



1 Report and Proposed Scheduling Order. On December 31, 2024, Defendant filed its Good  
2 Faith Consultation Certificate regarding its attempts to consult with the Plaintiff regarding  
3 the Proposed Joint Report and the Proposed Scheduling Order.  
4

5 On December 31, 2024, Plaintiff filed her Motion To Dismiss Defendant's Good  
6 Faith Consultation Certificate stating that the Defendant attempted to contact the Plaintiff  
7 with the wrong phone number. Attached hereto as **Exhibit A** is an e-mail from the Plaintiff  
8 acknowledging Defendant's counsels many attempts to call the Plaintiff by phone.  
9 Plaintiff states "[D]espite repeated unsolicited phone calls from you." This shows that the  
10 Plaintiff received phone calls from Defendant's counsel and refused to return the phone  
11 calls. Plaintiff also states "[O]nce again, I demand that you cease and desist all phone calls  
12 to my number immediately." This further shows that the Plaintiff will not engage in phone  
13 conversations with the Defendant's counsel.  
14  
15

16 Nonetheless, upon receiving Plaintiff's Motion To Dismiss Defendant's Good Faith  
17 Consultation Certificate, Defendant's attorney attempted to call Plaintiff at 602-688-9720  
18 at 11:53am on January 2, 2025, at 1:09pm on January 2, 2025, at 5:03pm on January 2,  
19 2025, and at 3:39pm on January 3, 2025. Plaintiff did not answer and voice messages were  
20 left for the Plaintiff.  
21  
22

23 As of the date and time of the filing of this Amended Certificate, neither undersigned  
24 counsel nor undersigned counsel's representatives have received a return phone call.  
25  
26  
27  
28

1 In addition, Defendants through undersigned counsel's representatives, sent e-  
2 mails and letters to Plaintiff on Friday, December 20, 2024, Friday, December 27, 2024,  
3 and an e-mail on January 2, 2025 requesting a meet and confer conference.  
4

5 As such, Defendants request that the Court hold that undersigned counsel has  
6 complied with the requisite rules governing the good faith consultation pursuant to Ariz.  
7 R. Civ. P. 12 (j) and 7.1(h), prior to filing their Joint Report and Scheduling Order to be  
8 filed.  
9

10 DATED this 3<sup>rd</sup> day of January 2025.

11 **SHAW & LINES, LLC**

12  
13 /s/ Augustus H. Shaw, IV  
14 Augustus H. Shaw IV, Esq.  
15 4523 E. Broadway Rd.  
16 Phoenix, Arizona 85040  
17 *Attorneys for Defendants*

18 ORIGINAL submitted for filing this  
19 3<sup>rd</sup> day of January 2025 to:

20 Clerk of the Court  
21 Maricopa County Superior Court  
22 (Via E-Filing online – Turbo Court)

23 COPY of the foregoing mailed this  
24 3<sup>rd</sup> day of January 2025 to:

25 Sandra Rodriquez  
26 4735 E Besty Lane  
27 Gilbert, Arizona 85296  
28 *Defendant*

By: /s/ Elizabeth Mundall

# **EXHIBIT A**

## Elizabeth Mundall

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**From:** Sandra Rodriguez <sandra.rodriguez0339@gmail.com>  
**Sent:** Friday, January 3, 2025 4:06 PM  
**To:** Augustus Shaw  
**Cc:** Anna Schultz; k [REDACTED]  
[REDACTED] Brooke Sortor; Harman Cadis; d [REDACTED] Elizabeth Mundall; Diane Fincher  
**Subject:** Continued Lack of Good Faith & Ethical Concerns ( CV2024-005940) - Settlement Offer

Dear Mr. Shaw,

I am writing to address your ongoing refusal to engage in good faith communication. Despite repeated unsolicited phone calls from you, your eventual response to my email failed to adequately address the contents of my message. This pattern of behavior—ignoring written correspondence, inundating me with calls, and providing vague and insufficient responses—demonstrates a clear lack of transparency, professionalism, and respect for the ethical obligations expected of attorneys in Arizona.

Your actions violate multiple provisions of the Arizona Rules of Professional Conduct, including:

1. ER 1.4 (Communication): You are required to maintain meaningful and timely communication. Responding only after repeated phone calls, while failing to address my concerns in detail, does not satisfy this obligation.
2. ER 4.4 (Respect for Rights of Third Persons): Your actions appear calculated to intimidate and overwhelm rather than engage in constructive dialogue, further eroding trust and professionalism.
3. ER 8.4 (Misconduct): Your conduct is prejudicial to the administration of justice and undermines the fairness and integrity of the legal process.

Additionally, your refusal to engage meaningfully, despite the filing of a Notice of Appeal and a Petition for Review with the Arizona Supreme Court, is both unprofessional and inconsistent with the procedural expectations in appellate matters. This behavior could be interpreted as a deliberate attempt to sidestep the appellate process and undermine judicial review, which is unacceptable.

Your actions are a conflict with Rule 62 of the Arizona Rules of Civil Procedure, particularly if your phone calls and incomplete responses are attempts to bypass any stays or pending actions arising from the appeal. Such conduct could warrant additional scrutiny by the court and further impact your standing.

As a self-represented Latina with limited resources, I find your conduct to be unethical, discriminatory, and prejudicial. It disregards my constitutional rights to due process and equal access to justice, while

exacerbating the already significant power imbalance in this case. Your behavior undermines the principles of fairness and transparency that the Arizona civil process is designed to protect.

Once again, I demand that you cease and desist all phone calls to my number immediately due to lack of integrity and ethics. All future communications must be conducted in writing and must directly and thoroughly address the issues raised in my prior emails. Failure to comply with this request will result in additional documentation being submitted to the court to highlight your ongoing lack of good faith and professional integrity.

I trust you will recognize the seriousness of this matter and take immediate steps to correct your conduct. Please be advised that I will forward this communication to the appropriate channels as necessary to ensure accountability and adherence to ethical and procedural standards.

Moving forward, all communications regarding this matter must be conducted through the court system to maintain transparency and proper documentation.

Sincerely,

Sandra Rodriguez

On Fri, Jan 3, 2025, 3:54 PM Augustus Shaw <[ashaw@shawlines.com](mailto:ashaw@shawlines.com)> wrote:

Ms. Rodriguez,

The Association is in receipt of your below settlement offer. After careful review, the Association's Board of Directors hereby rejects your below settlement offer.

Augustus H. Shaw IV†\*

Shaw & Lines, LLC

[4523 E. Broadway Road](#)

[Phoenix, AZ 85040](#)

Phone 480-456-1500

Fax 480-456-1515

e-mail [ashaw@shawlines.com](mailto:ashaw@shawlines.com)

web site [www.shawlines.com](http://www.shawlines.com)

†Licensed in Arizona and Nebraska

\*Faculty Associate - Arizona State University O'Connor College of Law

\*Member, College of Community Association Lawyers

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**THIS FIRM MAY ACT AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

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**From:** Sandra Rodriguez <[sandra.rodriguez0339@gmail.com](mailto:sandra.rodriguez0339@gmail.com)>  
**Sent:** Friday, December 27, 2024 2:19:28 PM (UTC-07:00) Arizona  
**To:** Elizabeth Mundall <[elizabeth@shawlines.com](mailto:elizabeth@shawlines.com)>; Augustus Shaw <[ashaw@shawlines.com](mailto:ashaw@shawlines.com)>; Brooke Sortor <[Brooke@focushoa.com](mailto:Brooke@focushoa.com)>; Harman Cadis <[harman@focushoa.com](mailto:harman@focushoa.com)>; Anna Schultz <[anna6890@yahoo.com](mailto:anna6890@yahoo.com)>  
**Subject:** Re: Rodriguez v. Gardens Gilbert - CV2024-005940

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 perpetrated 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 perpetrated 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](mailto: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

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