

STATE BAR OF ARIZONA
ATTORNEY DISCIPLINE DIVISION
Attorney Discipline Intake Unit

May 1, 2026

I. COMPLAINANT INFORMATION

Name: Robert Andrejev
Address: 40253 N Acadia CT
Phoenix, Arizona 85086
Cellular Telephone: 248-892-4378
Email: andrejevr@gmail.com

II. ATTORNEY INFORMATION

Name: **David Scott Gingras (Bar No. 21097)**
Firm: Gingras Law
Address: 4802 E Ray Rd, Phoenix, AZ 85044

III. NATURE OF COMPLAINT

I respectfully submit this complaint against attorney David Scott Gingras arising from his conduct during litigation in Maricopa County Superior Court.

Attorney David Scott Gingras represented Laura Owens, the plaintiff in the underlying matter.

This complaint is not intended to re-litigate the underlying matter, but to address whether counsel's actions complied with the Arizona Rules of Professional Conduct, particularly with respect to candor toward the tribunal, truthfulness in representations, and the presentation of evidence.

This complaint arises from Attorney Gingras's simultaneous and overlapping roles as legal advocate and fact witness in proceedings involving the same client and materially identical underlying facts.

As detailed in Exhibit A-1, Attorney Gingras:

- Entered into representation in March 2024
- Became deeply involved in disputed factual matters
- Acquired and asserted personal knowledge of material facts
- Submitted a sworn affidavit affirming his ability to testify
- Continued to act as litigation counsel in the same matter

This conduct raises substantial concerns under:

- ER 1.7 (Conflict of Interest)
- ER 3.3 – Candor Toward the Tribunal
- ER 3.7 (Lawyer as Witness)
- ER 4.1 – Truthfulness in Statements to Others
- ER 8.4(c) – Misconduct (Dishonesty, Fraud, Deceit, Misrepresentation)

The conduct described below reflects a pattern of misleading presentation of facts, selective use of evidence, and procedural actions that raise substantial ethical concerns.

The issues presented are based on documented filings, sworn statements, and contemporaneous records, each of which is cited to specific exhibits for ease of verification.

Billing records reflect that Respondent began work on January 20, 2026, the same day the Injunction Against Harassment was issued, demonstrating contemporaneous awareness of the proceeding. (See Exhibit B-1, Exhibit PDF pp. 1–2; Exhibit B-2, Exhibit PDF pp. 1–10.)

The materials demonstrate that Respondent continued to act as litigation counsel while asserting personal knowledge of disputed facts sufficient to testify, raising a substantial question under ER 1.7 and ER 3.7. (See Exhibit B-1, Exhibit PDF pp. 1–2.)

Relevant Cases:

- Owens v. Andrejev, CV2026-002304 (IAH proceeding)
- Owens v. Echard, FC2023-052114 (paternity matter)
- Echard v. Owens, FC2023-052771 (Order of Protection)
- State of Arizona v. Owens, CR2025-007905 (Potential Witness for the Prosecution)

IV. THEORY OF MISCONDUCT

The record reflects a pattern in which allegations were advanced without direct supporting evidence of contact, while materials presented to the court appear to have been selectively framed or contextually incomplete, resulting in a potentially misleading narrative presented to the tribunal.

V. FACTUAL BACKGROUND (CONDENSED)

The relevant facts are set forth in Exhibit A-1 (Master Timeline) and are incorporated by reference.

Key facts include:

- A fee agreement dated March 25, 2024 establishing representation
- Participation as trial counsel in a contested evidentiary hearing (June 10, 2024)

- Continued representation in a related Injunction Against Harassment proceeding (2026)
- Submission of a sworn affidavit on February 26, 2026 asserting personal knowledge sufficient to testify

These facts are supported by documentary evidence including:

- Fee agreement
- Billing records
- Sworn affidavit
- Court filings and hearing participation

The underlying matter involves an Injunction Against Harassment (IAH) proceeding in Maricopa County Superior Court.

- The complainant, Robert Andrejev, was the defendant
- The plaintiff was Laura Owens.
- Attorney Gingras represented the plaintiff
- The court upheld the injunction following a hearing

VI. SPECIFIC CONDUCT AT ISSUE

The following conduct is particularly significant when considered in light of Respondent's asserted personal knowledge of disputed facts while continuing to act as litigation counsel.

1. Presentation of Allegations Without Supporting Evidence of Direct Contact

Counsel advanced claims suggesting harassment despite the absence of evidence demonstrating direct communication, interaction, or contact.

- Exhibits reflect no direct contact between the parties.
- The characterization of conduct as harassment appears to rely on inference rather than substantiated interaction.

See Exhibit A-1; Exhibit J-1

2. Selective Use and Framing of Media Evidence

Materials presented appear to have been contextually incomplete or selectively framed.

- Full context of timing and sequence is not reflected
- Exhibit materials suggest alternative interpretations

(See Exhibit J-1; Exhibit J-2)

3. Procedural Conduct Affecting Fairness of Proceedings

Procedural actions during the hearing raise concerns regarding fairness and adequate notice.

- Changes in presentation occurred in a manner that limited the ability to respond
- Timing may have materially affected the proceeding

(See Exhibit G-7)

4. Characterization of Lawful Public Presence

Public presence, including attendance at court proceedings, was characterized in a manner suggesting misconduct.

- Attendance at public proceedings is lawful
- No evidence reflects prohibited interaction

(See Exhibit A-1)

VII. ALLEGED RULE VIOLATIONS

Based on the above conduct, the following rules may be implicated:

A. ER 1.7 – Conflict of Interest

Respondent's involvement in disputed factual matters presents a risk that professional judgment may have been materially limited by his own interests as a potential witness.

B. ER 3.3 – Candor Toward the Tribunal

Presentation of claims not supported by direct evidence raises concerns regarding accuracy and completeness.

C. ER 3.7 – Lawyer as Witness

Respondent declared under oath that he "could and would" testify based on personal knowledge.

Despite this, he:

- Continued representing the client
- Participated in evidentiary proceedings
- Presented factual assertions

This raises a substantial question under ER 3.7 regarding the propriety of continued representation while serving as a potential witness.

D. ER 4.1 – Truthfulness in Statements to Others

Presentation of evidence in a potentially misleading manner raises concerns under this rule.

E. ER 8.4(c) – Misconduct

The cumulative pattern described above raises concerns regarding potential misrepresentation.

VIII. IMPACT ON INTEGRITY OF PROCEEDINGS

The overlap between:

- Advocacy
- Evidence development
- Sworn testimonial capacity

creates a substantial risk of:

- Compromised objectivity
- Distortion of evidentiary presentation
- Undermining public confidence in the legal process

IX. EXHIBITS AND SUPPORTING MATERIALS

The supporting materials referenced in this complaint are provided as PDF exhibit files.

This exhibit file includes an Exhibit Index and labeled exhibits for ease of reference. Each exhibit is identified by its corresponding label (e.g., Exhibit A-1, J-2) and should include internal pagination.

All citations within this complaint refer to those exhibit labels and corresponding page numbers within the consolidated exhibit PDF.

The exhibits are submitted in this format to ensure clarity, organization, and ease of review.

X. REQUEST FOR REVIEW

I respectfully request that the State Bar of Arizona review the enclosed materials and determine whether the conduct described warrants formal investigation and any appropriate disciplinary action.

XI. PINPOINT STATEMENTS FROM SWORN AFFIDAVIT

The ethical issue presented arises directly from Respondent's own sworn statements. Relevant excerpt below:

"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." (*Exhibit C-4, Exhibit PDF p. 1*)

This sworn statement is significant because it affirms personal knowledge of disputed facts while Respondent continued to serve as litigation counsel in the same matter.

XII. DECLARATION

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Signed: Robert Andrejev

Date: May 1, 2026