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5           Augustus H. Shaw IV, SBN 021593

          Attorney for Defendants

6                           **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

7                           **IN AND FOR THE COUNTY OF MARICOPA**

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9           SANDRA RODRIGUEZ,

  Plaintiff,

10           vs.

11           GARDENS/GILBERT        COMMUNITY  
12           ASSOCIATION, an Arizona non-profit  
13           corporation,

14   Defendants.

Case No. CV2024-005940

**RESPONSE TO PLAINTIFF’S  
SUPPLEMENTAL MOTION FOR  
DESIGNATION OF ADDITIONAL  
RECORDS**

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17           As ordered by the Court in its Minute Entry dated February 24, 2025, Defendant  
18           Gardens Gilbert Community Association (hereafter, the “Defendant”), Defendant Anna  
19           Schultz (hereafter the “BOD Officer”); Focus HOA Management, LLC (hereafter, “Focus  
20           HOA”); Harman Cadis, an employee of Focus HOA Management, LLC (hereafter,  
21           “Cadis”) and Brooke Sortor, an employee of Focus HOA Management, LLC (hereafter,  
22           “Sortor and together with Defendant, BOD Officer, Focus HOA and Cadis collectively  
23           referred to herein as “Defendants”), by and through undersigned counsel, hereby submit  
24           this Response to Plaintiff’s Supplemental Motion for Designation of Additional Records  
25           (hereafter, the “Motion”).  
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1 Pursuant to Rule 11(a), Arizona Rules of Civil Appellate Procedure (ARCAP):

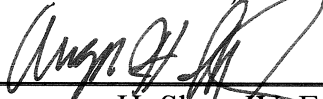
2 The record on appeal consists of: (1) The official record, which consists of  
3 documents (including minute entries, exhibit lists, transcripts, and other  
4 items) filed in the superior court before and including the effective date of  
5 the filing of a notice of appeal, a notice of cross-appeal, or an amended  
6 notice of appeal; the index prepared under Rule 11.1(a); exhibits; and (2)  
7 Transcripts of oral proceedings in the superior court that the parties ordered,  
8 or other narratives prepared under this Rule, and that are not otherwise  
9 contained within the official record.

10 It appears that the Plaintiff is requesting additional documents be provided pursuant  
11 to Rule 11(b) and Rule 11(c), ARCAP at no cost to the Plaintiff. Rule 11(b) and Rule  
12 11(c), ARCAP requires the Plaintiff to order and pay for “transcripts of oral proceedings”  
13 and other transcripts. The Plaintiff has not complied with Rule 11(b) and Rule 11(c),  
14 ARCAP. Moreover, the Plaintiff’s request is not timely under Rule 11(c), ARCAP.

15 Therefore, the Defendants respectfully request that the Plaintiff’s requests in the  
16 Motion be denied. Defendants also request an award of their attorney’s fees and costs  
17 incurred by the Defendants to respond to the Motion.

18 DATED this 25<sup>th</sup> day of February 2025.

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20 **SHAW & LINES, LLC**

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22 \_\_\_\_\_  
23 Augustus H. Shaw IV, Esq.  
24 4523 E. Broadway Rd.  
25 Phoenix, Arizona 85040  
26 *Attorneys for Defendants*  
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1 ORIGINAL submitted for filing this  
2 25<sup>th</sup> day of February 2025 to:

3 Clerk of the Court  
4 Maricopa County Superior Court  
5 (Via E-Filing online – Turbo Court)

6 COPY of the foregoing mailed this  
7 25<sup>th</sup> day of February 2025 to:

8 Sandra Rodriguez  
9 4375 E Besty Lane  
10 Gilbert, Arizona 85296  
11 *Defendant*

12 By: /s/ Diane Fincher

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