OFFICE OF THE PRESIDING DISCIPLINARY JUDGE
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C.LOPEZ
DISCIPLINARY CLERK

BEFORE THE PRESIDING DISCIPLINARY JUDGE

IN THE MATTER OF A MEMBER OF THE STATE BAR OF ARIZONA, **DAVID S. GINGRAS** Bar No. 021097 Respondent.	**No. PDJ 2026-9010** **DECLARATION OF DAVID S. GINGRAS IN SUPPORT OF HIS RESPONSE TO THE STATE BAR'S MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS**

Respondent David S. Gingras ("Respondent" or "Gingras") respectfully submits the following declaration in support of his Response to the State Bar's Motion for Partial Judgment on the Pleadings:

1. My name is David S. Gingras. I am a United States citizen, a resident of the State of Arizona, am over the age of 18 years, and if called to testify in court or other proceeding I could and would give the following testimony which is based upon my own personal knowledge.

2. I am an attorney licensed to practice law in the States of California (since 2002) and Arizona (since 2004).

3. I am an active member in good standing with the State Bars of Arizona and California and I am admitted to practice and in good standing with the United States Court of Appeals for the Sixth, Ninth and Tenth Circuits, the United States District Court for the District of Arizona and the United States District Courts for the Northern, Central, and Eastern Districts of California.

4. The origin of this dispute is a family court case called *Owens v. Echard* filed by petitioner Laura Owens against respondent Clayton Echard.

5. The details of *Owens v. Echard* are exceptionally complicated. However, understanding what occurred there is essential to understanding the bar's allegations in this case, so I will try to explain the basic background facts.

6. *Owens v. Echard* began with a petition filed by Ms. Owens on August 1, 2023. RJN Ex. 1. In her *pro se* petition, Ms. Owens claimed she had a sexual encounter with Mr. Echard in May 2023, and that she became pregnant as a result. In his response, RJN Ex. 9, Mr. Echard denied paternity and accused Ms. Owens of "fabricating" the pregnancy.

7. I did not file the petition in *Owens v. Echard*. I did not know Ms. Owens at the time, and had no involvement of any kind in the matter until I was retained and first appeared in the case on March 25, 2024. RJN Ex.66.

8. Months before I appeared in the case, several key things happened. First, on September 14, 2023, Ms. Owens filed a pleading entitled "Expedited Motion to Seal Court Record". RJN Ex. 17. In that pleading, Ms. Owens explained the respondent, Mr. Echard, was a celebrity who had appeared on an extremely popular reality TV dating show called *The Bachelor*.

9. Ms. Owens expressed concern that due to Mr. Echard's celebrity status: "media outlets New York Post and Page Six have expressed interest in publicizing the case." Fearing this publicity, Ms. Owens pleaded with the court to: "seal the case

(all that has been submitted so far and everything that will be filed in the future) so that the general public may not access it." RJN Ex. 17 at 1.

10. Ms. Owens' motion noted Rule 17(c)(1) of the Rules of Family Law Procedure allowed courts to seal their records if "there exists an overriding interest that overcomes the right of public access to the record." Ms. Owens then asserted that due to the sensitive, but sensational, nature of the case, "Public disclosure serves neither the best interest of the parties nor public access to judicial records."

11. According to my review of the docket, Mr. Echard never responded to or opposed Ms. Owens' Motion to Seal. Despite this, the court denied Ms. Owens' Motion to Seal on October 20, 2023. RJN Ex. 20.

12. In the interim, Ms. Owens and Mr. Echard made an agreement to submit samples for genetic testing. RJN Ex. 18. According to Ms. Owens, the results of that testing were "inconclusive". Ms. Owens then claimed she visited an OB/GYN facility called "MomDoc" on November 14, 2023, where she received two pregnancy tests, both of which were negative.

13. After learning she was not (or was no longer) pregnant, Ms. Owens filed nothing further in the case. Due to inactivity, on December 4, 2023, court administration issued an order placing the case on the dismissal calendar, with a dismissal date of February 2, 2024. RJN Ex. 21.

14. A short time later, on December 12, 2023, Mr. Echard retained counsel, Gregg R. Woodnick. Mr. Woodnick filed multiple pleadings seeking to avoid dismissal of the case including an "Affidavit of Non-Paternity", RJN Ex. 23, a

Motion for Leave to Amend Mr. Echard's response to the paternity petition, RJN Ex. 24, and a Motion to Extend Dismissal Date and Schedule An Evidentiary Hearing. RJN Ex. 26.

15. In these pleadings, Mr. Woodnick accused Ms. Owens of "fabricating" her pregnancy, and he asked the Court to declare Mr. Echard was not the father of any unborn children (even though by this point, Ms. Owens no longer was making that claim).

16. After Mr. Echard retained counsel, Ms. Owens did the same. Ms. Owens' first attorney (Alexis Lindvall) appeared in the case on December 22, 2023. RJN Ex. 27. Six days later, on December 28, 2023, Ms. Lindvall filed a Motion to Dismiss with Prejudice. RJN Ex. 28.

In the Motion to Dismiss, Ms. Lindvall explained:

> Petitioner is not now pregnant with Respondent's children. Under A.R.S. § 25-801, this Court has "jurisdiction…to establish maternity or paternity." Here, there is no paternity or maternity to establish, as Petitioner is no longer pregnant. Accordingly, this case must be dismissed.

RJN Ex. 28 at 1:19–23.

17. Despite Ms. Owens' efforts to dismiss the case with prejudice, on January 3, 2024, Mr. Woodnick filed a Motion for Sanctions under Family Law Rule 26 (the family court equivalent to Civil Procedure Rule 11). RJN Ex. 33.

18. It is undisputed that prior to filing the Rule 26 motion, Mr. Woodnick failed to comply with any of the "safe harbor" requirements of the rule.

19. Specifically, Mr. Woodnick failed to meet and confer with Ms. Owens (as required by Family Law Rule 26(c)(2)(A)). He failed to give her a written notice (as required by Family Law Rule 26(c)(2)(B)). And he failed to wait 10 business days to allow Ms. Owens an opportunity to "withdraw or appropriately correct the alleged violation(s) within 10 days after the written notice is served…" (as required by Family Law Rule 26(c)(2)(B)).

20. Notwithstanding the fact that Mr. Woodnick's motion failed to comply with any part of Rule 26, the court eventually set the motion for a two-hour evidentiary hearing to occur on June 10, 2024. RJN Ex. 51 (setting initial hearing date of February 27, 2024). RJN Ex. 60 (moving hearing to June 10, 2024).

21. After Mr. Woodnick moved for sanctions, Ms. Owens' original attorney (Alexis Lindvall) withdrew, and new counsel (Cory Keith) appeared. RJN Ex. 38.

22. Immediately after appearing in the case, Ms. Owens' new counsel, Mr. Keith, filed a Motion for Confidentiality and Preliminary Protective Order. RJN Ex. 39. That motion invoked Family Law Rule 53(a), and it asked the trial court to issue a protective order which would provide: "relevant discoverable information which either party designates as confidential remains confidential and is not disseminated to anyone other than the parties and their respective counsel." RJN Ex. 39 at 4:12–14 (emphasis added).

23. On January 19, 2024, Mr. Woodnick filed a pleading angrily objecting to and opposing Ms. Owens' request for a protective order. RJN Ex. 43. In that pleading, Mr. Woodnick raised the following arguments against a protective order:

- "Petitioner's requested relief under Rule 53 constitutes an impermissible prior restraint of protected speech. Beyond that, it also represents tremendous overreach in the use of Rule 53 to diminish Respondent's rights as a litigant." RJN Ex. 43 at 1:21–25 (emphasis in original).

- "Apparently, Petitioner feels she is entitled to what is essentially a backdoor Motion to Seal after this Court already **denied** her attempt. RJN Ex. 43 at 1:27–28 (emphasis in original).

- "**The Court must begin with the presumption that prior restraint on protected speech is dubious and subject to the highest scrutiny.** Petitioner does not address, or even attempt to explain, why prohibiting Respondent from speaking about the issues she brought in this action would withstand Constitutional scrutiny." RJN Ex. 43 at 3:10–14 (emphasis in original).

- "Petitioner's demand would trigger a woefully unnecessary and inappropriate procedure overtly designed to thwart disclosure …. **The fact that discovery may annoy or embarrass Petitioner does not mean that sealing and confidentiality are appropriate remedies."** RJN Ex. 43 at 3:19–4:2 (emphasis in original).

- "Not only is Respondent entitled to the information and discovery necessary to defend against her claims, but he also has a fundamental Constitutional right to discuss the nature of those claims (just like any other litigant). Petitioner is requesting an order that would prohibit Respondent from defending his character in public view despite the fact that she made his character a matter of public interest and that she self-identifies as a public figure. The toothpaste cannot be put back in the tube." RJN Ex. 43 at 5:12–21 (first emphasis added; second emphasis in original).

- "**It is premature to designate as confidential documents, recordings, or records that do not exist and have not yet been produced.** To the extent a response to this assertion is warranted, there is nothing to be designated confidential." RJN Ex. 43 at 8:24–27 (emphasis in original).

24. Based on these angry, emphatic assertions, Mr. Woodnick's motion concluded with a demand for the court "Deny [Ms. Owens'] Motion for Confidentiality and Protective Order in its entirety." RJN Ex. 43 at 10:1–2.

25. On February 15, 2024, the trial court adopted Mr. Woodnick's arguments and denied, in its entirety, Ms. Owens' request for confidentiality and/or a protective order. RJN Ex. 59.

26. A short time later, a hearing was held on February 21, 2024. At that hearing, Ms. Owens' attorney, Mr. Keith, made a verbal motion asking the court to reconsider its denial of Ms. Owens' request for confidentiality.

27. On the record the court denied that request, again, *in its entirety*: "IT IS FURTHER ORDERED denying counsel for Petitioner's oral motion to reconsider regarding the ruling concerning Petitioner's Motion for Confidentiality." RJN Ex. 60 at 6.

28. After the court refused to grant any relief for a THIRD time, it appears Mr. Woodnick and Mr. Keith reached some sort of informal agreement regarding the sharing of medical records. I was not present at this hearing, was not privy to the discussions between counsel, and I did not represent Ms. Owens in any capacity.

29. My understanding is that based on this informal agreement between Mr. Keith and Mr. Woodnick, the court issued an observational note (not an order) which stated: "LET THE RECORD FURTHER REFLECT that no party shall disclose outside of themselves any medical or other documentation (exhibits, medical records, etc.) disclosed between the parties." RJN Ex. 60 at 7.

30. Several critically important events happened next. First, on March 11, 2024, Mr. Woodnick filed a Motion to Compel. RJN Ex. 61. In that motion, Mr. Woodnick made the following representations to the court:

> At Petitioner's Rule 57 deposition on March 1, 2024, Petitioner testified … She "miscarried" two (2) hand sized fetuses sometime in September/October and was seen by yet to be named tele-health providers but provided no records regarding the same nor confirmation on of the date of the alleged event; (3) When she "miscarried," she took photos of what would have been of 19-24 week twin fetuses, but she no longer had the photos (which she claimed she sent to her sister) because she had gotten a new phone, and (4) There is a fourth (4th) case in California where someone alleged that Petitioner fabricated a pregnancy.

RJN Ex. 61 at 1:22–2:6.

31. Mr. Woodnick further represented to the court: "Petitioner has willfully and wantonly failed to disclose information pursuant to Rule 49. After the Status Conference before this Court, Petitioner provided minimal disclosure after evading any compliance with Rule 49 for over eight (8) months." RJN Ex. 61 at 6:27–7:1.

32. Based on those representations, Mr. Woodnick asked the court to order Ms. Owens to produce five different categories of documents, including "the California paternity file from 2014 where she was first accused of faking a pregnancy …." RJN Ex. 61 at 8:5–6.

33. As it turns out, all of Mr. Woodnick's representations to the court were knowingly false. Ms. Owens made none of the statements Mr. Woodnick cited from her deposition. In addition, Mr. Woodnick lied to the court when he claimed Ms. Owens had failed to provide information required by Family Law Rule 49 "for over eight months." In reality, Ms. Owens fully complied with all Rule 49 disclosure obligations at all times.

34. On March 25, 2024, Mr. Woodnick filed a Motion for Relief from Judgment Based on Fraud in a related order of protection case, FC2023-052771 assigned to a different judge (Hon. John Doody). In that motion, Mr. Woodnick accused Ms. Owens of committing "fraud" in the order of protection hearing.

35. To support that request, Mr. Woodnick attached pages from Ms. Owens' deposition transcript and medical documents (including a sonogram) exchanged between the parties. Mr. Woodnick filed this pleading unsealed in the OOP case, and then moved for a joint hearing in the paternity case. *See* RJN Ex. 65.

36. In addition to filing unsealed, publicly-accessible pleadings containing medical information, on March 7, 2024, Mr. Woodnick also issued a press release which viciously attacked Ms. Owens. A copy of that press release is attached hereto as Exhibit A.

37. The press release also contained detailed discussions of medical information provided by Ms. Owens in her deposition. This occurred *after* the family court made the cryptic statement (on February 21, 2024): "LET THE RECORD FURTHER REFLECT that no party shall disclose outside of themselves any medical or other documentation (exhibits, medical records, etc.) disclosed between the parties." RJN Ex. 60 at 7.

38. I finally appeared in *Owens* on March 25, 2024. RJN Ex. 66.

39. Immediately after I appeared in *Owens*, one of the first things I did was ask the client if a protective order had been entered. She told me no.

40. In fact, Ms. Owens informed me she had moved for protective/sealing orders on three separate occasions, but that every such request had been denied.

41. When I first appeared in the case on March 25, 2024, Ms. Owens' response to Mr. Woodnick's Motion to Compel was not yet due (the response was due on April 1, 2024). However, Ms. Owens' prior attorney (Cory Keith) failed to provide Ms. Owens with a copy of her file when he withdrew, and Mr. Keith failed to promptly provide the file to me when I asked for it.

42. I quickly determined it was impossible to address the issues in the Motion to Compel without the client's file. For that reason, I initially asked Mr. Woodnick if he would provide an extension of time to respond.

43. Mr. Woodnick refused to grant an extension, without any valid explanation, even though Arizona Supreme Court Rule 41(c) (the Lawyer's Creed of Professionalism) states: "In litigation proceedings, I will agree to reasonable requests for extensions of time or for waiver of procedural formalities when the substantive interests of my client will not be adversely affected …."

44. Because Mr. Woodnick would not agree to an extension, on April 1, 2024, I filed a motion seeking an extension of time to respond to the motion, RJN Ex. 67, supported by a detailed declaration explaining why a response was impossible since I did not have the client's file. RJN Ex. 68.

45. Two days later on April 3, 2024, the court issued an order denying the extension request. RJN Ex. 70. This occurred even though Mr. Woodnick did not oppose the motion, and even though good cause clearly existed for the request.

46. Several days later, I filed a motion informing the court Mr. Woodnick was refusing to speak with me by telephone, RJN Ex. 71, despite such personal conversations being required by multiple procedural and ethical rules. Because the case was so extremely complicated, and because I was new to the matter, Mr. Woodnick's refusal to talk by phone severely interfered with my ability to gather information and facts.

47. Despite this, on May 1, 2024, the court issued an order denying (without explanation) the motion seeking to require Mr. Woodnick to speak with me. RJN Ex. 82.

48. As those events were unfolding, on April 26, 2024, I filed a pleading entitled Petitioner's Response to Respondent's *Amended* Motion for Relief Based on Fraud. RJN Ex. 78. Attached to that motion were two expert witness reports – one from a medical expert (Dr. Michael Medchill) retained by Ms. Owens, and one from two experts retained by Mr. Echard (Dr. Deans and Dr. Faye Justicia-Linde). *Id*.

49. When Mr. Woodnick disclosed his expert witness report to me, he did not mark it as confidential, nor did he ever ask me to keep it confidential.

50. Based on my review of Mr. Echard's expert witness report, I saw nothing confidential in it that would justify sealing it.

51. I am extremely familiar with the legal standards controlling when/where/how a party may request leave to file a document under seal. Based on

my knowledge of those rules, I believed there was no good faith basis for me to ask the court to seal Mr. Echard's expert witness report.

52. In addition, at the time, I was aware that after Ms. Owens filed a second motion asking the court to issue a protective order, Mr. Woodnick opposed that request, arguing the court had already decided the issue (by repeatedly refusing to grant any form of protective/sealing order); "Apparently, Petitioner feels she is entitled to what is essentially a backdoor Motion to Seal after this Court already **denied** her attempt." RJN Ex. 43 at 1:27–28 (all emphasis in original).

53. The expert reports I filed with the court were submitted in response to Mr. Woodnick's claim that Ms. Owens had committed fraud by fabricating her pregnancy. I believed both reports were helpful to refute that allegation based on the information available to me at the time.

54. Of course, because Mr. Woodnick did not file his motion under seal, and because the trial court had repeatedly (three times) denied Ms. Owens' request for a sealing order, the response I filed was not sealed.

55. Based on my knowledge of the facts, I do not agree my actions violated any court order. On the contrary, the court made its position extremely clear by denying Ms. Owens' request for a protective/sealing order three separate times.

56. I understand on February 21, 2024, the court issued a lengthy minute entry order. Having reviewed that order, I understand the court DENIED Ms. Owens' third request for confidentiality. I also understand that later in the same order, the court made a passing observation: "LET THE RECORD FURTHER

REFLECT that no party shall disclose outside of themselves any medical or other documentation (exhibits, medical records, etc.) disclosed between the parties." RJN Ex. 60.

57. As a lawyer with 25 years of litigation experience, I have been involved in numerous cases where protective orders have been issued. In every single instance, those protective orders have been crystal clear, leaving no doubt of any kind as to what information is protected and what is not.

58. I have no idea what this statement means: "LET THE RECORD FURTHER REFLECT that no party shall disclose outside of themselves any medical or other documentation (exhibits, medical records, etc.) disclosed between the parties."

59. My understanding after reading this is that it reflected some sort of informal agreement made between Mr. Woodnick and Ms. Owens' former counsel, Cory Keith. My assumption was after the trial court refused to enter a protective order, Mr. Woodnick told Mr. Keith he (Woodnick) would agree not to publicly share any medical records that Mr. Keith produced, at least not unless and until they were filed as part of a pleading.

60. I was not present at the time that agreement was made, and unfortunately Mr. Keith was less than helpful when I contacted him to discuss the case. Also, because Mr. Woodnick refused to speak with me by phone, my ability to seek clarification on the meaning of the court's comment was severely limited.

61. I am aware the state bar has charged me with misconduct for "making public statements about Judge Mata's qualifications or integrity that were objectively false or made with reckless disregard as to their truth or falsity."

62. I absolutely deny any statements I have made regarding Judge Mata were false. On the contrary, I firmly believe every statement I have made about her is either 100% factually true, or constitutes a protected expression of opinion based on fully disclosed facts.

63. Many of the statements in question were discussed in a lengthy affidavit I filed on July 8, 2024 in support of a Notice of Change of Judge for Cause. RJN Ex. 105.

64. Every statement I made in my July 8th affidavit was true and correct to the best of my knowledge at the time I filed that affidavit. I reviewed this affidavit again today, and everything I said remains true and correct to the best of my knowledge with the only exception being ¶ 86 where I said that I had published a small number of comments (approximately 15 posts) regarding the *Owens* case. While that number was correct at the time, since then I have posted numerous additional times about the case, as have many others.

65. I have decades of experience litigating defamation claims and related First Amendment issues. Based on that experience, I know that in the context of the First Amendment, "reckless disregard" is a term of art with a highly specific meaning; i.e., it means the speaker knew he was making a false statement, or the speaker made a false statement which he did not know for certain was false, but

which was made with knowledge of facts that gave the speaker a high degree of awareness that his statement was likely false.

66. As no point did I make any statements with actual malice/reckless disregard for the truth. On the contrary, every statement about Judge Mata was either factually true or was made with a reasonable basis formed after a reasonable inquiry.

67. As just one example, one of the allegedly "objectively false" statements the bar claims I made about Judge Mata was that she had improper *ex parte* conversations about the *Owens* case with her father, a lawyer named Harry Howe.

68. That specific statement was made after multiple different people posted videos on YouTube claiming that they personally attended the trial in *Owens v. Echard*, they talked with Mr. Howe, and he told them he had, in fact, been discussing the case with his daughter, Judge Mata.

69. These recorded witness statements are available on my website here: https://gingraslaw.com/wp-content/uploads/2024/12/Video-Project.mp4?_=1

70. I understand that sometime people lie. For that reason, when I first learned that people were claiming Judge Mata's father attended the trial in *Owens* and that he told people he had been discussing the case with his daughter, I did not rush to accuse Judge Mata of misconduct. Instead, I did the only thing I felt was reasonable under the circumstances – on June 17, 2024, I sent an email to Judge Mata's division informing the court of these concerns and asking the judge to respond to several questions. A true and correct copy of this email is attached as Exhibit B to my affidavit contained in RJN Ex. 105 (*see* pages 50-51 of the PDF).

71. I took the unusual step of emailing Judge Mata to ensure that I did *not* make any statements about her integrity without first exercising reasonable diligence to verify the accuracy of the claims.

72. Judge Mata refused to answer any of the questions in my June 17, 2024 email. I interpreted her failure to respond as an admission the claims being made about her were true.

73. Instead of responding to my questions, just hours after my June 17, 2024 email was sent, Judge Mata issued a scathing ruling in favor of Mr. Echard and against Ms. Owens. RJN Ex. 103.

74. It is my opinion and belief that after I sent my email on June 17, 2024, Judge Mata was worried that I was going to move to disqualify her from the case based on the issue of her discussing the matter with he father. Based on that concern, I believe Judge Mata rushed to issue her decision before I could seek to remove her for cause. That belief is based on, among other things, the number of extremely basic factual errors in the ruling.

75. For instance, the very first factual finding in the ruling was wrong; "Laura Owens ("Petitioner") filed a pro per Petition to Establish Paternity, Legal Decision Making, Parenting Time and Child Support on May 20, 2023." (emphasis added)

76. Laura's petition was filed on August 1, 2023, not May 20, 2023.

77. I found that level of basic error to be extremely suspicious because prior to trial, I provided the court with lengthy and detailed Proposed Findings of Fact and Conclusions of Law. RJN Ex. 97. In those proposed findings, I provided the

court with a detailed timeline of events (all of which were accurate) including ¶ 61 which stated; "Laura filed an establishment petition on August 1, 2023."

78. For these reasons, among many, many, many others, I believe every statement I have published about Judge Mata was either entirely true as a matter of fact, or at least substantially true.

79. I understand the state bar appears to take the position that I merely "*believed*" my statements were true, but that somehow I have since admitted my statements were false. This is 100% untrue.

80. While it is accurate to say that I *believed* my statements were true, at no point have I admitted anything I said was factually false. I remain completely open to the possibility future evidence may be provided showing something I said was incorrect. If that happened, I would immediately issue a written correction, and perhaps even an apology, if I said something inaccurate.

81. To date, despite nearly two years of investigation by the state bar, and despite my own efforts to continually seek any evidence that shows I made a mistake, I have not seen any evidence to show anything I said about Judge Mata was factually false.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America and the State of Arizona that the foregoing is true and correct.

David S. Gingras

Exhibit A

1747 East Morten Avenue, Suite 205
Phoenix, AZ 85020
(602) 449-7980
(602) 396-5850
office@woodnicklaw.com
www.woodnicklaw.com

WL WOODNICK LAW PLLC

PRESS RELEASE:
Statement from Clayton Echard

<u>March 7, 2024:</u> In response to media inquiries, Mr. Echard has authorized the release of this statement:

Clayton Echard vehemently denies ever having intercourse with L.O. and her correspondence (part of the 500 pieces of communication that predicated the Maricopa County Superior Court granting an Injunction Against Harassment against L.O.) confirms the same. Clayton immediately realized he did not want a relationship shortly after a consensual non-intercourse encounter with L.O. He promptly attempted to distance himself from L.O. both personally and professionally. Five (5) days after their non-intercourse encounter, L.O. started suggesting she may be pregnant. Six (6) days after that she claimed she had confirmed she was pregnant. Within weeks, she claimed she was carrying twins (male and female).

Mr. Echard was beyond incredulous of the pregnancy because the performance of fellatio does not cause pregnancy. Her rapidly evolving yarn did not comport with obstetric timelines. Her claim of "twins" (with assigned genders less than 8 weeks into the "pregnancy") did not comport with medical science.

The consequence of Clayton ignoring communication with L.O., refusing to enter into her "dating contract" and demands to meet with him *privately* to discuss a parenting plan for the pretend "twins," was that she vindictively contacted *The Sun*, *Page Six*, and *NY Post*. *The Sun* first reported the apocryphal story without knowledge that L.O. has been accused of fabricating pregnancies and doctoring medical evidence as a means to extort relationships several times, dating back ten (10) years.

The byproduct of the media coverage L.O. initiated was the unification of some prior victims who have shared their experiences. The commonalities included medical images hijacked and photoshopped from the recesses of the internet and confounding attempts by L.O. to get them to agree to date her in exchange for her discontinuing sham pregnancies.

Clayton, confident he was being extorted as he did not have intercourse with L.O., demanded she produce evidence/disclosure. To avoid the anticipated claims about placing the imaginary twins up for pretend adoption, Clayton reached out to Arizona's Putative Father's Registry.

Boxed into her fable after being captured on camera jumping horses during her "high risk" pregnancy and then on court video weeks later with what appeared to be a fake moon bump claiming she was "24 weeks pregnant" by Clayton, this bizarre fish tale came to a head. In December 2023, L.O. cryptically claimed she was "no longer" pregnant and wanted to dismiss

the action and avoid sharing any disclosure regarding her malignant faux pregnancy. After failing to appear at her deposition, the Court set a status hearing. At the status hearing the world learned that she claimed she miscarried before her November testimony. L.O. was deposed on 3/1/2024.

As the matter is being prepared for trial *and* these are both public persons, Clayton provides the following statement:

1. Private medical records will not be shared publicly. However, *some* "medical" records are already part of the public domain as L.O. sent what she claimed were her medical records to the media and shared the same on social media platforms.

2. L.O. has since denied that a sonogram (received from her and posted by her to the internet) is her medical record. Again, L.O. emailed the sonogram to multiple journalists in addition to Mr. Echard.

3. Records from Southwest Medical Imaging (SMIL) were tampered with by L.O. L.O. admitted that she altered medical records and falsely attributed them to SMIL. Southwest Medical Imaging did not image L.O. for pregnancy and their legal department is fully aware of the arts-and-crafts forgery that she circulated under their trademark. Use of this image was a fraud on the court to the extent the records were used in the collateral proceedings.

4. Despite L.O. testifying in the collateral proceedings to having attended appointments with various "high risk" pregnancy/obstetric providers, there will be no records confirming because no obstetric care was ever sought.

5. Claims of a doctor "confirming" the pregnancy are patently false. A tele-med (video) appointment with a neurologist is not pregnancy confirmation.

6. The Press has reached out regarding the identity of other individuals (in addition to the two who have had public cases involving similar allegations) who were victims of pregnancy fabrication. Clayton appreciates that the job of journalists (and the will of the lay army of investigators captivated by this saga) is not something he can control. He requests that journalists and investigators (professional and amateur) realize that Clayton and L.O. (a self-help podcaster and TEDx speaker) are public people. Others who have been impacted by her serial pregnancy fraud may not be public persons and understandably may not want their private matters discussed.

7. Clayton asks that the public refrain from any behavior that L.O. could claim is harassing or bullying.

Clayton trusts the legal process and is appreciative of his family and community (especially Bachelor Nation) who have continued to offer support.