

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-005940

04/30/2025

HONORABLE RODRICK COFFEY

CLERK OF THE COURT
A. Walker
Deputy

SANDRA RODRIGUEZ

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4375 E BETSY LN
GILBERT AZ 85296

v.

GARDENS GILBERT COMMUNITY
ASSOCIATION, et al.

AUGUSTUS H SHAW IV

JUDGE COFFEY

MINUTE ENTRY

The Court has reviewed Plaintiff's Emergency Motion to Compel Compliance With Governing Docume [sic] Fair Housing Require [sic] & Request Re [sic]. No response to that Motion was filed, but pursuant to the January 24, 2025 Order, no response was required unless the Court ordered Defendant to file one. Defendant is not required to file a response to that Motion.

The Motion is denied for multiple reasons. First, on January 24, 2025, in open court, at Plaintiff's request, the parties stipulated that this case be stayed until Plaintiff's pending appeal is resolved. The appeal has not been resolved yet. While true emergent circumstances might warrant the Court lifting that stay, the situation Plaintiff has described is not an emergency. Second, the issue raised in the Motion is not within the scope of the Complaint that Plaintiff filed, so it is not even part of this lawsuit – it is a completely new issue that is not encompassed by the

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pleadings. The Court does not adjudicate or resolve disputes that are not set forth in the pleadings. Third, The Court's role is not to micromanage every aspect of Plaintiff's relationship with Defendant. The Court cannot and will not intervene every time Plaintiff sends an e-mail to Defendant that does not receive a response as quickly as she thinks she should receive one. Fourth, to the extent that Plaintiff wants to request documents from Defendant as part of this lawsuit, after the pending appeal is resolved and the stay is lifted, she may utilize the various forms of discovery that are available under Rules 26-34 of the Arizona Rules of Civil Procedure. The Court will not order parties to produce documents within 48 hours just because Plaintiff wants them that quickly. Like all litigants, Plaintiff must follow the Rules and abide by the time frames that are set forth in the applicable Rules.

For all of those reasons,

IT IS ORDERED denying Plaintiff's Emergency Motion to Compel Compliance With Governing Docume [sic] Fair Housing Require [sic] & Request Re [sic].