

C. LOPEZ
DISCIPLINARY CLERK

1 *Harry L. Howe, Esq.*

2 [REDACTED]
3 *Scottsdale, AZ 85260*

4 *Telep:* [REDACTED]

5 *Email:* [REDACTED]

6 *Harry L. Howe, Pro Per, 004212*

7 BEFORE THE PRESIDING DISCIPLINARY JUDGE

8 IN THE MATTER OF A MEMBER OF)

9 THE STATE BAR OF ARIZONA,)

PDJ 2026-9010

10 DAVID S. GINGRAS,)

11 Bar Number 021097)

OBJECTION TO AND

MOTION TO QUASH

SUBPOENA DUCES TECUM

12 Respondent)

13 Harry L. Howe, *pro per*, pursuant to Rule 47, Rules of the Supreme Court of
14 Arizona, hereby respectfully objects to the Subpoena Ducess Tecum served upon him by
15 Respondent, David S. Gingras. On Monday, March 9, 2026, at approximately 8:30 p.m.,
16 undersigned was served at home with a Subpoena Duces Tecum, issued at the request of
17 Respondent, a true and correct copy of which is attached hereto as Exhibit 1.

18 Rule 47(h)(3), Rules of the Supreme Court of Arizona, provides that a
19 nonparty who has been subpoenaed may file a written objection to the Subpoena. The
20 Subpoena, Exhibit 1 hereto, provides:
21

22 You are hereby directed to appear and attend before and/or (*sic*)
23 Respondent's Counsel at 4802 East Ray Road, #23-271, Phoenix,
24 AZ 85044 on March 9, 2026, then and there to testify in the above-
25 entitled matter and to bring with you the following:
26 **all documents described in Exhibit A hereto** (Emphasis in original).

27 No time of day on March 9 for the appearance was provided in the
28 Subpoena.

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Obviously, being served with the Subpoena at 8:30 p.m. the evening of March 9, with the commanded appearance and production date the same day, made compliance impossible. Furthermore, no time of appearance was even provided. Quite clearly, a reasonable time for compliance was not provided. The Subpoena was accompanied by a letter from Respondent, ostensibly dated February 27, 2026, which stated it was sent by U.S. Mail and personal service. That letter was never received through the mail, and was first received at the time of personal service. The complete letter is not attached, because it contains statements and allegations not properly before this disciplinary body. However, in part, the letter stated:

The subpoena also directs you to personally appear, but at this time you do not need to appear; you only need to produce the requested records. (Emphasis in original)

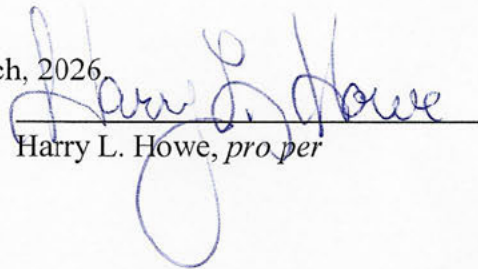
Directing that no personal appearance was necessary, which is inconsistent with the Subpoena, does not obviate the simple fact that the Subpoena called for appearance and production of documents on March 9, time not specified, the same date the Subpoena was served.

Additionally, Exhibit A to the Subpoena contains five very broad categories of documents requested to be produced. Undersigned is not privy to the allegations in the Disciplinary Complaint, nor any Answer/Response filed by Respondent. Therefore, undersigned, who is obviously a nonparty to this proceeding, is unable to determine if any of the requested documents, should there be any such documents, are relevant to the issues of the proceeding, or reasonably designed to lead to the discovery of relevant, admissible evidence. Undersigned therefore respectfully requests that the Presiding Disciplinary Judge

1 require Respondent demonstrate clearly and credibly, without speculation or unfounded
2 accusation, the discoverability of the listed documents. To the extent that your undersigned
3 possesses any documents as described in Exhibit A to the Subpoena, requiring a nonparty
4 to produce private documents should be done only upon a showing that such documents are
5 indeed discoverable.
6

7 Wherefore, Harry L. Howe, *pro per*, respectfully moves for an Order quash-
8 ing the Subpoena Duces Tecum, and upon the assumption that a valid and unobjection-
9 able Subpoena Duces Tecum will be hereafter served, for an Order requiring Respon-
10 dent to demonstrate the relevance of any documents requested, or that any such
11 documents are reasonably designed to lead to the discovery of relevant, admissible
12 evidence.
13

14 DATED this 13th day of March, 2026.


Harry L. Howe, *pro per*

17 Original/Copy of foregoing E-filed through
18 [REDACTED] this 13 day of
19 March, 2026.

20 COPY of foregoing mailed and emailed this
21 13 day of March, 2026, to:

22 Jim Lee, Esq.
23 Senior Bar Counsel
24 State Bar of Arizona

25 [REDACTED]
26 Phoenix, AZ 85016
27 [REDACTED]

28 Pamela Peiser, Esq.
Arizona Attorney General
[REDACTED]
Phoenix, AZ 85004
[REDACTED]

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Dennis Carpenter, Jr. Esq.
General Counsel
Maricopa County Superior Court

[Redacted]
Phoenix, AZ 85003-2207
[Redacted]

David S. Gingras, Esq.

[Redacted]
Phoenix, AZ 85044
[Redacted]

By: Henry J. Howe

BEFORE THE PRESIDING DISCIPLINARY JUDGE

IN THE MATTER OF A MEMBER OF
THE STATE BAR OF ARIZONA,

DAVID S. GINGRAS
Bar No. 021097
Respondent.

PDJ 2026-9010

SUBPOENA DUCES TECUM

STATE OF ARIZONA

TO: Harry L. Howe

Tel: [REDACTED]

You are hereby directed to appear and attend before and/or Respondent's Counsel at [REDACTED] Phoenix, AZ 85044 on March 9, 2026,¹ then and there to testify in the above entitled matter and to bring with you the following: **all documents described in Exhibit A hereto.**

BE WARNED THAT for failure to appear and attend as herein required, you will be deemed to be in contempt and answerable in court as provided by these rules.

By order of the Presiding Disciplinary Judge of the Supreme Court of Arizona.

Issued on February 23, 2026 at Phoenix, Arizona.

Celina Lopez

Disciplinary Clerk
Office of the Presiding Disciplinary Judge
Arizona Supreme Court

¹ If this date does not provide sufficient time to produce the information requested by this subpoena, a reasonable amount of additional time will be provided upon request. If you need to request additional time to respond, please call David Gingras at: [REDACTED] or send an email to [REDACTED]

YOUR DUTIES IN RESPONDING TO THIS SUBPOENA

If this subpoena asks you to produce and permit inspection and copying of designated books, papers, documents, tangible things, or the inspection of premises, you need not appear to produce the items unless the subpoena states that you must appear for a deposition, hearing or trial. See Rule 45(c)(3) of the Arizona Rules of Civil Procedure.

You have the duty to produce the documents requested as they are kept by you in the usual course of business, or you may organize the documents and label them to correspond with the categories set forth in this subpoena. See Rule 45(c)(4) of the Arizona Rules of Civil Procedure.

YOUR RIGHT TO OBJECT

The party or attorney serving the subpoena has a duty to take reasonable steps to avoid imposing an undue burden or expense on you. The presiding disciplinary judge enforces this duty and may impose sanctions upon the party or attorney serving the subpoena if this duty is breached.

You may object to this subpoena if you feel that you should not be required to respond to the request(s) made. Any objection to this subpoena must be made within five (5) days after it is served upon you, or before the time specified for compliance, by filing a written objection with the Attorney Discipline Probable Cause Committee or the presiding disciplinary judge, as appropriate.

If you object because you claim the information requested is privileged or subject to protection as trial preparation material, you must express the objection clearly, and support each objection with a description of the nature of the documents, communication or item not produced so that the demanding party can contest the claim. See Rule 45(c)(5) of the Arizona Rules of Civil Procedure.

If you object to the subpoena in writing you do not need to comply with the subpoena until you are ordered to do so.

If you are not a party to the litigation, or an officer of a party, the presiding disciplinary judge may issue an order to protect you from any significant expense resulting from the inspection and copying commanded.

You may also file a motion with the presiding disciplinary judge to quash or modify the subpoena if the subpoena:

- (i) does not provide a reasonable time for compliance;
- (ii) requires a non-party or officer of a party to travel to a county different from the county where the person resides or does business in person; or to travel to a county different from where the subpoena was served; or to travel to a place farther than 40 miles from the place of service; or to travel to a place different from any other convenient

place fixed by an order of the presiding disciplinary judge, except that a subpoena for you to appear and testify at trial can command you to travel from any place within the state;

- (iii) requires the disclosure of privileged or protected information and no waiver or exception applies;
- (iv) subjects you to an undue burden. See Rules 45(c)(6)(B)(iii) and 45(e) of the Arizona Rules of Civil Procedure.

If this subpoena:

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial trade information; or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party; or
- (iii) requires a person who is not a party or an officer of a party to incur substantial travel expense;

the presiding disciplinary judge may either quash or modify the subpoena, or order you to appear or produce documents only upon specified conditions, if the party who served the subpoena shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that you will be reasonably compensated. See Rule 45(e) of the Arizona Rules of Civil Procedure.

EXHIBIT A
DOCUMENTS TO BE PRODUCED

All requests cover the period from August 1, 2023 to the present, unless otherwise stated.

1. Copies of all correspondence, including emails, text messages, online chats, direct messages, etc., sent to or received from any person, excluding only your spouse (if any), relating to or which mention:

- A. Laura Owens
- B. Clayton Echard
- C. Greg Gillespie
- D. Michael Marraccini
- E. Gregg Woodnick
- F. David Gingras
- G. *Owens v. Echard*, Maricopa County Superior Court Case Nos. FC2023-052114 & FC2023-052771 (including any subsequent appeals)
- H. Arizona Commission on Judicial Conduct Case No. 2024-265.

2. Copies of any documents you received from any person, including but not limited to pleadings, notes, exhibits, reports, and any other written material, relating to or which mention: *Owens v. Echard*, Maricopa County Superior Court Case Nos. FC2023-052114 & FC2023-052771 (including any subsequent appeals).

3. Copies of any documents you sent to any person, including but not limited to pleadings, notes, exhibits, reports, and any other written material, relating to or which mention: *Owens v. Echard*, Maricopa County Superior Court Case Nos. FC2023-052114 & FC2023-052771 (including any subsequent appeals).

4. Copies of all correspondence, including emails, text messages, online chats, direct messages, etc., sent to or received from the Arizona Commission on Judicial Conduct related to your daughter, Julie Ann Mata.

5. Copies of any social media posts and/or online comments made by you related to, or which mention, any of the people or matters identified in Section 1 above.