

1 Therefore, based on the Plaintiff's correspondence, and pursuant to Good Faith
2 Consultation Certificate filed contemporaneously with this motion and pursuant to
3 Ariz. R. Civ. P. 12 (j) and 7.1(h), the Defendant hereby submits this Defendant's Rule
4 16(c) Ariz. R. Civ. P. Report.

5
6 **1. Brief Description of the Case:**

7 a. *Defendant's Description of Case:*

8 Plaintiff Sandra Rodriguez (hereafter, the "Plaintiff") filed a Complaint
9 regarding Breach of Arizona Revised Statutes 33-1803 and a Breach of Contract
10 regarding the Declaration of Covenants, Conditions, Restrictions and Easements for
11 the Gardens recorded with the Maricopa County Recorder on February 26, 2002, at
12 Docket number 2002-0193711. The Defendants deny all allegations alleged in
13 Plaintiff's Complaint.
14

15
16 **Tier**

17 **2.** The Defendant agrees this case should be assigned to **Tier 1.**

18
19 **3. Current Case Status:**

- 20 a. Every Defendant has been served or dismissed. **Yes.**
21 b. Every party who has been defaulted has filed a responsive pleading. **Yes.**
22 c. Plaintiff has served their Initial Disclosure Statement. **No**

23 **4. Amendments:** Defendant anticipates filing an amendment to a pleading
24 that will add a new party to the case: [] yes [X] no

25 **5. Special Case Management:** Special case management procedures are
26 appropriate: [] yes [X] no If "yes," the following case management procedures are
27 appropriate because:
28

1 **6. Settlement:** Defendant agrees to engage in settlement discussions with
2 a settlement judge assigned by the court, or a private mediator.

3 The Defendant will be ready for a settlement conference or a private mediation by
4 Monday, **May 26 2025**.

5 If the parties will not engage in a settlement conference or a private mediation,
6 state the reasons(s): _____.

7 **7. Readiness:** This case will be ready for trial by **October 15, 2025**.

8 **8. Jury:** A trial by jury is demanded. **No.**

9 **9. Length of Trial:** The estimated length of trial is **1-3 days**.

10 **10. Summary Jury:** The parties agree to a summary jury trial. **No.**

11 **11. Preference:** This case is entitled to a preference for trial pursuant to the
12 following statute of rule: N/A.

13 **12. Special Requirements:** The parties do not require disability
14 accommodations or an interpreter. At a pretrial conference or at trial, a party will
15 require.

16 disability accommodations (specify)

17 an interpreter (specify language)

18 **13. Scheduling Conference:** The parties request a Rule 16(d) scheduling
19 conference. yes no If requested, the reasons for having a conference are that

20 _____
21 _____.

22 **14. Other Matters:** Other matters that the parties wish to bring to the Court's
23 attention that may affect management of this case: **Defendant agrees that any and all**
24 **online/electronic filings shall be accompanied by a hard mailing copy sent to all**
25 **parties involved.**

26 ////

27 ////

1 DATED this 31st day of December, 2024.

2 SHAW & LINES, LLC

3 /s/ Augustus H. Shaw, IV

4 Augustus H. Shaw IV, Esq., CCAL

5 4523 E. Broadway Road

6 Phoenix, Arizona 85040

7 Counsel for Defendant

8 ORIGINAL submitted for filing this
9 31st day of December 2024 to:

10 Clerk of the Court
11 Maricopa County Superior Court
12 (Via E-Filing online – Turbo Court)

13 COPY of the foregoing mailed this
14 31st day of December 2024 to:

15 Sandra Rodriguez
16 4735 E Besty Lane
17 Gilbert, Arizona 85296
18 *Defendant*

19 By: /s/ Elizabeth Mundall

EXHIBIT A

Elizabeth Mundall

From: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
Sent: Friday, December 27, 2024 2:19 PM
To: Elizabeth Mundall; Augustus Shaw; Brooke Sortor; Harman Cadis; Anna Schultz
Subject: Re: Rodriguez v. Gardens Gilbert - CV2024-005940
Attachments: Motion to Request New Judge (Clerk Cert) 12.23.24_20241225_0001.pdf

Dear Mr. Augustus H. Shaw IV,

I am writing to address several critical issues in **Sandra Rodriguez v. Gardens Gilbert Community Association et al.**, Maricopa County Superior Court Case No. CV2024-005940.

1. Conflict of Interest

A significant conflict of interest exists involving the Defendants and their legal counsel. This, combined with ongoing procedural inequities and harassing litigation tactics, has prejudiced my ability to participate fairly in this case as a self-represented litigant.

2. Stay of Proceedings Due to Appeal

As you are aware, I filed a Notice of Appeal on December 17, 2024, under Rule 8(a) of the Arizona Rules of Civil Appellate Procedure. Proper notice of this filing was served on your office, as confirmed by mailing records. This filing divests the Maricopa County Superior Court of jurisdiction over the matters under appeal. For your convenience, I have attached a copy of the Notice of Appeal for your reference.

Despite the appellate stay, your office has continued to file motions and take actions in violation of jurisdictional limitations. These actions infringe upon my procedural rights and disregard the appellate process. I request that you immediately cease further filings or actions related to matters under appellate jurisdiction.

3. Judicial Bias and Request for a New Judge

I have filed a formal motion requesting the recusal of Judge Roderick Coffey due to evident judicial bias, as outlined in Rule 2.11(A) of the Arizona Code of Judicial Conduct. This bias, coupled with procedural inequities and infringements on my civil and constitutional rights, necessitates the assignment of a new judge to ensure impartiality and fairness moving forward.

4. Submission of a Separate Report

Given the existing conflict of interest, judicial bias, and refusal to respect the appellate stay, I will be submitting my own report to the court. This report will detail the ongoing litigation abuse, procedural misconduct, and my position, ensuring compliance with applicable procedural rules and respect for jurisdictional limitations.

5. Request to Amend Civil Complaint

In light of the continued pattern of misconduct, procedural violations, and infringements on my civil and constitutional rights, I intend to file a request to amend my civil complaint. The amendment will include all new infractions taken against me up to this point, such as violations of the appellate stay, harassment, and litigation abuse.

I will also emphasize violations of the **Fourteenth Amendment** (due process and equal protection) and **Arizona Constitutional rights** to highlight the systemic inequities in my treatment

as a self-represented litigant. These ongoing actions by your office and the court further demonstrate a systemic pattern of inequity and misconduct that must be addressed to safeguard the integrity of the judicial process.

Your office's repeated disregard for procedural and jurisdictional rules has left me with no choice but to take these steps to ensure my rights are protected and the record accurately reflects the scope of these infractions.

Settlement Offer

In an effort to resolve this matter without further unnecessary litigation and expense, I am willing to consider a settlement under reasonable terms. This offer is made in good faith to reach an equitable resolution and is not an admission of any weakness in my claims.

I propose the following terms to settle this dispute:

1. Removal and Squashing of Both Judgments

- The judgments entered against me in this matter are to be vacated and fully squashed.

2. Removal of the Lien on My Home

- The lien placed on my home is to be removed immediately, as it was improperly imposed as part of the ongoing pattern of harassment and financial extortion.

3. Payment of \$4.5 Million

- A monetary payment in the amount of no less than \$4.5 million to address damages caused by the ongoing pattern of misconduct, including but not limited to:
 - Harassment and procedural violations perpetuated by the Defendants and their legal counsel.
 - Failure to adhere to the appellate stay and jurisdictional boundaries under Rule 8(a) of the Arizona Rules of Civil Appellate Procedure.
 - Violation of my rights under the Fourteenth Amendment (due process and equal protection) and Arizona Constitutional rights, highlighting the systemic inequities in my treatment as a self-represented litigant.
 - Financial coercion and abuse through excessive sanctions, fees, and litigation tactics aimed at intimidating me and obstructing justice.
 - Discriminatory practices and retaliatory actions by the Defendants and their associates, including Anna Schultz, Brooke Sortor, and Harmin Cadis, perpetuating a hostile and inequitable environment.

4. Compensation for Obstruction of Justice and Constitutional Violations

- A separate payment of **\$2 million** to compensate me and my family for the continued and escalated legal and financial extortion perpetuated by Augustus Shaw IV and the Defendants, which was calculated to obstruct justice.
- This amount reflects the severe infringements on my **due process and constitutional rights**, including Shaw's deliberate attempts to:
 - Disregard the appellate stay and procedural safeguards.
 - Engage in tactics of harassment and delay to burden me financially and emotionally.
 - Exploit procedural inequities to suppress my ability to advocate for myself effectively as a self-represented litigant.

- These actions represent a pattern of misconduct designed to intimidate, dissuade, and prevent me from accessing justice, causing profound harm to my family and me.

Failure to reach a settlement on these terms will escalate this matter into a broader **consumer rights protection issue**, incorporating additional claims of systemic abuse, discriminatory practices, and judicial inequities. All negotiations will be conducted in writing to ensure full transparency and accountability.

This offer is confidential and made pursuant to **Rule 408 of the Federal Rules of Evidence** (and the Arizona equivalent), and as such, it is inadmissible in court should this case proceed further.

I remain open to good-faith negotiations to resolve this matter amicably.

Closing

I trust this correspondence will prompt immediate action to address these issues and ensure compliance with procedural and ethical standards. Please let me know if you would like to discuss this matter further in good faith.

Sincerely,

Sandra Rodriguez

On Fri, Dec 27, 2024 at 1:25 PM Elizabeth Mundall <elizabeth@shawlines.com> wrote:

Good afternoon,

Attached please find a letter, Joint Report and scheduling Order in regard to the above referenced matter.

Thank you,

Liz Mundall

Paralegal

SHAW & LINES, LLC
4523 E. Broadway Road
Phoenix, Arizona 85040
Phone 480-456-1500
Fax 480-456-1515

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