

N/A

Today's Date: December 31, 2024


Your Signature

**This page must be completed and attached
to the LAST page of your Motion/Request**

I filed the ORIGINAL of the attached document(s) with the Clerk of the Superior Court in Maricopa County on: January 3, 2025
Month Date Year

I mailed/delivered a COPY of the attached document(s) to the Judicial Officer assigned to my case, Judge (or Commissioner): Coffey, on January 3, 2025
Month Date Year (Judicial Officer assigned to your case)


I mailed/delivered a COPY of the attached document(s) on this date:
January 3, 2025 To: Gardens Gilbert Community Association et. al
Month Date Year

(You must mail a copy of all documents to the other side and his/her lawyer)

<u>Gardens Gilbert Community Association et. al.</u> Name of Other Side	<u>Shaw & Lines, LLC/Augustus H. Shaw IV</u> Name of Other Side's Lawyer
<u>4135 S. Power Road, Ste. 133</u> Address	<u>4523 E. Broadway Road</u> Lawyer's Address
<u>Mesa, Arizona 85212</u> City, State, Zip	<u>Phoenix, Arizona 85040</u> City, State, Zip

By signing below, I state to the Court, under penalty of law, that the information stated on these pages is true and correct to the best of my knowledge and belief.

I further state that I have filed/mailed the attached document(s) as shown above. I understand that if I do not file/mail the attached document(s) as shown above, the judge in my case will not read my request/motion.


Your signature

1 Sandra Rodriguez
2 4375 E. Betsy Lane
3 Gilbert, Arizona 85296
4 **Phone Number:** 602-688-9720
5 **Email Address:** sandra.rodriguez0339@gmail.com
6 **Representing:** Self Represented, without a Lawyer
7

8 **ADDENDUM A**
9 **IN THE SUPERIOR COURT IN THE STATE OF ARIZONA**
10 **IN AND FOR THE COUNTY OF MARICOPA**

11 SANDRA RODRIGUEZ,
12 Plaintiff,
13 vs.

14 GARDENTS GILBERT COMMUNITY
15 ASSOCIATION, FOCUS HOA
16 MANAGEMENT, LLC, HARMIN CADIS,
17 BROOKE SORTOR, AND ANNA
18 SCHULTZ
19 Defendants,

20 AUGUSTUS H. SHAW IV
21 Defendant's Legal Counsel,
22

Supreme Court:
Case No.: CV 24-0286-PR

Appellate Court
Case No.: 1 CA-CV 24-0803

Maricopa County Superior Court
Case No.: CV2024-005940

**MOTION TO DISMISS
DEFENDANT'S GOOD FAITH
CONSULTATION CERTIFICATE**

23
24 **To the Honorable Maricopa Superior Court:**

25 Sandra Rodriguez (Plaintiff) respectfully submits this motion to dismiss the Defendants'
26 Good Faith Consultation Certificate Concerning Joint Report and Scheduling Order as a
27 fraudulent document that perpetuates the procedural and ethical violations present throughout this
28

1 case. This document highlights the ongoing civil rights and constitutional violations, warranting
2 the Court's immediate intervention.

3 4 **FACTUAL BACKGROUND**

- 5
6
7
8
9
10
11
1. **Fraudulent Consultation Certificate:** The Defendants have falsely asserted that they engaged in good faith consultations with the Plaintiff, citing the use of a phone number, "480-516-6785," that is neither assigned to nor associated with Sandra Rodriguez. Plaintiff's official contact information, including her primary phone number, "602-688-9720," has been consistently documented in all filings and correspondences with the Court and opposing counsel. At no point was any phone call or consultation made or received by the Plaintiff.

12
13
14
15
16
17

Notably, this is not the first instance of misrepresentation by Defendants' counsel, Augustus H. Shaw IV. A similar infraction was brought to the Court's attention in a motion filed on September 10, 2024, yet it was ignored and not addressed by the Maricopa County Court or Judge Roderick Coffey. The recurrence of such misrepresentations underscores a pattern of procedural manipulation and unethical conduct, further eroding the integrity of the judicial process in this case.

- 18
19
20
21
22
23
24
25
26
27
28
2. **Good Faith Settlement Efforts Ignored:** Plaintiff made at least five documented good faith settlement attempts, including an email sent on December 27, 2024 (see Exhibit 1), providing reasonable terms for settlement. These attempts were entirely ignored by Defendants and their legal counsel, Augustus H. Shaw IV. This pattern of refusal underscores their bad faith and unethical litigation practices, compounding the inequities already present in this case.
 3. **Procedural and Constitutional Violations:** The Defendants' actions, including the submission of fraudulent certifications and manipulation of procedural rules, have obstructed justice and exacerbated financial and emotional harm to the Plaintiff and her family. These violations directly infringe upon Plaintiff's civil rights under the Arizona Constitution and the Fourteenth Amendment.

LEGAL ARGUMENTS

- 1 **1. Fraudulent Representation in Joint Report:** The fraudulent use of an unverified
2 phone number as evidence of consultation invalidates the Defendants' Good Faith
3 Consultation Certificate. This act alone demonstrates a deliberate intent to mislead
4 the Court, undermining the integrity of judicial proceedings. Such actions violate
5 ethical standards and procedural fairness, as outlined in Rule 11 of the Arizona
6 Rules of Civil Procedure.
- 7 **2. Failure to Engage in Good Faith Negotiations:** The Defendants have
8 consistently refused to respond to the Plaintiff's documented settlement offers,
9 demonstrating a blatant disregard for the principle of good faith—a fundamental
10 requirement in legal and procedural conduct. This failure to engage was previously
11 reported in the Plaintiff's motion to the Court on September 10, 2024, as well as
12 throughout these proceedings, yet it has been entirely ignored by the Court.
13 As documented in Exhibit 1, the Plaintiff has made multiple attempts to resolve
14 this matter amicably, offering viable settlement proposals in good faith. Despite
15 these efforts, the Defendants have chosen to ignore the Plaintiff's outreach, instead
16 resorting to harassment and procedural manipulation. This pattern of conduct
17 further exemplifies the Defendants' unwillingness to engage fairly and ethically in
18 the judicial process.
- 19 **3. Civil Rights and Due Process Violations:** The Defendants' tactics, including
20 fraudulent submissions and refusal to engage, violate Plaintiff's due process rights.
21 These actions further emphasize the necessity of judicial oversight to prevent
22 continued abuse and ensure a fair trial.

23 **CONCLUSION**

24 The Plaintiff reiterates her unwavering commitment to achieving a just and equitable
25 resolution of this case through transparent and fair judicial proceedings. The documented
26 evidence of procedural manipulation, misrepresentation, and ethical violations by the Defendants
27 and their counsel underscores the severity of the issues at hand. These actions have perpetuated
28 systemic civil rights violations, obstructed justice, and exacerbated financial and emotional harm
 to the Plaintiff and her family.

1 Given the Court's previous inaction in addressing similar misrepresentations and
2 procedural infractions, Plaintiff respectfully urges the Court to:

- 3 1. **Dismiss the Fraudulent Certificate:** Recognize the falsified nature of the
4 Defendants' Good Faith Consultation Certificate and associated joint report, as these
5 documents undermine the integrity of judicial proceedings and perpetuate harm.
- 6 2. **Hold Defendants and Counsel Accountable:** Initiate an investigation into the actions
7 of the Defendants and their counsel, Augustus H. Shaw IV, for potential misconduct,
8 including violations of ethical and procedural standards, and report them to the
9 Arizona State Bar.
- 10 3. **Reassign the Case:** As outlined in the Case Management Statement filed on
11 December 31, 2024, if a Default Judgment is not granted, Plaintiff respectfully
12 requests the reassignment of this case to a new judge. This measure is necessary to
13 ensure impartiality, fairness, and the restoration of due process, given the extensive
14 procedural irregularities and constitutional violations that have been documented
15 throughout these proceedings. Reassignment would provide an opportunity for
16 unbiased evaluation and adherence to the principles of justice.
- 17 4. **Provide Affirmative Relief:** Affirm Plaintiff's rights under the Arizona Constitution
18 and the Fourteenth Amendment to the U.S. Constitution, ensuring that due process
19 and procedural fairness are upheld.

20 As mentioned previously, The Defendants and their legal counsel, Augustus H. Shaw IV,
21 persist in their efforts to mislead the Court by refusing to acknowledge the Notice of Appeal
22 properly filed and served on December 17, 2024. This refusal is clearly documented in the
23 Certification of Service and the motion filed on December 23, 2024. Moreover, their continued
24 filing of motions directly violates Judge Roderick Coffey's court order issued on December 13,
25 2024, further demonstrating a deliberate disregard for procedural rules. These actions exemplify
26 their ongoing attempts to subvert justice, undermine the judicial process, and erode the Plaintiff's
27 right to fair treatment under the law.

28 The Plaintiff underscores that if these systemic issues are not adequately addressed,
escalation to the Arizona Court of Appeals and the Arizona Supreme Court will become
unavoidable. Immediate Court intervention is imperative to protect the Plaintiff's rights, rectify
the procedural abuses, and uphold the integrity and fairness of the judicial process.

1 **CERTIFICATE OF SERVICE**

2 On the 31st day of December 2024, I served copies of this *PLAINTIFF SEPARATE CASE*
3 *MANAGEMENT REPORT* for on all parties of record electronically via Turbo Court and
4 via U.S. Mail on the 3rd of January 2025.

5 **Defendants**

- 6
- 7 • Names: Gardens Gilbert Community Association (GGCA), Focus HOA Management,
8 LLC (Focus HOA); Harmin Cadis; Brooke Sortor, and Anna Shultz
 - 9 • Address: 4135 S. Power Road, Suite #133, Mesa, Arizona 85212
 - Role: Defendant's

10

11 **Defendant's Legal Counsel**

- 12
- 13 • Name: Augustus Shaw IV
 - 14 • Address: 4523 E. Broadway Road, Phoenix, Arizona 85040
 - Role: Defendant's Legal Counsel

15

16 Respectfully submitted this 31st day of December, 2024.

17 

18
19 Sandra Rodriguez
20 Plaintiff, Pro Se
21
22
23
24
25
26
27
28

Sandra Rodriguez v. Gardens Gilbert Community Association, Focus HOA Management, LLC

And Associates Anna Schultz, Harmin Cadis, and Brooke Sortor

Maricopa Superior Court Case No.: CV2024-005940

Appeals Court of Arizona (District One) Case No.: 1 CA-CV 24-0803

Supreme Court of Arizona Case No.: CV 24-0286-PR

EXHIBIT 1



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Final Deadline for Response to Good Faith Settlement Efforts (Rodriguez v. Gardens Gilbert - CV2024-005940)

2 messages

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Tue, Dec 31, 2024 at 8:00 AM

To: Elizabeth Mundall <elizabeth@shawlines.com>, Augustus Shaw <ashaw@shawlines.com>, Brooke Sortor <Brooke@focushoa.com>, Harman Cadis <harman@focushoa.com>, Anna Schultz <anna6890@yahoo.com>

Dear Mr. Augustus H. Shaw IV, Gardens Gilbert Community Association, Focus HOA Management LLC, Harmin Cadis, Brooke Sortor, and Anna Schultz,

I am writing to formally document that I have not yet received a response to my good faith settlement efforts. In light of the holiday season, I am extending a final deadline for your response. Please provide a reply no later than **8:00 AM on Friday, January 3, 2024**.

Thank you for your attention to this matter, and I look forward to your timely response.

Best regards,
Sandra Rodriguez

On Fri, Dec 27, 2024 at 2:19 PM Sandra Rodriguez <sandra.rodriguez0339@gmail.com> wrote:

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 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

www.shawlines.com

CONFIDENTIALITY STATEMENT: THIS E-MAIL MESSAGE AND ANY ACCOMPANYING DOCUMENTS CONTAIN INFORMATION WHICH IS ATTORNEY PRIVILEGED, CONFIDENTIAL AND INTENDED ONLY FOR THE USE OF THE ABOVE-NAMED RECIPIENT. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, PRINTING OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE OR RETURN THE E-MAIL MESSAGE TO US. THANK YOU. This firm may act as a debt collector. Any information obtained will be used for that purpose.

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Tue, Dec 31, 2024 at 4:23 PM

To: Elizabeth Mundall <elizabeth@shawlines.com>, Augustus Shaw <ashaw@shawlines.com>, Brooke Sortor

<Brooke@focushoa.com>, Harman Cadis <harman@focushoa.com>, Anna Schultz <anna6890@yahoo.com>

Bcc: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Dear All,

I am writing to inform you that, due to the submission of false information to the court, I am rescinding the previously established deadline. The false good-faith certification presented highlights a lack of good faith and ethics, necessitating the escalation of this matter as both a civil and constitutional issue.

Despite multiple attempts to resolve this matter, including responding to Elizabeth's email, neither she nor Augustus H. Shaw IV, nor the listed defendants (Gardens Gilbert Community Association, Focus HOA Management, LLC, Anna Schultz, Brooke Sortor, and Harmin Cadis), have responded or engaged in good faith negotiations.

Please note that this email will be shared with the court as evidence of the ongoing lack of cooperation and good faith efforts.

Thank you for your attention to this matter.

Sincerely,

Sandra Rodriguez

[Quoted text hidden]