



1 Defendants, through undersigned counsel’s representatives, attempted to contact  
2 Plaintiff by phone 480-516-6785, the phone number of record) on Friday, December 20,  
3 2024 at 3:43 PM. Plaintiff did not answer and the undersigned counsel’s representatives  
4 left voice messages for Plaintiff. As of the date and time of the filing of this Certificate,  
5 neither undersigned counsel nor undersigned counsel’s representatives have received a  
6 return phone call.  
7

8  
9 In addition, Defendants through undersigned counsel’s representatives, sent e-  
10 mails and letters to Plaintiff on Friday, December 20, 2024, and on Friday, December 27,  
11 2024, requesting a meet and confer conference and providing the Plaintiff with a copy of  
12 Ariz R. Civ. P.  
13

14 Ariz. R. Civ. P. 7.1(h) states:

15 **(h) Good Faith Consultation Certificate.** When these rules require that a “good  
16 faith consultation certificate” accompany a motion or that the parties otherwise  
17 consult in good faith, the movant must attach to the motion a separate statement  
18 certifying and demonstrating that the movant has tried in good faith to resolve the  
19 issue by conferring with--or attempting to confer with--the party or person  
20 against whom the motion is directed. The consultation required by this rule must  
21 be in person or by telephone, and not merely by letter or email. (Emphasis Added)

22 As stated above, Defendants attempted to confer with the Plaintiff regarding the  
23 Joint Report and Scheduling Order but was unable to meet and confer due to the Plaintiff’s  
24 refusal to return the Defendants’ counsels phone calls, letters, and e-mails.

25 As such, Defendants request that the Court hold that undersigned counsel has  
26 complied with the requisite rules governing the good faith consultation pursuant to Ariz.  
27  
28

1 R. Civ. P. 12 (j) and 7.1(h), prior to filing their Joint Report and Scheduling Order to be  
2 filed.

3  
4 DATED this 31<sup>st</sup> day of December 2024.

5 **SHAW & LINES, LLC**

6 /s/ Augustus H. Shaw, IV  
7 Augustus H. Shaw IV, Esq.  
8 4523 E. Broadway Rd.  
9 Phoenix, Arizona 85040  
*Attorneys for Defendants*

10 ORIGINAL submitted for filing this  
11 31<sup>st</sup> day of December 2024 to:

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

15 COPY of the foregoing mailed this  
16 31<sup>st</sup> day of December 2024 to:

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

20 By: /s/ Elizabeth Mundall

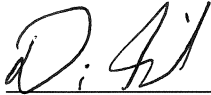
# **EXHIBIT A**

AFFIDAVIT

STATE OF ARIZONA )  
 ) ss.  
County of Maricopa )

I Diane Fincher, a paralegal with Shaw & Lines, LLC, hereby swear and attest that I called Plaintiff Sandra Rodriguez on Friday, December 20, 2024, at 3:43PM regarding the Joint Report and Scheduling Order and request to set up a time to consult with Augustus H. Shaw, IV. Plaintiff did not answer, and a voicemail was left.

I declare and verify under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Diane Fincher - Paralegal



# SHAW & LINES, LLC

ATTORNEYS AT LAW

**Attorneys**

Augustus H. Shaw IV\*†

Mark E. Lines \*\*†

\*Also licensed in Nebraska

\*\* Also licensed in Utah

† Member, College of Community Association Lawyers

**Address**

4523 E. Broadway Rd.

Phoenix, Arizona 85040

**Phone/Fax/Web**

p 480-456-1500

f 480-456-1515

www.shawlines.com

December 20, 2024

SENT VIA US MAIL

& E-MAIL: [Sandra.rodriquez0339@gmail.com](mailto:Sandra.rodriquez0339@gmail.com)

Sandra Rodriquez  
4735 E Besty Lane  
Gilbert, AZ 85296

RE: SANDRA RODRIGUEZ V. GARDENS GILBERT  
Maricopa County Superior Court Case No. CV2024-005940  
**RULE 16(b) MEET AND CONFER REQUEST**

Dear Sandra Rodriquez,

Pursuant to Rule 16(b), Ariz. R. Civ. P. and the courts Order dated December 12, 2024, we are required to have a telephone conversation or an in-person meeting to discuss the following by **December 30, 2024**. Rule 16(b), Ariz. R. Civ. P. states:

(1) *Timing; Purpose.* At the earliest practicable time, but no later than 30 days after a party files an answer or files a motion directed at the complaint, or 120 days after the action commences--whichever occurs first--that party and the plaintiff must meet and confer about the anticipated course of their case, including the tier to which it should be assigned under Rule 26.2 and the subjects set forth in Rule 16(b)(2) and (c). The parties must discuss whether and how they can agree to streamline and limit claims and affirmative defenses to be asserted, discovery to be taken, and motions to be brought. The purpose of the conference is to plan cooperatively for the case, and to facilitate the case's placement in one of three tiers discovery. The attorneys of record and all unrepresented parties who have appeared in the action are jointly responsible for arranging and participating in the Early Meeting.

(2) *Topics for Early Meeting.* The parties should discuss at least:

(A) their anticipated disclosures concerning witnesses, including the number of fact witnesses, whether they will seek to use expert

witnesses, and how much deposition testimony they expect will be necessary;

(B) their anticipated disclosures of documents, including any issues already known to them concerning electronically stored information;

(C) motions they expect to file, so that the parties can determine whether any of the motions can be avoided by stipulations, amendments, or other cooperative activity;

(D) any agreements that could aid in the just, speedy, and inexpensive resolution of the case;

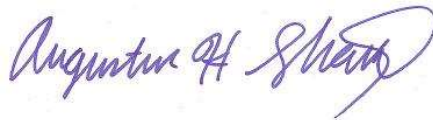
(E) the discovery tier to which the case should be assigned under Rule 26.2, and whether the parties wish to stipulate--or any party wishes to move for--assignment to a tier other than that to which the case would be assigned given the amount in controversy; and

(F) the subjects set forth in Rule 16(c).

Will you let me know when you are available for a conference regarding the above? I look forward to hearing from you.

If you would like to discuss this matter further, I am available for a call at your convenience.

Sincerely,

A handwritten signature in purple ink that reads "Augustus H. Shaw IV". The signature is written in a cursive, flowing style.

Augustus H. Shaw IV, Esq.  
For the Firm

## Elizabeth Mundall

---

**From:** Elizabeth Mundall  
**Sent:** Friday, December 20, 2024 2:32 PM  
**To:** Sandra Rodriguez  
**Cc:** Augustus Shaw; Diane Fincher  
**Subject:** Rodriguez v. Gardens Gilbert - CV2024-005940  
**Attachments:** Rule 16b Meet and Confer Request Letter.pdf; Joint Report.doc; DRAFT Scheduling Order.docx

Good afternoon,

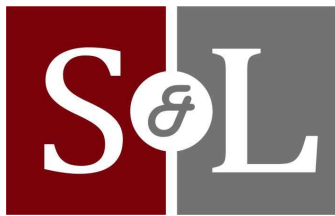
Attached please find a letter, Joint Report and scheduling Order in regard to the above referenced matter.

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](http://www.shawlines.com)

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# SHAW & LINES, LLC

## ATTORNEYS AT LAW

### Attorneys

Augustus H. Shaw IV\*†

Mark E. Lines \*\*†

\*Also licensed in Nebraska

\*\* Also licensed in Utah

† Member, College of Community Association Lawyers

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4523 E. Broadway Rd.

Phoenix, Arizona 85040

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December 27, 2024

SENT VIA US MAIL

& E-MAIL: [Sandra.rodriquez0339@gmail.com](mailto:Sandra.rodriquez0339@gmail.com)

Sandra Rodriquez  
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Gilbert, AZ 85296

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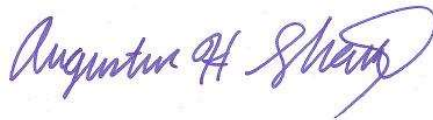
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Augustus H. Shaw IV, Esq.  
For the Firm

## Elizabeth Mundall

---

**From:** Elizabeth Mundall  
**Sent:** Friday, December 27, 2024 1:25 PM  
**To:** Sandra Rodriguez  
**Subject:** Rodriguez v. Gardens Gilbert - CV2024-005940  
**Attachments:** Joint Report.doc; DRAFT Scheduling Order.docx; 12.27.24 Rule 16b Meet and Confer Request Letter.pdf

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**  
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Phoenix, Arizona 85040  
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