional and he intended to discontinue a sexual relationship with the Petitioner. He testified that upon hearing this, the Petitioner became very emotional.
- Respondent testified that he told Petitioner he had submitted the offers to the seller. Respondent testified he did not believe the Petitioner was really interested in the properties.
- When asked if he had received any response, Respondent told Petitioner that he had not, but he never told Petitioner the reason why no response had been received – i.e., because the offers had never been submitted.
- Respondent made knowingly false statements to Laura about the real estate purchase offers.
- Respondent testified that Petitioner sent him approximately 500 texts message using thirteen different phone numbers threatening to leak information to the media. (Ex. B. 3).
- Respondent testified that Petitioner reached out to “The Sun,” called his family, co-workers, and prior girlfriends accusing him of being a deadbeat for not supporting her and the twins.
- Respondent testified that he received the video from Petitioner and continued to correspond with her over that email string which would reasonably prompt Petitioner to advise she did not send the video, but she did not advise of that at the time. (Ex. B. 11).
- Petitioner emailed Respondent “[y]ou can’t say you haven’t been given a voice when I have told you that I will have an abortion if we try things out for a few weeks and have a good reason for aborting the child...[t]hese words feel menacing because you know I like you and want to try things out with you.” (Ex. B. 7). The email continues “[y]ou would be ‘obliging’ to make the decision to date exclusively before deciding whether or not we have an abortion.” (*Id.*).

SUPERIOR COURT OF ARIZONA
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06/17/2024

- Petitioner encouraged Respondent to have sexual intercourse with her, citing she was “tight” and already pregnant.
- Petitioner further emailed Respondent that he had control of the outcome of the pregnancy “if we date exclusively and care for each other.” (Ex. B. 6). On June 28, 2023, she said “[i]f you think about it, having sex with me is the safest thing you can do at this point. I’m already pregnant and if we choose to go this route (and trust each other enough to have sex), then we are at the point where I would be taking abortion pills...so there’s no risk.” (*Id.*).
- Petitioner told Respondent the twins were a boy and a girl.
- Petitioner provided Respondent with a sonogram that was posted on YouTube seven years ago. Petitioner admitted to this during her deposition (Ex. A. 28).
- Petitioner sent a threatening letter to Respondent indicating her intention to sue him for 1.4 million dollars in collateral allegations unless he agreed to dismiss this action that she initiated. (Ex. B. 55).
- Petitioner signed a release of records for Dr. Jeffrey Blake Higley, MD at Women’s Care. In a letter dated March 18, 2024, the provider advised “[w]e have no record of treatment for the date(s) of service you request.” (Ex. B. 59, p. OWENS 2).

VALIDITY OF PETITIONER’S ORDER OF PROTECTION

In this case, the gravamen of Respondent’s position is that Petitioner has fabricated her pregnancy, a condition which cannot have resulted from the parties’ interactions, because according to Respondent they never had sexual intercourse. But he does admit that the pair engaged in oral sex. Respondent seeks to have the protective order invalidated based on the alleged fabrication, while Petitioner essentially argues that even if she was never pregnant, the sexual activity between the two, and Respondent’s subsequent harassing online conduct, are sufficient to sustain the order regardless.

There is a predicate issue that should be addressed which goes to the Court’s authority to reconsider the protective order at all. Put simply, extant appellate authority, namely *Vera v. Rogers*, 246 Ariz. 30 (Ct. App. 2018) and like cases, precludes reconsideration here.

In *Vera*, Mother applied for a protective order in Phoenix Municipal Court, but it was eventually transferred to the superior court after Father petitioned to establish legal decision-making authority, parenting time, and child support here. After a contested hearing, the commissioner handling the order of protection affirmed it in its entirety. Father then filed a

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special action, asking the court of appeals to order the family court to amend the order of protection to align it with the temporary parenting-time orders it had made in the separate case. The court of appeals accepted the special action, finding it raised a “purely legal issue of first impression that is of statewide importance,” to wit, “the interplay between the procedural rules and statutes governing protective orders and family law proceedings.” (*Id.* at 33).

The court of appeals first recognized that the superior court, pursuant to ARFLP 5(A), has the authority to hold a joint hearing to concurrently consider both actions so that it may harmonize the orders. But having said that, the court noted that the superior court’s “authority to modify an order of protection only exists pursuant to the statutes and rules controlling protective orders.” (*Id.* at 34). And those statutes and rules prevented the relief Father sought in *Vera*, because another superior court officer had already affirmed the contested order of protection. Indeed, the court stated that “[o]nce [a contested] hearing has been held, an affirmed order of protection may be amended or dismissed only in two ways: (1) by a request of the party protected by the order, Ariz. R. Protect. Ord. P. 40(a), 41(a); or (2) by appeal, Ariz. R. Protect. Ord. P. 42(a)(2), (b).” (*Id.* at 35). Because Mother had not requested amendment, and Father did not appeal from what amounted to a final judgment, he could not obtain relief, and the family court had no power to amend the protective order. Put another way, “a superior court judicial officer is not to engage in horizontal appellate review of another judicial officer’s decision to affirm an order of protection.” (*Id.* at 36; *see also Davis v. Davis*, 195 Ariz. 158, 161, ¶ 11) (App. 1999) (holding that “a superior court judge has no jurisdiction to review or change the judgment of another superior court judge when the judgment has become final”).

Just like in *Vera*, absent a move by Petitioner to modify or dismiss the protective order, Respondent’s “sole remedy was to appeal” the final ruling affirming it after the contested hearing. (*Id.* at 36). Although *Vera* did not involve fraud, this Court was unable to identify any cases collaterally challenging a final protective order judgment on Rule 85 grounds in a separate family court proceeding, nor any authority suggesting that *Vera*’s exclusive roadmap (which is rooted in ARPOP 40 & 41) for amending or dismissing a final order of protection judgment is subject to an exception based on Rule 85 review. This Court’s power to invalidate the order is foreclosed by *Vera*.

Even if *Vera* did not foreclose this Court’s review, Respondent cannot prevail here (despite what appears to be a case of serial fabrications here and elsewhere by Petitioner). Under A.R.S. § 13-3601(A)(6), the parties admittedly had a relationship that was “previously . . . romantic or sexual,” however fleeting it might have been. Petitioner thus had a statutory avenue to seek a protective order, regardless of whether she fabricated her pregnancy. Moreover, Commissioner Doody did not issue the order based solely, or even primarily, on the “fact” of

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Petitioner's pregnancy. Indeed, his initial order required that Respondent not contact Petitioner or "communicate or post untrue or harassing comments regarding Plaintiff online, including but not limited to social media, and shall not cause others to" do the same. (Dkt. No. 3, Case No. 2023-052771 filed October 6, 2023). Moreover, Petitioner's initial Petition referenced a myriad of communications Respondent made to her that could be deemed threatening per the statutory guidelines and appears to have prompted Commissioner Doody to confirm the order after the hearing. Thus, even if Petitioner's broader pregnancy allegations are proven untrue, one aspect of the court's order indicated that it found Respondent had engaged in harassing conduct, so even on the merits there is no cause to invalidate the final judgment.

Vera v. Rogers forecloses not only reviewing the orders in principle but also prevents tinkering at the margins as well. If the superior court cannot "engage in horizontal appellate review of another judicial officer's decision to affirm an order of protection," 246 Ariz. at 36, there is no way that the Court can otherwise review portions of those decisions piecemeal either. The parties' remedies as to both decisions were to appeal and have the appellate court review the entirety of those decisions. Both had hearings as to their respective orders, and under ARPOP 42(a)(2), "[a]n Order of Protection, an Injunction Against Harassment, or an Injunction Against Workplace Harassment that is entered, affirmed, modified, or quashed after a hearing at which both parties had an opportunity to appear" is appealable.

SANCTIONS

ARFLP 26(b) provides that "by signing a pleading, motion or other document, the attorney or party certifies to the best of the person's knowledge, information, and belief formed after reasonable inquiry: (1) it is not being presented for any improper purposes, such as to harass . . . (2) the claims, defenses, and other legal contentions are warranted by existing law . . . (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery" Meanwhile, Rule 26(c) provides that "if a pleading, motion, or other document is signed in violation of this rule, the court—on motion *or on its own*—may impose on the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the document, including a reasonable attorney fee." (emphasis added).

In this case, Respondent filed a Motion for Sanctions Pursuant to Rule 26 on January 3, 2024, arguing that "Petitioner filed the underlying action for an improper purpose without medical evidence to support her claim that she was pregnant and/or that she was pregnant by Respondent." (Dkt. No. 40 at 1). However, after significant motion practice between the parties'

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attorneys, Respondent filed a Motion to Withdraw Motions for Sanctions Pursuant to Rule 26 on April 3, 2024, while retaining his other claims under A.R.S. §§ 25-324, 25-415, 25-809. (Dkt. No. 76). The question thus becomes, can the court still award Rule 26 sanctions, considering Respondent's withdrawal of his motion.

As already noted above, ARFLP 26(c) expressly provides that the court can sanction a party for a violation "on its own." The Court was unable to locate any decisions pertaining to whether the withdrawal of a party's Rule 26 sanctions motion precludes a *sua sponte* court award. But, as a matter of plain meaning and strict interpretation, it would seem not to matter whether a party ever files a motion or even whether that party does file a motion and then withdraws it—a court may still award the sanctions it deems appropriate, based on the conduct it deems to violate the rule. Indeed, if per Rule 26(c) the court can at any time award sanctions of its own accord and on its own findings, absent invitation, the withdrawal of a party's motion to do so would not seem to vitiate or in any way affect that power, as a matter of plain logic. So, for instance, if the Court were to here find that Petitioner fabricated her pregnancy to provide leverage against Respondent in order to secure a long-term relationship with him and all its attendant benefits, Rule 26(c) would appear without doubt to provide it the authority to "order [her] to pay [Respondent his] reasonable expenses . . . including a reasonable attorney fee," regardless of any prior filings by the parties. That is because that fabrication, if adjudicated as such, would have been the predicate for her initial petition and many, indeed all, of the motions that came after it.

Although there is a dearth of case law on this issue, other rules confirm that the family court has the authority to award sanctions on its own. Rule ARFLP 76.2(a)(1), for instance, provides that "[i]n a pre-judgment or post-judgment proceeding, the court upon motion *or its own initiative* may impose sanctions if a party or attorney: (1) fails to obey a scheduling or pretrial order; (2) fails to appear at a Resolution Management Conference, a scheduling conference, an evidentiary hearing, a trial, or other scheduled hearing; (3) is substantially unprepared to participate in a conference, hearing or trial; (4) fails to participate in good faith in a conference, hearing, or trial, or in preparing a resolution statement, scheduling statement, or pretrial statement." (emphasis added). And the remedies available include, in addition to substantive sanctions, ordering the party at fault "to pay reasonable expenses--including attorney fees, an assessment to the clerk, or both--caused by any noncompliance with a court order." ARFLP 76.2(c); *see also Hamby v. Hamby*, No. 1 CA-CV 19-0498 FC, 2020 WL 4717115, at *2 (Ariz. Ct. App. Aug. 13, 2020) (confirming power of court to award sanctions on its own initiative under ARFLP 76). Rule 71 provides for a similar power in the settlement and ADR context.

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Additionally, as is evident from their near textual identicality, and per the *Arizona Family Law Rules Handbook*, “ARFLP 26 is based on [Arizona Rule of Civil Procedure] 11.” 3 Comparison with Civil Rules, 13 Ariz. Prac., *Family Law Rules Handbook* Rule 26. And Rule 11 also expressly provides that in the event of a violation “the court—on motion or on its own—may impose on the person who signed it, a represented party, or both, an appropriate sanction.” And in the Rule 11 context, the Court of Appeals has concluded that a trial court may impose sanctions even after a complaint has been dismissed for lack of prosecution. *See Britt v. Steffen*, 220 Ariz. 265 (App. Div.1 2008). This lends credence to the idea that the family court’s inherent authority to award sanctions under ARFLP 26 should not be read to be limited by the course of the case or by the litigation strategy pursued by the parties. The power is there by rule and can be used by the court when necessary and appropriate.

NON-PATERNITY

A.R.S. § 25-814(A)(2) provides a man is presumed to be the father of a child if “[g]enetic testing affirms at least a ninety-five percent probability of paternity.” A.R.S. § 25-814 (C) provides a man is presumed to be the father based on DNA testing, that may only be rebutted by clear and convincing evidence. Based on a lack of confirmed pregnancy and repetitive Ravgen results of “little to no fetal DNA” the Court cannot establish that Petitioner was pregnant. The Court cannot establish paternity of a nonconfirmed pregnancy lacking DNA evidence despite testing twice. Here, two test results of “little to no fetal DNA” fall woefully short of the 95% required to meet the burden of clear and convincing evidence that Respondent was the father of Petitioner’s alleged pregnancy.

ATTORNEY FEES AND COSTS

Clayton Echard has requested an award of attorney fees and costs. An award of attorney fees and costs is governed by A.R.S. § 25-324. A.R.S. § 25-324 provides as follows:

A. The court from time to time, after considering the financial resources of both parties and the reasonableness of the positions each party has taken throughout the proceedings, may order a party to pay a reasonable amount to the other party for the costs and expenses of maintaining or defending any proceedings under this chapter or chapter 4, article 1 of this title. On request of a party or another court of competent jurisdiction, the court shall make specific findings concerning the portions of any award of fees and expenses that are based on consideration of financial resources and that are based on consideration of reasonableness of positions. The court may make these findings before, during

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or after the issuance of a fee award.

B. If the court determines that a party filed a petition under one of the following circumstances, the court shall award reasonable costs and attorney fees to the other party:

1. The petition was not filed in good faith.
2. The petition was not grounded in fact or based on law.
3. The petition was filed for an improper purpose, such as to harass the other party, to cause an unnecessary delay or to increase the cost of litigation to the other party.

C. For the purpose of this section, costs and expenses may include attorney fees, deposition costs and other reasonableness expenses as the court finds necessary to the full and proper presentation of the action, including any appeal.

D. The court may order all amounts paid directly to the attorney, who may enforce the order in the attorney's name with the same force and effect, and in the same manner, as if the order had been made on behalf of any party to the action.

THE COURT FINDS there is no substantial disparity of financial resources between the parties. Petitioner did not provide an AFI but testified she and her mother collectively earn \$200,000 a year. Respondent filed an AFI on May 15, 2024, citing monthly income of \$12,000, and annual income of \$144,000.

THE COURT FURTHER FINDS that Petitioner acted unreasonably in the litigation. Specifically, Petitioner acted unreasonably when she initiated litigation without basis or merit. Without an authentic ultrasound, sonogram, physical examination, and in conjunction with a belief she passed tissue in July 2023, the Court finds the underlying Petition premature at best. At worst, however, fraudulent and made to incite communication, a relationship, or both, with the Respondent. The Court further finds that filing a motion seeking mediation for the purpose of telling the Respondent that the pregnancies were not viable disingenuous at best but certainly misleading to the Court. If the purpose of the motion was in fact to attend mediation, then the Petitioner perjured herself today when she said the purpose of the mediation was to tell the Respondent about the miscarriage. Either way, Respondent likely incurred costs associated with this litigation prior to retaining counsel and he is entitled to reimbursement for those costs.

THE COURT FURTHER FINDS that Petitioner repetitively failed to comply with Rule 49, even on Order of this Court. Further compounded by the fact that on the day of trial, she testified that she anonymously sought care at a Planned Parenthood in Los Angeles. While she failed to provide records of any Planned Parenthood appointment, anonymous or under an alias, Respondent presumably sought records from all Mission Viejo Planned Parenthoods as that

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is where, up until today, Petitioner disclosed she sought care. This undoubtedly, caused Respondent to incur substantial legal fees attempting to locate records that may, or may not exist in Los Angeles but now appear to have never existed in Mission Viejo. Additionally, Petitioner acknowledged she altered hCG test results, an ultrasound and sonogram.

THE COURT FURTHER FINDS that the provisions of A.R.S. § 25-324(B) do apply because the petition was not filed in good faith, the petition was not grounded in fact or based on law, the petition was filed for an improper purpose, such as to harass the other party, to cause an unnecessary delay or to increase the cost of litigation to the other party. Here, the Court finds Petitioner provided false testimony as to the viability of the pregnancy in all three cases addressed in the procedural history. Additionally, prior to her deposition, Petitioner sent a threatening letter to Respondent indicating her intention to sue him for 1.4 million dollars in collateral allegations unless he agreed to dismiss this action that she initiated.

THE COURT FURTHER FINDS that Laura Owens knowingly presented a false claim, knowingly violated a court order compelling disclosure or discovery such that an award of attorney fees and costs is appropriate under A.R.S. § 25-415.

IT IS THEREFORE ORDERED granting Clayton Echard's request for attorney fees and costs associated with FC2023-052114.

IT IS FURTHER ORDERED denying Clayton Echard's request for attorney fees and costs associated with the OOP and IAH hearings referencing the analysis above.

IT IS FURTHER ORDERED that Laura Owens shall pay Clayton Echard's reasonable attorney fees and costs. Not later than July 8, 2024, Respondent and counsel for Clayton Echard shall submit all necessary and appropriate documentation to support an application for an award of attorney fees and costs, including a *China Doll* Affidavit and a form of proposed order. By no later than July 29, 2024, Laura Owens shall file any written objection and a form of proposed order. If Clayton Echard's counsel fails to submit the documentation by July 8, 2024, no fees or costs will be awarded. The Court shall determine the award and enter judgment upon review of the Affidavit as well as any objections.

ADDITIONAL ORDERS

IT IS FURTHER ORDERED granting the Respondent's Petition for Non-Paternity.

IT IS FURTHER ORDERED, the Court having determined that Laura Owens has a pattern of similar, if not identical behavior, and court involvement, referring this matter to the Maricopa County Attorney's Office for review of Laura Owen's actions pursuant to A.R.S § 13-

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2702 and A.R.S § 13-2809. Accordingly, the Maricopa County Attorney's Office will be endorsed on this Order.

The Court must decide the amount of attorney's fees and costs to be awarded but finds there is no just reason to delay making a final order.

IT IS THEREFORE ORDERED pursuant to Rule 78(b), Arizona Rules of Family Law Procedure, that this is a final judgment, and it shall be entered by the Clerk. The time for appeal begins upon entry of this judgment by the Clerk. For more information on appeals, see Rule 8 and other Arizona Rules of Civil Appellate Procedure.

IT IS FURTHER ORDERED denying any affirmative relief sought before the date of this Order that is not expressly granted above.

Done in open Court on: 06/17/2024



HONORABLE Julie Mata

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: https://superiorcourt.maricopa.gov/llrc/fc_gn9/

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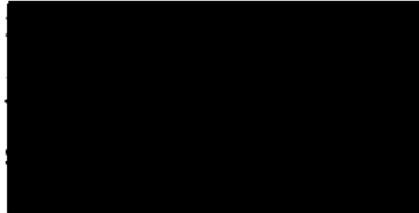
EXHIBIT F

CLERK OF THE
SUPERIOR COURT
FILED
S. LAMBRIES, DEP

25 MAY -1 PM 3:23

RACHEL H MITCHELL
MARICOPA COUNTY ATTORNEY

Edward Leiter
Deputy County Attorney
Bar ID #: 025593



Attorney for Plaintiff

DR 2024031 - Maricopa County Attorney's Office
2109296

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA,

Plaintiff,

vs

LAURA MICHELLE OWENS,

Defendants.

CR 2025 006831-001

INDICTMENT

896 GJ 480

COUNT 1: FRAUDULENT SCHEMES AND
ARTIFICES, A CLASS 2 FELONY (Laura
Michelle Owens)

COUNT 2: FORGERY, A CLASS 4 FELONY
(Laura Michelle Owens)

COUNT 3: PERJURY, A CLASS 4 FELONY
(Laura Michelle Owens)

COUNT 4: PERJURY, A CLASS 4 FELONY
(Laura Michelle Owens)

COUNT 5: PERJURY, A CLASS 4 FELONY
(Laura Michelle Owens)

COUNT 6: PERJURY, A CLASS 4 FELONY
(Laura Michelle Owens)

COUNT 7: TAMPERING WITH PHYSICAL EVIDENCE, A CLASS 6 FELONY (Laura Michelle Owens)

The Grand Jurors of Maricopa County, Arizona, accuse LAURA MICHELLE OWENS, on May 1, 2025, charging that in Maricopa County, Arizona:

COUNT 1

LAURA MICHELLE OWENS, on or between May 17, 2023 and June 10, 2024, pursuant to scheme or artifice to defraud, knowingly did obtain a benefit from Clayton Ray Echard, by means of fraudulent pretenses, representation, promises, or material omissions, in violation of A R S §§ 13-2310, 13-701, 13-702, and 13-801

COUNT 2:

LAURA MICHELLE OWENS, on or between June 27, 2023 and July 11, 2023, with intent to defraud, did falsely make, complete, or alter a written instrument, to-wit: Sonogram, in violation of A.R.S. §§ 13-2002, 13-2001, 13-701, 13-702, and 13-801.

COUNT 3

LAURA MICHELLE OWENS, on or about October 25, 2023, in regard to a material issue and believing it to be false, did make a false sworn statement, to-wit: Testifying in Front of Judge John Doody that she had not been intimate with anyone else since March 2022, in violation of A R S §§ 13-2701, 13-2702, 13-2706, 13-701, 13-702, and 13-801

COUNT 4.

LAURA MICHELLE OWENS, on or about March 1, 2024, in regard to a material issue and believing it to be false, did make a false sworn statement, to-wit: Claiming that Sonogram image was hers during sworn deposition, in violation of A R S §§ 13-2701, 13-2702, 13-2706, 13-701, 13-702, and 13-801

COUNT 5:

LAURA MICHELLE OWENS, on or about March 1, 2024, in regard to a material issue and believing it to be false, did make a false sworn statement, to-wit. video clip of father touching pregnant belly, in violation of A.R.S §§ 13-2701, 13-2702, 13-2706, 13-701, 13-702, and 13-801

COUNT 6:

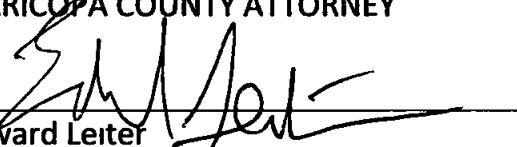
LAURA MICHELLE OWENS, on or about June 10, 2024, in regard to a material issue and believing it to be false, did make a false sworn statement, to-wit: Claiming, "That's me showing my pregnant stomach", in violation of A.R S §§ 13-2701, 13-2702, 13-2706, 13-701, 13-702, and 13-801

COUNT 7:

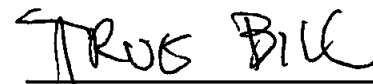
LAURA MICHELLE OWENS, on or about June 10, 2024, with intent that it be used, introduced, rejected or made unavailable in an official proceeding which was then pending or which LAURA MICHELLE OWENS knew was about to be instituted, did destroy, mutilate, alter, conceal or remove physical evidence, to-wit Exhibits A-6 and A-

7 used during June 10, 2024 hearing, with the intent to impair its verity or availability, in violation of A.R.S. §§ 13-2809, 13-2801, 13-701, 13-702, and 13-801.

RACHEL H. MITCHELL
MARICOPA COUNTY ATTORNEY



Edward Leiter
Deputy County Attorney
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("A True Bill")

Date. May 1, 2025



FOREPERSON OF THE GRAND JURY

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EXHIBIT G



Attn: My Health Online
P.O. Box 255386
Sacramento, California 95865-5386

Name: Laura M Owens | DOB: [REDACTED] PCP: John Chung Kai Chan, MD

Re: Ovarian cancer (Owens)

To: Laura M Owens
From: John Chung Kai Chan, MD
Sent: 8/13/2016 6:37 AM PDT

Dear Laura,

Thank you for your e-mail. I am sorry you are going through such a rough time right now and will do my best to help you through it.

I read the messages you sent me from your boyfriend and answer his questions. Stage IA is without a doubt considered to be true cancer and something that we take very seriously. You are correct, Laura, that this cancer is found only in one ovary. He is incorrect in his saying that this means you just 'might' have malignant cancer cells. Please tell him that yes, I have diagnosed you with 'real' ovarian cancer, not something that just 'may' be there. I am not sure what is meant by the message you forwarded that says I would only be diagnosing it if it were something other than stage IA. That is a very real stage and simply means it has not spread beyond your right ovary. I recommend looking at the American Cancer Society's website page for more information.

In addition, you can let him know that your diagnosis and treatment has been complicated by your pregnancy, which on its own has been extremely difficult and unusual. I would strongly encourage him to change his attitude and support you at this time. I sincerely hope things get better.

All the best,
John Chung Kai Chan, MD

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EXHIBIT H



Attn: My Health Online
P.O. Box 255386
Sacramento, California 95865-5386

Name: Laura M Owens | DOB: [REDACTED] | PCP: John Chung Kai Chan, MD

Owens pregnancy

To: Laura M Owens
From: Rebecca Yee, MD
Sent: 8/25/2016 1:46 PM PDT

Hi Ms. Owens,

As you requested, here is a summary of what we discussed so you can share it with your boyfriend. I have also spoken to Dr. Chan to confirm that we are on the same page.

You came into the office on 8/25/16 with symptoms of nausea and pelvic pain. Considering your procedure last week, we thought these could be symptoms of a complication. Blood tests ordered confirmed elevated levels of hCG (4,130 mIU/ml). Given that result, I ordered both a transvaginal and pelvic ultrasound. Ultrasound results confirmed a gestational sac that was not present on last week's scan, so it is estimated that you about 5 weeks pregnant with a new pregnancy as that is the earliest it would show up. As you have been told, you have a severely "tipped" or retroverted uterus, which makes the aspiration and D & E procedures more difficult and less likely to be successful. Last week, it would have been impossible to remove this pregnancy as it had not attached. In addition, we have tried to treat you as conservatively as possible given your recent diagnosis of stage IA ovarian cancer. I cannot speak for Dr. Chan, but I'm sure he would agree that your case is amongst the more difficult I have treated.

At this point, Dr. Chan and I are both of the opinion that you need to give serious thought to what you are going to do with the new pregnancy. You have taken medication abortion pills recently that could potentially be harmful to the fetus. However, as you likely know, the nature of your condition makes it so that pregnancies in the future will be more difficult. There is an elevated risk that once one ovary is removed, he would need to remove the other (and perhaps complete a full hysterectomy) before you would necessarily be ready to have children. At that point, having children on your own would, obviously, be impossible, so I think you must take time to determine what you think is best. Should you continue your current pregnancy, it would be imperative that you are monitored extremely closely.

Best regards,

Dr. Yee

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Attn: My Health Online
P.O. Box 255386
Sacramento, California 95865-5386

Name: Laura M Owens | DOB: [REDACTED] | PCP: John Chung Kai Chan, MD

8/30 (Owens)

To: Laura M Owens
From: Rebecca Yee, MD
Sent: 8/31/2016 4:46 PM PDT

Hi Ms. Owens,

Yesterday (8/30/16), you received ovary removal surgery (oophorectomy) of your right ovary as well as a surgical abortion. Due to your recent medical history, I will wait to confirm pregnancy termination until blood work and a follow-up ultrasound are completed, although there were no complications during the procedure. As you explained to me, you have already experienced emotional side effects such as extreme fatigue, depression, and mood swings. These are common and I would ask your boyfriend to support you during recovery.

Best regards,

Rebecca Yee, MD

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[REDACTED]

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

Petitioner

Respondent

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1 The Court, having considered Respondent Michael Marraccini's Motion to Vacate the 2018
2 Domestic Violence Restraining Order pursuant to Code of Civil Procedure sections 473(b) and
3 473(d), the memorandum of points and authorities, declarations, supporting exhibits, and any
4 argument presented at hearing, and good cause appearing therefor, hereby ORDERS as follows:

- 5 1. Respondent's Motion is GRANTED.
- 6 2. The Domestic Violence Restraining Order issued on January 10, 2018 and the Restraining
7 Order After Hearing entered July 10, 2018 in Case No. FDV-18-813693 are VACATED in
8 their entirety.
- 9 3. All subsequent renewals of said restraining order, including the September 11, 2020
10 renewal extending the order through July 10, 2025, are likewise VACATED as moot.
- 11 4. The Clerk of the Court is directed to transmit a copy of this Order to law enforcement
12 for update of the CLETS system, reflecting that the restraining order has been vacated
13 by order of this Court.
- 14 5. Petitioner's pending July 10, 2025 request to renew the restraining order is DENIED as
15 moot.

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19 IT IS SO ORDERED.

20 Dated: _____, 2025

21 San Francisco, California

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23 Hon. _____

24 Judge of the Superior Court
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