

1 David S. Gingras, #021097
2 **Gingras Law Office, PLLC**
3 4802 E Ray Road, #23-271
4 Phoenix, AZ 85044
5 Tel.: (480) 264-1400
6 David@GingrasLaw.com

7 Attorney for Plaintiff Laura Owens

8 **MARICOPA COUNTY SUPERIOR COURT**

9 **STATE OF ARIZONA**

10 **LAURA OWENS,**

11 **Plaintiff,**

12 **v.**

13 **ROBERT ANDREJEV,**

14 **Defendant.**

Case No: CV2026-002304

**REPLY RE:
PLAINTIFF'S MOTION FOR
FEES/COSTS**

(Assigned to Hon. Lindsey Coates)

15 A.R.S. § 12-1809(P) and Rule 39(a) of the Rules of Protective Order Procedure give
16 this Court full discretion to award fees in any amount it deems reasonable. The Court is not
17 *required* to award fees, nor is it prohibited from awarding fees. The decision to award
18 anything (or not) and the decision about the amount is left squarely to the Court's sound
19 judgment.

20 That being said, this Reply will be short and will focus on a few pragmatic points.

21 First, understandably, Mr. Andrejev argues the Court should award *nothing*. He
22 suggests "such an award would be inequitable and contravene the Rule." (the "Rule" being
23 Rule 39(a)).

24 OK, let's talk about that. "Equitable" means "fair". "Inequitable" means "unfair". If
25 Mr. Andrejev wants to debate fairness, that's an easy task.

26 Ms. Owens filed a *pro se* petition. She incurred no fees in filing the petition, because
27 she handled that task entirely on her own. If Mr. Andrejev had accepted the order this Court
28 granted without challenging it, the fees involved would be \$0.

1 But the law gave Mr. Andrejev the right to challenge the order. Ms. Owens takes no
2 issue with that fact (by itself).

3 Everyone is entitled to their day in court. Certainly as a general rule in a typical case,
4 the mere fact a defendant in an IAH proceeding requests a hearing does *not* (and should
5 not) automatically support a fee award. On that much, the parties views are the same.

6 But this is not a typical case, and that argument misses the point. Ms. Owens is not
7 seeking fees *just because* Mr. Andrejev asked for a hearing.

8 Rather, the key issue is this: Mr. Andrejev hired extremely experienced counsel
9 (which, again, does not support a fee award by itself), but then he made false allegations
10 accusing Ms. Owens of “fabricating” part of the factual basis for her petition. Mr. Andrejev
11 also took legal positions which, if not frivolous, were misleading at best given the more
12 recent authority cited in Ms. Owens’ pleadings.

13 But the main issue is NOT Mr. Andrejev’s weak legal arguments. The issue is his
14 decision to make affirmative misrepresentations accusing Ms. Owens of lying to the Court
15 when, in reality, Mr. Andrejev knew she had simply made a minor typo describing the title
16 of a video (she was off by a single digit). Those facts warrant an award of fees.

17 Let’s be candid – Ms. Owens has been charged with serious criminal conduct. The
18 charges include perjury and forgery. She has pleaded not guilty and has not been convicted
19 of any crime.

20 But *come on*...everyone knows accusations like these are incredibly harmful to a
21 person’s credibility. After Ms. Owens petitioned this Court for help (with good reason),
22 rather than being open and honest about the facts, Mr. Andrejev did something else – he
23 tried to exploit the situation to his advantage. He did this by accusing Ms. Owens of lying
24 to this Court. His strategy was obvious: “She has been accused of lying in the past! She
25 has even been charged with perjury! You can’t trust a word she says!!”

26 Under these circumstances, Mr. Andrejev maliciously forced Ms. Owens into a
27 corner. If Ms. Owens caved by not pushing back against Mr. Andrejev’s “fabrication”
28 claims, this Court could and likely would have dismissed the injunction (albeit

1 erroneously).¹ This would have allowed Ms. Owens’ critics (including Mr. Andrejev), to
2 gleefully boast: “Ha! Ha! We just proved Laura Owens lied to the court *AGAIN!*”

3 Ms. Owens justifiably felt she could not let that happen. But there was a problem –
4 as the Court observed at the hearing, Ms. Owens has suffered extreme distress because of
5 everything she has gone through and is still going through. By her own admission, Ms.
6 Owens has developed a life-threatening eating disorder which caused her to lose a troubling
7 amount of weight – 50 lbs. – dropping from her normal healthy weight in the 130 lb. range
8 less than two years ago to just barely over 80 lbs. today.

9 To be blunt – while she is strong in other ways, given everything else she is dealing
10 with, Ms. Owens lacked the emotional fortitude and legal skill to confront Mr. Andrejev,
11 and his attorney, without professional help. With limited options available, Ms. Owens
12 sought assistance from undersigned counsel, which he agreed to provide without payment,
13 based solely on the chance fees might be recovered if Ms. Owens prevailed. Clearly,
14 without assistance from skilled counsel, Ms. Owens would not have been able to present
15 the truth to this Court, and she likely would have lost the much-needed protection she was
16 legally entitled to receive.

17
18 _____
19 ¹ In his Response, Mr. Andrejev raises this point, albeit in a very strange way:

20 Ms. Owens’ contention that the only reason she opposed the Motion to Quash
21 “was to ensure this Court was not misled” by the reference to “fabrications”
22 in that Motion cuts against Plaintiff’s request for fees. If she had not appeared
23 at the hearing, the Injunction would have been dismissed as a matter of law.
24 So, if Ms. Owens would have allowed the Injunction to be dismissed had Mr.
25 Andrejev not raised the issue of the errors in her Petition, then why was the
26 Injunction necessary in the first instance? Opp. at 3:26-4:5 (emphasis added).

27 This argument appears to suggest (falsely) that prior to Mr. Andrejev moving to
28 quash, Ms. Owens *wanted* the IAH to be dismissed (!?!), and that she would have
been happy to see that happen. Mr. Andrejev then seems to theorize Ms. Owens
chose to challenge the Motion to Quash *only* to correct the typo issue (!!), not
because she wanted the injunction to remain in place. HUH?

If that is what Mr. Andrejev believes, he is obviously mistaken.

1 At the end of the day, looking purely at the equities, fairness does not support Mr.
2 Andrejev’s position. If this Court awards no fees, Mr. Andrejev will be rewarded for *not*
3 being honest when he accused Ms. Owens of lying to the Court. In addition, this will send
4 a terrible message – that dishonesty carries no consequences. Given that Ms. Owens has
5 already suffered *devastating* personal, financial, and reputational consequences for her
6 alleged dishonesty (despite not being convicted of any crime), equity would seem to
7 demand that Mr. Andrejev be treated exactly the same way.

8 This leads to the second issue – hardship. ANY award of fees is always a hardship.
9 The nearly \$200,000 in sanctions Ms. Owens has been ordered to pay resulted in
10 *devastating* hardship to her and her family, giving her no choice but to file a no-assert
11 Chapter 7 bankruptcy petition in December 2025.

12 Mr. Andrejev’s financial condition does *not* demonstrate a fee award (even in the
13 full amount requested) would represent even a minor hardship, much less an extreme one.
14 As noted in Ms. Owens’ fee motion, Mr. Andrejev had the unbelievable good fortune to
15 win more than \$250,000 at a casino, just a few years ago.

16 Mr. Andrejev’s response never mentions that fact, but it appears he still has a large
17 portion of that money remaining in the bank – easily more than enough to pay the amount
18 Ms. Owens is seeking. That fact, by itself, should conclude the analysis – Mr. Andrejev’s
19 own declaration shows he can EASILY afford to pay the requested fees. His desire not to
20 pay is simply not a relevant factor.

21 One final point – Mr. Andrejev suggests any fee award should be reduced because
22 “This Court may reduce a fee award to account for unsuccessful arguments made by the
23 prevailing party.” The “unsuccessful” argument in question was Ms. Owens’ claim that
24 Mr. Andrejev committed perjury in his submissions to this Court.

25 Only two brief comments are needed in reply. First, the amount of time spent raising
26 that issue was perhaps 3 minutes. It was a minor argument, not something either party
27 devoted large amounts of time discussing. And as noted in the declaration of undersigned
28 counsel, the amount of fees request was already adjusted downward by \$1,000.

1 Second, at no point has Mr. Andrejev argued the total amount of fees requested was
2 unreasonably high, in light of the relevant factors set forth in ER 1.5 (controlling the
3 reasonableness of fees charged). Indeed, under ER 1.5(a)(8), a lawyer’s total fee can be
4 significantly *increased* (above a normal hourly rate) depending on “the degree of risk
5 assumed by the lawyer.”

6 Here, undersigned counsel agreed to help Ms. Owens knowing she was indigent, that
7 she was unemployed and unable to work due to the pending criminal case against her.
8 Undersigned counsel accepted the risk that Ms. Owens might not prevail, and that even if
9 she did, the Court might decide no fees should be awarded.

10 In that situation, a strong argument could be made the amount of fees requested here
11 is *far too low*, because undersigned counsel could have (but did NOT) adjust the total
12 amount significant upward based on the high degree of risk involved. For that reason, this
13 Court could easily exercise its discretion to award an amount *greater* than the sum
14 requested.

15 But in the interests of fairness, there is no need to debate this further. Ms. Owens
16 trusts this Court will do whatever it believes justice and the law requires.

17 DATED March 19, 2026.

18 GINGRAS LAW OFFICE, PLLC

19 

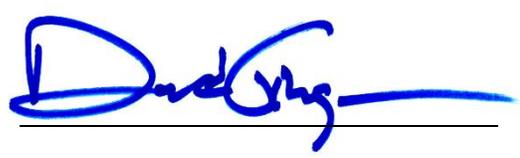
20 David S. Gingras

21 Attorney for Plaintiff Laura Owens

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Original e-filed through www.azturbocourt.com
and **COPIES** e-delivered March 19, 2026 to:

Matthew E. Kelly, Esq.
BALLARD SPAHR LLP
1 East Washington Street, Suite 2300
Phoenix, AZ 85004-2555
Attorney for Defendant Robert Andrejev



A handwritten signature in blue ink, appearing to read 'Dudong', is written over a horizontal line.

GINGRAS LAW OFFICE, PLLC
3941 E. CHANDLER BLVD., #106-243
PHOENIX, ARIZONA 85048