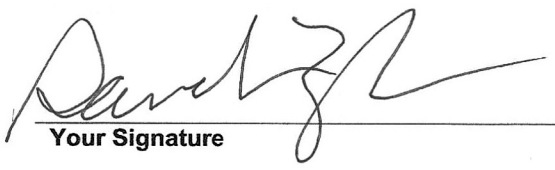


N/A

Today's Date: May 19, 2025


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: May 19, 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 May 19, 2025 (Judicial Officer assigned to your case)
Month Date Year

I mailed/delivered a COPY of the attached document(s) on this date: May 19, 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)

Gardens Gilbert Community Association et. al.

Shaw & Lines, LLC/Augustus H. Shaw IV

Name of Other Side

Name of Other Side's Lawyer

4135 S. Power Road, Ste. 133

4523 E. Broadway Road

Address

Lawyer's Address

Mesa, Arizona 85212

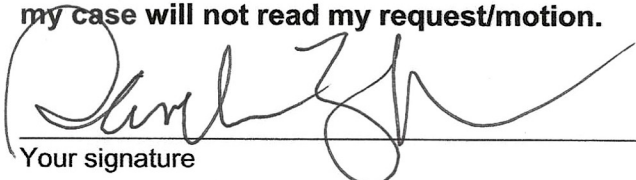
Phoenix, Arizona 85040

City, State, Zip

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

ADDENDUM A:

MOTION CONTEMPT OF COURT, BREACH OF STAY, AND SANCTIONS

TO THE HONORABLE JUDGE COFFEY:

COMES NOW Plaintiff Sandra Rodriguez, in propria persona, and respectfully moves this Court to find Defendants Gardens Gilbert Community Association (GGCA), Focus HOA Management LLC, the GGCA Board of Directors—including Anna Schultz, Brooke Sortor, and Harmin Cadis—as well as their representatives, affiliates, and legal counsel, Mr. Augustus H. Shaw IV, in civil contempt of court for knowingly and willfully violating this Court’s Stay Order issued on January 24, 2025. Plaintiff further requests that this Court impose both punitive and compensatory sanctions for Defendants’ role in *creating a hostile, unsafe, and retaliatory environment* surrounding Plaintiff and her children’s home, and for their continued interference with Plaintiff’s statutory and constitutional rights under Arizona and federal housing laws.

I. BACKGROUND AND SUMMARY OF VIOLATIONS

Since the entry of the stay on January 24, 2025, Defendants have escalated conflict rather than resolving matters in good faith. On May 19, 2025, Defendants again attempted to send to Plaintiff’s home an individual previously reported for harassment and trespass that was previously reported to the court November 2024.

This direct violation of the Court's stay order prompted a cease-and-desist from Plaintiff, stating:

“You continue to engage in further unlawful conduct, including dispatching individuals to my residence without permission, constituting trespass, harassment, and retaliation, in direct violation of both the court’s stay and applicable laws.”

In addition, Defendants have persistently refused to provide basic architectural records—documents necessary for Plaintiff to replace hazardous windows and maintain a safe living environment. As Plaintiff wrote:

“These delays are not just procedural—they are placing my children and me in direct harm due to unsafe and deteriorating living conditions.”

Just like in the video already submitted to the Court, rather than acting professionally and amicably to resolve the issue, the Defendants—alongside their legal counsel Mr. Shaw—have made matters more difficult, choosing escalation and legal intimidation over simple administrative cooperation.

II. A HOSTILE ENVIRONMENT IN AND AROUND THE FAMILY’S HOME

Defendants’ actions have created a physically and emotionally hostile environment around Plaintiff’s residence. These actions include:

- Sending known harassing individuals to her home;
- Refusing to provide documentation necessary to conduct safety repairs;
- Cutting off communication after judicial instruction not to copy the Court on emails.

Plaintiff has explicitly stated:

“It is neither safe nor appropriate for me to engage in-person or by phone with Focus HOA Management LLC. This has been clearly documented and captures a pattern of hostile conduct.”

These actions have subjected Plaintiff and her children to fear, exposure to mold, and unsafe living conditions—consequences directly tied to Defendants’ unlawful and unethical behavior.

III. ESCALATION WAS ENTIRELY PREVENTABLE

This entire situation could have been avoided. Defendants could have simply responded to Plaintiff's April 2, 2025 request with a form and basic instructions. Instead, they delayed for over 40 days, refused to clarify the process, and turned a routine architectural inquiry into a battleground.

As Plaintiff noted:

“This unjustified escalation was entirely preventable. Rather than resolve the matter through transparency and good faith, Defendants have used their legal resources not to protect the law but to intimidate and punish me for asserting my civil rights.”

IV. OBSTRUCTION OF STATUTORY HOUSING RIGHTS AND ETALIATION

Despite Plaintiff clarifying that her requests were based on her rights under A.R.S. § 33-1805, Mr. Shaw falsely claimed that:

“I will not respond to any e-mail communications regarding issues not involving the current litigation...”

This is not only incorrect—it is retaliatory. By refusing to respond to Plaintiff's statutory requests and then invoking the Court's stay selectively, Defendants have interfered with rights protected under:

- **Fair Housing Act** – 42 U.S.C. § 3617
- **Arizona Civil Rights Act** – A.R.S. § 41-1491.18
- **Arizona Planned Communities Act** – A.R.S. § 33-1806.01(B)
- **42 U.S.C. § 1983** – civil rights violations under color of law

V. DISCRIMINATORY PATTERN AND SOCIO-ECONOMIC COERCION

As a Latina woman and single mother with limited financial resources, Plaintiff has been subjected to punitive legal tactics that reflect systemic racial and socio-economic bias. Defendants' selective enforcement, escalation of minor disputes, and refusal to cooperate in housing matters demonstrate a pattern of exclusion and coercion.

"Asserting my civil rights has repeatedly resulted in retaliation... my socioeconomic status and ethnicity appear to influence how I am treated by the HOA and its legal representatives."

This behavior must be condemned to prevent abuse of power against others similarly situated.

VI. PREJUDICIAL COURT COMMUNICATION ENABLED ESCALATION

On May 16, 2025, the Court's assistant directed Plaintiff to:

"Please remove the court from this email chain."

Defendants immediately used this directive to cut off communication entirely. Mr. Shaw responded:

"Email communications will no longer be accepted."

This one-sided instruction effectively silenced Plaintiff, leaving her unable to obtain documents required to make her home safe. It also emboldened Defendants' misconduct under the shield of procedural pretext.

V. PREJUDICE CAUSED BY COURT'S UNEVEN APPLICATION OF COMMUNICATION BOUNDARIES

On May 16, 2025, the Court's judicial assistant directed Plaintiff to stop including the Court on email chains. Within minutes, Mr. Shaw seized upon that directive to state that he and his clients would no longer respond—even to legally required architectural submissions.

This silencing maneuver cut off Plaintiff's last safe and lawful communication channel. She was left with no path to request repairs, furthering exposure to unsafe conditions.

VI. NOTICE TO THE COURT OF APPEALS

Plaintiff hereby gives formal notice that the facts outlined in this Motion will be submitted to the Arizona Court of Appeals as further evidence of:

- **Ongoing and escalating housing discrimination, harassment, and retaliation;**
- **Selective and inconsistent enforcement** of judicial directives;
- **Structural bias that has impaired Plaintiff's ability to protect** her home, safety, and rights;
- **Misconduct by opposing counsel, Mr. Augustus H. Shaw IV**, who has exploited this Court's Stay Order to engage in retaliatory and obstructive behavior under the guise of legal process.

This Court's failure to intervene, despite repeated notice of unlawful conduct, has emboldened Defendants and their counsel to take unchecked and punitive actions against Plaintiff. As a result, Plaintiff has been subjected to repeated violations of her constitutional rights and statutory housing protections—including those guaranteed under the Fair Housing Act, the Arizona Civil Rights Act, and the Arizona Planned Communities Act.

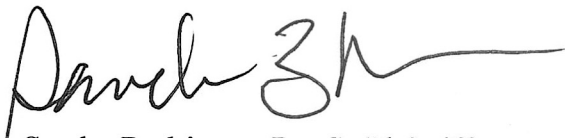
The judicial record must reflect that Defendants' misconduct has not occurred in isolation, but in part due to the Court's inaction in the face of escalating abuse—leaving a pro se litigant vulnerable to systemic coercion, discrimination, and deprivation of due process.

VII. REQUEST FOR RELIEF

Plaintiff respectfully requests that this Court:

1. **Find Defendants and Mr. Augustus H. Shaw IV in civil contempt** of the Court's January 24, 2025 Stay Order;
2. **Acknowledge that Defendants have created a hostile, unsafe, and discriminatory environment** around Plaintiff and her children's home;
3. **Impose sanctions, including:**
 - Monetary penalties and compensatory damages;
 - An order compelling production of all governing documents and architectural review policies;
 - Prohibition of any further in-person contact or third-party visits to Plaintiff's property without prior Court approval;
 - Permission for Plaintiff to copy the Court on future communications related to violations of stay or housing rights;
4. **Reaffirm this Court's commitment to equal access to justice**, fair treatment under the law, and protection of unrepresented residents from retaliation, intimidation, and abuse of process.

Respectfully submitted this 19th day of May, 2025.

A handwritten signature in black ink, appearing to read 'Sandra Rodriguez', with a long horizontal flourish extending to the right.

Sandra Rodriguez, Pro Se Plaintiff

VIII. LEGAL PRECEDANTS AND APPLICABLE LAWS

1. **Arizona Planned Communities Act (A.R.S. § 33-1807):** Requires homeowners' associations to comply with specific notice, procedural, and recordkeeping obligations related to member communications and assessments. Defendants failed to adhere to these duties by withholding required forms and refusing to process architectural requests, as documented in the attached communications. Their noncompliance obstructed Plaintiff's ability to complete critical home repairs and ensure her family's safety.
2. **Arizona Nonprofit Corporation Act (A.R.S. § 10-11601):** Grants HOA members the right to inspect financial and governance records. Denial of access obstructed Plaintiff's compliance efforts and caused financial and emotional harm.
3. **A.R.S. § 33-1804(A):** Requires HOAs to act in good faith and in accordance with governing documents. Defendants' actions reflect willful disregard of this statute.
4. **A.R.S. § 44-1522 (Arizona Consumer Fraud Act):** Prohibits deceptive practices in consumer transactions, including misrepresentation and unfair conduct in HOA matters.
5. **Arizona Constitution, Article 2, Section 4:** Guarantees due process and equal protection of the laws in disputes involving property rights.
6. **Fair Housing Act (42 U.S.C. § 3617):** Prohibits retaliation, harassment, and interference with any person exercising housing rights. Applicable due to hostile conduct toward Plaintiff based on protected class and protected activity.
7. **A.R.S. § 33-1806.01(B):** Prohibits retaliation against HOA members for asserting their legal rights.
8. **42 U.S.C. § 1983:** Provides a cause of action for deprivation of civil rights under color of state law.
9. **Restatement (Second) of Torts § 46(1):** Grounds liability for intentional or reckless infliction of emotional distress.
10. **A.R.S. § 12-542:** Establishes the two-year statute of limitations for personal injury claims, applicable to emotional distress and housing-related harms.

IX. CASE LAW SUPPORTING DAMAGES

1. ***Farr v. Transamerica Occidental Life Ins. Co.*, 145 Ariz. 1 (App. 1988)**: Authorized emotional distress damages arising from financial misconduct.
2. ***Ford v. Revlon, Inc.*, 734 P.2d 580 (Ariz. 1987)**: Recognized compensatory and punitive damages for intentional infliction of emotional distress.
3. ***Rowland v. Christian*, 443 P.2d 561 (Cal. 1968)**: Imposed a duty of reasonable care, supporting negligent infliction of emotional distress.
4. ***Sanzaro v. Ardiente HOA*, 513 Fed. Appx. 607 (9th Cir. 2013)**: Upheld Fair Housing Act retaliation claims against an HOA for discriminatory and retaliatory practices.
5. ***Shelley v. Kraemer*, 334 U.S. 1 (1948)**: Held that courts cannot enforce discriminatory private agreements without violating the Equal Protection Clause—supporting the argument that judicial inaction can perpetuate unlawful discrimination.
6. ***Harris v. Itzhaki*, 183 F.3d 1043 (9th Cir. 1999)**: Recognized that a plaintiff may establish Fair Housing Act violations through indirect evidence of discriminatory intent—relevant to Defendants’ pattern of exclusion and obstruction.
7. ***Village of Arlington Heights v. Metro. Housing Dev. Corp.*, 429 U.S. 252 (1977)**: Established that discriminatory intent may be inferred from disparate treatment and procedural deviation—supporting Plaintiff’s claims of unequal enforcement and bad faith.
8. ***Monteiro v. Tempe Union High Sch. Dist.*, 158 F.3d 1022 (9th Cir. 1998)**: Confirmed that public entities can be liable under § 1983 for policies or customs that result in constitutional harm—applicable to structural bias and unchecked HOA retaliation.
9. ***Christiansburg Garment Co. v. EEOC*, 434 U.S. 412 (1978)**: Clarified that sanctions may be warranted when claims are maintained in bad faith—supporting punitive relief under A.R.S. § 12-349 and Rule 11.

EXHIBIT #1



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Records Request – Stay Does Not Prohibit Statutory Access to Non-Discovery Materials (CV2024005940)

2 messages

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Fri, May 16, 2025 at 5:19 PM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Brooke Sortor <Brooke@focushoa.com>, Harman Cadis <Harman@focushoa.com>, Anna Schultz <anna6890@yahoo.com>, coyanbidwell@gmail.com

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

Mr. Shaw,

I write to reiterate that my request for documents relating to window standards, architectural review processes, and related HOA governance procedures is entirely independent of the litigation and not subject to the stay issued in the January 24, 2025 Minute Entry.

These documents are not personal property, confidential, or litigation-specific. Rather, they constitute non-privileged community governance records that are expressly subject to homeowner access under A.R.S. § 33-1805. As such, my request is based on statutory entitlement—not a discovery demand under the Arizona Rules of Civil Procedure.

Moreover, the stay granted by the Court applies solely to litigation proceedings—not to statutory rights outside the courtroom. Specifically:

Ariz. R. Civ. P. 7(a)(1) defines pleadings and motion practice within litigation, which are the matters the Court has stayed.

Ariz. R. Civ. P. 26 governs discovery procedures, but it is inapplicable here because I am not seeking documents through Rule 26 discovery mechanisms.

There is no provision in Rule 62 (Stay of Proceedings to Enforce a Judgment) or any other applicable rule that extends a stay to bar parties from fulfilling independent statutory duties unrelated to court enforcement actions or pleadings.

The Court's stay order does not relieve the Gardens Gilbert Community Association or Focus HOA Management LLC of their obligation to provide records that homeowners are entitled to inspect by law. Attempting to shield routine, legally mandated HOA documents by misapplying the stay order mischaracterizes both the scope of the stay and the purpose of the Arizona Rules of Civil Procedure.

This continued refusal—under the guise of litigation—obstructs transparency, raises potential health and safety concerns, and reflects a troubling pattern of retaliation and selective enforcement. The Court's stay is not a tool for discrimination or to deny me access to materials that affect my home and safety.

I again demand prompt access to the requested records. Failure to comply will be documented as further evidence of obstruction and retaliation.

Sincerely,

Sandra Rodriguez

On Fri, May 16, 2025, 5:00 PM Augustus Shaw <ashaw@shawlines.com> wrote:

Ms. Rodriguez,

Pursuant to the attached Order of the Court, this litigation has been stayed; which includes discovery and disclosure requests. As such, unless ordered by the Court pursuant to the attached Order, I will not respond to your request for discovery and disclosure.

Also, as requested by the Court, I will no longer include the Court on e-mail correspondences.

If you are making a non-litigation related request for Association records, please direct all communication regarding said request to Gardens Gilbert Community Association, [4135 S. Power Rd, Suite 133, Mesa, AZ 85212](#) via U.S. Mail only. E-mail communications will no longer be accepted or responded to by the Association.

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

web site 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.

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

Sent: Friday, May 16, 2025 3:50 PM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>; Audrey Cage (SUP) <audrey.cage@jbazmc.maricopa.gov>; Brooke Sortor <Brooke@focushoa.com>; Harman Cadis <Harman@focushoa.com>; Anna Schultz <anna6890@yahoo.com>; coyanbidwell@gmail.com

Subject: Continued Obstruction, Legal Entitlement to Documentation, and Request for Immediate Action (CV2024005940)

Dear Mr. Shaw,

This correspondence serves as a formal reminder and reiteration of my request for immediate access to governing documents under the Arizona Nonprofit Corporation Act and relevant provisions of federal Fair Housing laws, including the Fair Housing Act (42 U.S.C. § 3601 et seq.), and Arizona's Fair Housing statutes (A.R.S. §§ 41-1491 to 41-1491.37). These documents are necessary for the proper evaluation and approval of my pending Architectural Form.

To date, you continue to refuse to provide the documents I am legally entitled to review, continuing a pattern of obstruction that directly interferes with my ability to complete essential repairs—specifically, the replacement of windows in my home. These delays are not just procedural—they are placing my children and me in direct harm due to unsafe and deteriorating living conditions.

I must also emphasize that it is neither safe nor appropriate for me to engage in-person or by phone with Focus HOA Management LLC. This has been clearly documented through video and audio evidence already submitted to both the Maricopa County Superior Court and the Arizona Court of Appeals. The recordings capture a pattern of hostile conduct, refusal to comply with lawful requests, and a threatening environment, all of which make such contact objectively unsafe and unreasonable under any legal or ethical standard. Forcing me to pursue communication through those channels constitutes a continuation of harassment, discrimination, and egregious retaliatory behavior, and must not be tolerated.

As the Defendants' legal counsel, you have a duty to comply with both state and federal law. You cannot evade this obligation by deflecting responsibility to third parties who have already demonstrated threatening and discriminatory conduct. As a result, you are legally required to provide the requested documentation directly and ensure the proper, lawful review of my Architectural Form.

The current obstruction—paired with the Court's prior directive that I not include it in these communications, while opposing counsel continues to do so—has created an inherently prejudicial and one-sided environment. The impact is punitive and irreparable. I am entitled to fair and equal access to the processes governing my home and my rights as a homeowner.

Once again, I am requesting:

1. Immediate production of all relevant architectural standards, design protocols, and governing documents relied on to issue the May 14, 2025 denial.
2. Written confirmation that my prior submission (including photos submitted April 2, 2025) will be reconsidered without further obstruction.
3. Formal amendment and approval of my architectural request without delay.

Failure to provide these materials promptly may result in further legal action and an expansion of claims for damages. I hope you will act in accordance with your legal obligations and the seriousness of the issues at hand.

It is deeply troubling that instead of accountability, I am encountering further retaliation. The Court's own communications limiting my ability to include it in this process have emboldened this behavior, reinforcing the unequal treatment I am being subjected to. In effect, this has allowed your misconduct and the Defendants' obstruction to escalate unchecked, while my rights as a homeowner and a protected party under fair housing law continue to be violated.

If this matter is not fully resolved—including receipt of the requested documentation and an amended approval of my architectural application—by 12:00 PM Monday, May 19, 2025, I will be left with no choice but to formally elevate the matter to the Arizona Court of Appeals, and, if necessary, the Arizona Supreme Court. The record already reflects a pattern of retaliation, exclusion, and discrimination that raises serious public policy concerns far beyond the confines of this single dispute.

The role of the courts is not to enable harassment, retaliation, or silence in the face of rights violations.

Unfortunately, that is exactly what has occurred here. I am respectfully asking that this stop immediately—and that you comply with your legal obligations without further obstruction.

I am including Coyan Bidwell, owner of Gardens Gilbert Community Association, and Anna Schultz, President of the GGCA Board of Directors, so they are fully aware that Mr. Shaw's conduct is not only escalating litigation unnecessarily, but also driving up costs for the Association and its homeowners through continued obstruction and avoidable conflict.

Sincerely,

Sandra Rodriguez

Note: While I will refrain from including Judge Roderick Coffey's office in future communications at this time, I expressly reserve the right to report any continued prejudicial, biased, or discriminatory conduct by the Court through all appropriate legal and administrative channels.

On Fri, May 16, 2025, 3:01 PM Augustus Shaw <ashaw@shawlines.com> wrote:

Ms. Rodriguez,

Pursuant to the attached Order of the Court, this litigation has been stayed; which includes discovery and disclosure requests. As such, unless ordered by the Court pursuant to the attached Order, I will not respond to your request for discovery and disclosure.

Also, as requested by the Court, I will no longer include the Court on e-mail correspondences.

If you are making a non-litigation related request for Association records, please direct all communication regarding said request to Gardens Gilbert Community Association, [4135 S. Power Rd, Suite 133, Mesa, AZ 85212](#) via U.S. Mail only. E-mail communications will no longer be accepted or responded to by the Association.

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

web site www.shawlines.com

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

From: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
Sent: Friday, May 16, 2025 2:28 PM
To: Augustus Shaw <ashaw@shawlines.com>
Cc: Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>; Audrey Cage (SUP) <audrey.cage@jbazmc.maricopa.gov>; Brooke Sortor <Brooke@focushoa.com>; Harman Cadis <Harman@focushoa.com>
Subject: Re: Ongoing Nonresponse and Interference with Architectural Compliance

Dear Mr. Shaw,

I am writing to formally request that you, as legal representative for the Gardens Gilbert Community Association (GGCA) and Focus HOA Management LLC, provide the specific governing documents that clearly outline the protocols, standards, and approval criteria used by the Architectural Review Committee (ARC) for homeowner modification requests.

To date, neither the HOA nor Focus HOA has provided me with any detailed guidelines—whether from the CC&Rs, Architectural Standards, Articles of Incorporation, or any Rules and Regulations—that establish or explain the requirements for items such as window glass color or photo submissions. The denial letter I received dated May 14, 2025, references the need for additional materials, including a picture of the windows and the color of the glass, but does not cite any legitimate or consistent written policy supporting these demands.

Furthermore, I would like to clarify that I already submitted two pictures of the windows in my original email on April 2, 2025. This makes the ARC's stated reason for denial inaccurate and further supports my concern that my request is being obstructed without cause or consistency. At no point during my time as a homeowner was I provided clear, specific architectural requirements. As of May 2024, my access to the HOA portal was removed, and even before that, no guidelines regarding the replacement of windows were made available to me.

I proactively asked for clear direction to avoid delay and ensure compliance, and yet I've been met with vague, shifting requirements that have no documented basis. The refusal to act on my request in a timely or transparent manner has become part of a larger pattern of obstruction and retaliation.

As such, I am respectfully requesting the following:

1. That you immediately provide the governing documents or written standards which explicitly outline the specifications the ARC relied on when denying my request.
2. That you identify exactly where in those documents the ARC is authorized to require sample pictures and glass color specifications for window replacements.
3. That GGCA amend its May 14, 2025 denial and approve my request without further delay, as no valid, written basis for the denial has been provided, and the requested photo documentation was already submitted over a month prior.

This obstruction continues to prevent me from addressing serious health and safety concerns in my home, including mold exposure, which is now affecting the well-being of my children and me. This ongoing delay not only jeopardizes our health but further exposes yourself and your clients to liability, including compensatory damages.

I'm including Judge Roderick Coffey's office in this communication to respectfully seek oversight—not to overwhelm the Court, but because continued obstruction, lack of transparency, and harm to my family's health require judicial support. I trust the Court will ensure the law is followed and protections upheld.

I have acted in good faith throughout this process. I hope I can receive it in return to process this quickly and efficiently.

I appreciate your time and look forward to your providing an approval so we can all moved forward.

Sincerely,

Sandra Rodriguez

On Fri, May 16, 2025, 11:26 AM Augustus Shaw <ashaw@shawlines.com> wrote:

Ms. Rodriguez,

As a courtesy, please see the attached.

As this matter does not involve the current litigation, please do not communicate with me regarding your “architectural compliance questions.” I will not respond to any e-mail communications regarding issues not involving the current litigation, including your “architectural compliance questions”

Please direct all communication regarding your “architectural compliance questions” to Gardens Gilbert Community Association, [4135 S Power Rd Suite 133, Mesa, AZ 85212](#) via U.S. Mail only. E-mail communications regarding “architectural compliance questions” will no longer be accepted or responded to.

Augustus H. Shaw IV†*

Shaw & Lines, LLC

[4523 E. Broadway Road](#)

[Phoenix, AZ 85040](#)

Phone 480-456-1500

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

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

Sent: Friday, May 16, 2025 9:00 AM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>; Audrey Cage (SUP) <audrey.cage@jbazmc.maricopa.gov>; Brooke Sortor <Brooke@focushoa.com>; Harman Cadis <Harman@focushoa.com>

Subject: Ongoing Nonresponse and Interference with Architectural Compliance

Dear All,

This serves to formally document that, as of May 16, 2025—three full business days after Plaintiff's written request on May 13—Defendants and their counsel, Augustus Shaw IV, have continued to withhold a response to basic architectural compliance questions. These include essential clarifications regarding window specifications, patio gate replacement, and the standard application review timeline—routine matters typically addressed by Brooke Sortor and/or Focus HOA Management, LLC on behalf of the Gardens Gilbert Community Association.

Despite submission of the completed architectural form on May 13, neither the Defendants (Gardens Gilbert Community Association, Focus HOA Management, Harmin Cadis, Brooke Sortor) nor Mr. Shaw has answered the follow-up questions that are necessary for compliance and timely repair of hazardous property conditions. This follows more than 41 days of prior delay since Plaintiff's original request on April 2, 2025.

Three business days is a reasonable time to respond under standard HOA practice, especially where health and safety are involved and given the ongoing delays. Their continued silence further supports Plaintiff's request for judicial intervention, as previously presented to both this Court and the Arizona Court of Appeals.

This nonresponse underscores the Defendants' ongoing pattern of obstruction, adverse action, and noncompliance with the Fair Housing Act.

Thank you for your time and attention.

Sincerely,

Sandra Rodriguez

On Tue, May 13, 2025 at 11:55 AM Sandra Rodriguez <sandra.rodriguez0339@gmail.com> wrote:

Dear Augustus,

Thank you for providing the form. I'd appreciate it if you could also share the full process, as the current instructions don't specify which type of windows are required, whether approval is needed for all windows or only certain ones, or whether I'm free to choose the style—as I asked about in my earlier email. The instructions also don't address the patio gate. If you could please answer all the questions in my email attached previously dated April 3, 2025 I would sincerely appreciate it.

Please note that I'm making every effort to stay in compliance with GGCA's rules and regulations. Once received, could you also confirm how long the approval process typically takes, and whether I'll receive a direct response from you?

As your message confirms, I had not previously received the form, and I appreciate you attaching it now. However, I am unclear as to why email communication would have been restricted, particularly given that I have received other correspondence from your office following the date in question. As you are aware, and as supported by both community policy and applicable notice obligations under Arizona law—including those governing matters of property use and health and safety—parties are expected to maintain reliable channels of communication. Where such issues implicate potential health or safety risks, it is both reasonable and necessary to allow for temporary exceptions to any communication limitations to ensure compliance and resident well-being.

Accordingly, I am temporarily lifting the cease and desist solely for the limited purpose of obtaining the necessary documentation and guidance to address this issue and bring the property into a safe and compliant condition.

Thank you again for the information.

Sandra Rodriguez

On Tue, May 13, 2025 at 11:34 AM Augustus Shaw <ashaw@shawlines.com> wrote:

Mr. Rodriguez:

You have made several demands that I not communicate with you via e-mail (see first attachment), yet you have e-mailed me as indicated below.

Please do not take this correspondence as an offer to negotiate or engage in conversation or argument via e-mail. This correspondence is solely for the benefit of the Court to which you have copied to your below e-mail.

Attached please find proof that your requested “architectural application form and related process” was sent to you via certified mail (second attachment) to the address that you have provided to the Court, as you required in the first attachment. You refused to pick up the “architectural application form and related process” as indicated on the third attachment.

Also, attached is the requested “architectural application form and related process” as indicated on the fourth and fifth attachment.

I will not argue this point with you via e-mail as you have demanded in the first attachment that “all future communication (is) to occur solely through the court system and via U.S. Postal Service, in compliance with Arizona Rules of Civil Procedure.”

Good Day.

Augustus H. Shaw IV†*

Shaw & Lines, LLC

[4523 E. Broadway Road](#)

[Phoenix, AZ 85040](#)

Phone 480-456-1500

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e-mail ashaw@shawlines.com

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From: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
Sent: Tuesday, May 13, 2025 7:46 AM
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Cc: Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>; Audrey Cage (SUP) <audrey.cage@jbazmc.maricopa.gov>
Subject: EMERGENCY REQUEST: Architectural Forms & Process Outstanding for 41 Days

Drear Mr. Shaw,

Dear Mr. Shaw,

It has now been **41 days** since my initial request—sent on April 2, 2025—to you, the Gardens Gilbert Community Association (GGCA), Focus HOA Management, LLC, and their representatives, requesting the architectural application form and related process necessary to comply with the CC&Rs.

Despite multiple follow-up efforts—including a Motion for Reconsideration filed on May 1, 2025, and a Notice of Supplemental Evidence submitted on May 5, 2025—I have not received any response or the requested documentation. I have also brought this issue to the attention of the Arizona Court of Appeals, as it directly aligns with the pattern of retaliatory and adverse actions previously documented in the appellate record. These continued obstructions are detailed in my most recent motion filed on May 8, 2025, which you have already received.

Once again, I respectfully request that you promptly provide the required architectural forms and details of the application process via email. I intend to submit these materials without further delay to GGCA and Focus HOA Management, LLC in order to proceed with replacing my windows.

As previously reported, your continued refusal—and that of the defendants—to provide the requested forms is causing **irreparable harm**, including prolonged exposure to environmental elements impacting my children and me. This avoidable delay constitutes **additional damages** and reinforces the ongoing pattern of retaliatory conduct.

For your convenience, I have attached a copy of my original April 2, 2025, email for reference.

Kindly provide the requested forms and process without further delay. I appreciate your prompt attention to this matter.

Sincerely,

Sandra Rodriguez

To: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
Cc: Brooke Sortor <Brooke@focushoa.com>, Harman Cadis <Harman@focushoa.com>, Anna Schultz <anna6890@yahoo.com>, "coyanbidwell@gmail.com" <coyanbidwell@gmail.com>

Ms. Rodriguez,

Pursuant to the attached Order of the Court, this litigation has been stayed; which includes discovery and disclosure requests. As such, unless ordered by the Court pursuant to the attached Order, I will not respond to your request for discovery and disclosure.

If you are making a non-litigation related request for Association records, please direct all communication regarding said request to Gardens Gilbert Community Association, 4135 S. Power Rd, Suite 133, Mesa, AZ 85212 via U.S. Mail only. E-mail communications will no longer be accepted or responded to by the Association.

Augustus H. Shaw IV†*

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

Sent: Friday, May 16, 2025 5:20 PM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Brooke Sortor <Brooke@focushoa.com>; Harman Cadis <Harman@focushoa.com>; Anna Schultz <anna6890@yahoo.com>; coyanbidwell@gmail.com

Subject: Records Request – Stay Does Not Prohibit Statutory Access to Non-Discovery Materials (CV2024005940)

Mr. Shaw,

I write to reiterate that my request for documents relating to window standards, architectural review processes, and related HOA governance procedures is entirely independent of the litigation and not subject to the stay issued in the January 24, 2025 Minute Entry.

These documents are not personal property, confidential, or litigation-specific. Rather, they constitute non-privileged community governance records that are expressly subject to homeowner access under A.R.S. § 33-1805. As such, my request is based on statutory entitlement—not a discovery demand under the Arizona Rules of Civil Procedure.

Moreover, the stay granted by the Court applies solely to litigation proceedings—not to statutory rights outside the courtroom. Specifically:

Ariz. R. Civ. P. 7(a)(1) defines pleadings and motion practice within litigation, which are the matters the Court has stayed.

Ariz. R. Civ. P. 26 governs discovery procedures, but it is inapplicable here because I am not seeking documents through Rule 26 discovery mechanisms.

There is no provision in Rule 62 (Stay of Proceedings to Enforce a Judgment) or any other applicable rule that extends a stay to bar parties from fulfilling independent statutory duties unrelated to court enforcement actions or pleadings.

The Court's stay order does not relieve the Gardens Gilbert Community Association or Focus HOA Management LLC of their obligation to provide records that homeowners are entitled to inspect by law. Attempting to shield routine, legally mandated HOA documents by misapplying the stay order mischaracterizes both the scope of the stay and the purpose of the Arizona Rules of Civil Procedure.

This continued refusal—under the guise of litigation—obstructs transparency, raises potential health and safety concerns, and reflects a troubling pattern of retaliation and selective enforcement. The Court's stay is not a tool for discrimination or to deny me access to materials that affect my home and safety.

I again demand prompt access to the requested records. Failure to comply will be documented as further evidence of obstruction and retaliation.

Sincerely,

Sandra Rodriguez

On Fri, May 16, 2025, 5:00 PM Augustus Shaw <ashaw@shawlines.com> wrote:

Ms. Rodriguez,

Pursuant to the attached Order of the Court, this litigation has been stayed; which includes discovery and disclosure requests. As such, unless ordered by the Court pursuant to the attached Order, I will not respond to your request for discovery and disclosure.

Also, as requested by the Court, I will no longer include the Court on e-mail correspondences.

If you are making a non-litigation related request for Association records, please direct all communication regarding said request to Gardens Gilbert Community Association, [4135 S. Power Rd, Suite 133, Mesa, AZ 85212](#) via U.S. Mail only. E-mail communications will no longer be accepted or responded to by the Association.

Augustus H. Shaw IV†*

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From: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
Sent: Friday, May 16, 2025 3:50 PM
To: Augustus Shaw <ashaw@shawlines.com>
Cc: Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>; Audrey Cage (SUP) <audrey.cage@jbazmc.maricopa.gov>; Brooke Sortor <Brooke@focushoa.com>; Harman Cadis <Harman@focushoa.com>; Anna Schultz <anna6890@yahoo.com>; coyanbidwell@gmail.com
Subject: Continued Obstruction, Legal Entitlement to Documentation, and Request for Immediate Action (CV2024005940)

Dear Mr. Shaw,

This correspondence serves as a formal reminder and reiteration of my request for immediate access to governing documents under the Arizona Nonprofit Corporation Act and relevant provisions of federal Fair Housing laws, including the Fair Housing Act (42 U.S.C. § 3601 et seq.), and Arizona's Fair Housing statutes (A.R.S. §§ 41-1491 to 41-1491.37). These documents are necessary for the proper evaluation and approval of my pending Architectural Form.

To date, you continue to refuse to provide the documents I am legally entitled to review, continuing a pattern of obstruction that directly interferes with my ability to complete essential repairs—specifically, the replacement of windows in my home. These delays are not just procedural—they are placing my children and me in direct harm due to unsafe and deteriorating living conditions.

I must also emphasize that it is neither safe nor appropriate for me to engage in-person or by phone with Focus HOA Management LLC. This has been clearly documented through video and audio evidence already submitted to both the Maricopa County Superior Court and the Arizona Court of Appeals. The recordings capture a pattern of hostile conduct, refusal to comply with lawful requests, and a threatening environment, all of which make such contact objectively unsafe and unreasonable under any legal or ethical standard. Forcing me to pursue communication through those channels constitutes a continuation of harassment, discrimination, and egregious retaliatory behavior, and must not be tolerated.

As the Defendants' legal counsel, you have a duty to comply with both state and federal law. You cannot evade this obligation by deflecting responsibility to third parties who have already demonstrated threatening and discriminatory conduct. As a result, you are legally required to provide the requested documentation directly and ensure the proper, lawful review of my Architectural Form.

The current obstruction—paired with the Court's prior directive that I not include it in these communications, while opposing counsel continues to do so—has created an inherently prejudicial and one-sided environment. The impact is punitive and irreparable. I am entitled to fair and equal access to the processes governing my home and my rights as a homeowner.

Once again, I am requesting:

- 1. Immediate production of all relevant architectural standards, design protocols, and governing documents relied on to issue the May 14, 2025 denial.
- 2. Written confirmation that my prior submission (including photos submitted April 2, 2025) will be reconsidered without further obstruction.
- 3. Formal amendment and approval of my architectural request without delay.

Failure to provide these materials promptly may result in further legal action and an expansion of claims for damages. I hope you will act in accordance with your legal obligations and the seriousness of the issues at hand.

It is deeply troubling that instead of accountability, I am encountering further retaliation. The Court's own communications limiting my ability to include it in this process have emboldened this behavior, reinforcing the unequal treatment I am being subjected to. In effect, this has allowed your misconduct and the Defendants'

obstruction to escalate unchecked, while my rights as a homeowner and a protected party under fair housing law continue to be violated.

If this matter is not fully resolved—including receipt of the requested documentation and an amended approval of my architectural application—by 12:00 PM Monday, May 19, 2025, I will be left with no choice but to formally elevate the matter to the Arizona Court of Appeals, and, if necessary, the Arizona Supreme Court. The record already reflects a pattern of retaliation, exclusion, and discrimination that raises serious public policy concerns far beyond the confines of this single dispute.

The role of the courts is not to enable harassment, retaliation, or silence in the face of rights violations. Unfortunately, that is exactly what has occurred here. I am respectfully asking that this stop immediately—and that you comply with your legal obligations without further obstruction.

I am including Coyan Bidwell, owner of Gardens Gilbert Community Association, and Anna Schultz, President of the GGCA Board of Directors, so they are fully aware that Mr. Shaw's conduct is not only escalating litigation unnecessarily, but also driving up costs for the Association and its homeowners through continued obstruction and avoidable conflict.

Sincerely,

Sandra Rodriguez

Note: While I will refrain from including Judge Roderick Coffey's office in future communications at this time, I expressly reserve the right to report any continued prejudicial, biased, or discriminatory conduct by the Court through all appropriate legal and administrative channels.

On Fri, May 16, 2025, 3:01 PM Augustus Shaw <ashaw@shawlines.com> wrote:

Ms. Rodriguez,

Pursuant to the attached Order of the Court, this litigation has been stayed; which includes discovery and disclosure requests. As such, unless ordered by the Court pursuant to the attached Order, I will not respond to your request for discovery and disclosure.

Also, as requested by the Court, I will no longer include the Court on e-mail correspondences.

If you are making a non-litigation related request for Association records, please direct all communication regarding said request to Gardens Gilbert Community Association, [4135 S. Power Rd, Suite 133, Mesa, AZ 85212](#) via U.S. Mail only. E-mail communications will no longer be accepted or responded to by the Association.

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

Sent: Friday, May 16, 2025 2:28 PM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>; Audrey Cage (SUP) <audrey.cage@jbazmc.maricopa.gov>; Brooke Sortor <Brooke@focushoa.com>; Harman Cadis <Harman@focushoa.com>

Subject: Re: Ongoing Nonresponse and Interference with Architectural Compliance

Dear Mr. Shaw,

I am writing to formally request that you, as legal representative for the Gardens Gilbert Community Association (GGCA) and Focus HOA Management LLC, provide the specific governing documents that clearly outline the protocols, standards, and approval criteria used by the Architectural Review Committee (ARC) for homeowner modification requests.

To date, neither the HOA nor Focus HOA has provided me with any detailed guidelines—whether from the CC&Rs, Architectural Standards, Articles of Incorporation, or any Rules and Regulations—that establish or explain the requirements for items such as window glass color or photo submissions. The denial letter I received dated May 14, 2025, references the need for additional materials, including a picture of the windows and the color of the glass, but does not cite any legitimate or consistent written policy supporting these demands.

Furthermore, I would like to clarify that I already submitted two pictures of the windows in my original email on April 2, 2025. This makes the ARC's stated reason for denial inaccurate and further supports my concern that my request is being obstructed without cause or consistency. At no point during my time as a homeowner was I

provided clear, specific architectural requirements. As of May 2024, my access to the HOA portal was removed, and even before that, no guidelines regarding the replacement of windows were made available to me.

I proactively asked for clear direction to avoid delay and ensure compliance, and yet I've been met with vague, shifting requirements that have no documented basis. The refusal to act on my request in a timely or transparent manner has become part of a larger pattern of obstruction and retaliation.

As such, I am respectfully requesting the following:

1. That you immediately provide the governing documents or written standards which explicitly outline the specifications the ARC relied on when denying my request.
2. That you identify exactly where in those documents the ARC is authorized to require sample pictures and glass color specifications for window replacements.
3. That GGCA amend its May 14, 2025 denial and approve my request without further delay, as no valid, written basis for the denial has been provided, and the requested photo documentation was already submitted over a month prior.

This obstruction continues to prevent me from addressing serious health and safety concerns in my home, including mold exposure, which is now affecting the well-being of my children and me. This ongoing delay not only jeopardizes our health but further exposes yourself and your clients to liability, including compensatory damages.

I'm including Judge Roderick Coffey's office in this communication to respectfully seek oversight—not to overwhelm the Court, but because continued obstruction, lack of transparency, and harm to my family's health require judicial support. I trust the Court will ensure the law is followed and protections upheld.

I have acted in good faith throughout this process. I hope I can receive it in return to process this quickly and efficiently.

I appreciate your time and look forward to your providing an approval so we can all moved forward.

Sincerely,

Sandra Rodriguez

On Fri, May 16, 2025, 11:26 AM Augustus Shaw <ashaw@shawlines.com> wrote:

Ms. Rodriguez,

As a courtesy, please see the attached.

As this matter does not involve the current litigation, please do not communicate with me regarding your “architectural compliance questions.” I will not respond to any e-mail communications regarding issues not involving the current litigation, including your “architectural compliance questions”

Please direct all communication regarding your “architectural compliance questions” to Gardens Gilbert Community Association, [4135 S Power Rd Suite 133, Mesa, AZ 85212](#) via U.S. Mail only. E-mail communications regarding “architectural compliance questions” will no longer be accepted or responded to.

Augustus H. Shaw IV†*

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Subject: Ongoing Nonresponse and Interference with Architectural Compliance

Dear All,

This serves to formally document that, as of May 16, 2025—three full business days after Plaintiff's written request on May 13—Defendants and their counsel, Augustus Shaw IV, have continued to withhold a response to basic architectural compliance questions. These include essential clarifications regarding window specifications, patio gate replacement, and the standard application review timeline—routine matters typically addressed by Brooke Sortor and/or Focus HOA Management, LLC on behalf of the Gardens Gilbert Community Association.

Despite submission of the completed architectural form on May 13, neither the Defendants (Gardens Gilbert Community Association, Focus HOA Management, Harmin Cadis, Brooke Sortor) nor Mr. Shaw has answered the follow-up questions that are necessary for compliance and timely repair of hazardous property conditions. This follows more than 41 days of prior delay since Plaintiff's original request on April 2, 2025.

Three business days is a reasonable time to respond under standard HOA practice, especially where health and safety are involved and given the ongoing delays. Their continued silence further supports Plaintiff's request for judicial intervention, as previously presented to both this Court and the Arizona Court of Appeals.

This nonresponse underscores the Defendants' ongoing pattern of obstruction, adverse action, and noncompliance with the Fair Housing Act.

Thank you for your time and attention.

Sincerely,

Sandra Rodriguez

On Tue, May 13, 2025 at 11:55 AM Sandra Rodriguez <sandra.rodriguez0339@gmail.com> wrote:

Dear Augustus,

Thank you for providing the form. I'd appreciate it if you could also share the full process, as the current instructions don't specify which type of windows are required, whether approval is needed for all windows or only certain ones, or whether I'm free to choose the style—as I asked about in my earlier email. The instructions also don't address the patio gate. If you could please answer all the questions in my email attached previously dated April 3, 2025 I would sincerely appreciate it.

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Accordingly, I am temporarily lifting the cease and desist solely for the limited purpose of obtaining the

necessary documentation and guidance to address this issue and bring the property into a safe and compliant condition.

Thank you again for the information.

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Also, attached is the requested “architectural application form and related process” as indicated on the fourth and fifth attachment.

I will not argue this point with you via e-mail as you have demanded in the first attachment that “all future communication (is) to occur solely through the court system and via U.S. Postal Service, in compliance with Arizona Rules of Civil Procedure.”

Good Day.

Augustus H. Shaw IV†*

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Sent: Tuesday, May 13, 2025 7:46 AM
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Cc: Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>; Audrey Cage (SUP) <audrey.cage@jbazmc.maricopa.gov>
Subject: EMERGENCY REQUEST: Architectural Forms & Process Outstanding for 41 Days

Drear Mr. Shaw,

Dear Mr. Shaw,

It has now been **41 days** since my initial request—sent on April 2, 2025—to you, the Gardens Gilbert Community Association (GGCA), Focus HOA Management, LLC, and their representatives, requesting the architectural application form and related process necessary to comply with the CC&Rs.

Despite multiple follow-up efforts—including a Motion for Reconsideration filed on May 1, 2025, and a Notice of Supplemental Evidence submitted on May 5, 2025—I have not received any response or the requested documentation. I have also brought this issue to the attention of the Arizona Court of Appeals, as it directly aligns with the pattern of retaliatory and adverse actions previously documented in the appellate record. These continued obstructions are detailed in my most recent motion filed on May 8, 2025, which you have already received.

Once again, I respectfully request that you promptly provide the required architectural forms and details of the application process via email. I intend to submit these materials without further delay to GGCA and Focus HOA Management, LLC in order to proceed with replacing my windows.

As previously reported, your continued refusal—and that of the defendants—to provide the requested forms is causing **irreparable harm**, including prolonged exposure to environmental elements impacting my children and me. This avoidable delay constitutes **additional damages** and reinforces the ongoing pattern of retaliatory conduct.

For your convenience, I have attached a copy of my original April 2, 2025, email for reference.

Kindly provide the requested forms and process without further delay. I appreciate your prompt attention to this matter.

Sincerely,

Sandra Rodriguez



m11194756 - Order Issuing Stay.pdf

123K

EXHIBIT #2



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Ongoing Nonresponse and Interference with Architectural Compliance5 messages

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Fri, May 16, 2025 at 9:00 AM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: "Tiffany Fotos (SUP)" <Tiffany.Fotos@jbazmc.maricopa.gov>, "Audrey Cage (SUP)"

<audrey.cage@jbazmc.maricopa.gov>, Brooke Sortor <Brooke@focushoa.com>, Harman Cadis

<Harman@focushoa.com>

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

Dear All,

This serves to formally document that, as of May 16, 2025—three full business days after Plaintiff's written request on May 13—Defendants and their counsel, Augustus Shaw IV, have continued to withhold a response to basic architectural compliance questions. These include essential clarifications regarding window specifications, patio gate replacement, and the standard application review timeline—routine matters typically addressed by Brooke Sortor and/or Focus HOA Management, LLC on behalf of the Gardens Gilbert Community Association.

Despite submission of the completed architectural form on May 13, neither the Defendants (Gardens Gilbert Community Association, Focus HOA Management, Harmin Cadis, Brooke Sortor) nor Mr. Shaw has answered the follow-up questions that are necessary for compliance and timely repair of hazardous property conditions. This follows more than 41 days of prior delay since Plaintiff's original request on April 2, 2025.

Three business days is a reasonable time to respond under standard HOA practice, especially where health and safety are involved and given the ongoing delays. Their continued silence further supports Plaintiff's request for judicial intervention, as previously presented to both this Court and the Arizona Court of Appeals.

This nonresponse underscores the Defendants' ongoing pattern of obstruction, adverse action, and noncompliance with the Fair Housing Act.

Thank you for your time and attention.

Sincerely,

Sandra Rodriguez

On Tue, May 13, 2025 at 11:55 AM Sandra Rodriguez <sandra.rodriguez0339@gmail.com> wrote:

Dear Augustus,

Thank you for providing the form. I'd appreciate it if you could also share the full process, as the current instructions don't specify which type of windows are required, whether approval is needed for all windows or only certain ones, or whether I'm free to choose the style—as I asked about in my earlier email. The instructions also don't address the patio gate. If you could please answer all the questions in my email attached previously dated April 3, 2025 I would sincerely appreciate it.

Please note that I'm making every effort to stay in compliance with GGCA's rules and regulations. Once received, could you also confirm how long the approval process typically takes, and whether I'll receive a direct response from you?

As your message confirms, I had not previously received the form, and I appreciate you attaching it now. However, I am unclear as to why email communication would have been restricted, particularly given that I have received other correspondence from your office following the date in question. As you are aware, and as supported by both community policy and applicable notice obligations under Arizona law—including those governing matters of property use and health and safety—parties are expected to maintain reliable channels of communication. Where such issues implicate potential health or safety risks, it is both reasonable and necessary to allow for temporary exceptions to any communication limitations to ensure compliance and resident well-being.

Accordingly, I am temporarily lifting the cease and desist solely for the limited purpose of obtaining the necessary documentation and guidance to address this issue and bring the property into a safe and compliant condition.

Thank you again for the information.

Sandra Rodriguez

On Tue, May 13, 2025 at 11:34 AM Augustus Shaw <ashaw@shawlines.com> wrote:

Mr. Rodriguez:

You have made several demands that I not communicate with you via e-mail (see first attachment), yet you have e-mailed me as indicated below.

Please do not take this correspondence as an offer to negotiate or engage in conversation or argument via e-mail. This correspondence is solely for the benefit of the Court to which you have copied to your below e-mail.

Attached please find proof that your requested “architectural application form and related process” was sent to you via certified mail (second attachment) to the address that you have provided to the Court, as you required in the first attachment. You refused to pick up the “architectural application form and related process” as indicated on the third attachment.

Also, attached is the requested “architectural application form and related process” as indicated on the fourth and fifth attachment.

I will not argue this point with you via e-mail as you have demanded in the first attachment that “all future communication (is) to occur solely through the court system and via U.S. Postal Service, in compliance with Arizona Rules of Civil Procedure.”

Good Day.

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

web site 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.

From: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
Sent: Tuesday, May 13, 2025 7:46 AM
To: Augustus Shaw <ashaw@shawlines.com>
Cc: Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>; Audrey Cage (SUP) <audrey.cage@jbazmc.maricopa.gov>
Subject: EMERGENCY REQUEST: Architectural Forms & Process Outstanding for 41 Days

Drear Mr. Shaw,

Dear Mr. Shaw,

It has now been **41 days** since my initial request—sent on April 2, 2025—to you, the Gardens Gilbert Community Association (GGCA), Focus HOA Management, LLC, and their representatives, requesting the architectural application form and related process necessary to comply with the CC&Rs.

Despite multiple follow-up efforts—including a Motion for Reconsideration filed on May 1, 2025, and a Notice of Supplemental Evidence submitted on May 5, 2025—I have not received any response or the requested documentation. I have also brought this issue to the attention of the Arizona Court of Appeals, as it directly aligns with the pattern of retaliatory and adverse actions previously documented in the appellate record. These continued obstructions are detailed in my most recent motion filed on May 8, 2025, which you have already received.

Once again, I respectfully request that you promptly provide the required architectural forms and details of the application process via email. I intend to submit these materials without further delay to GGCA and Focus HOA Management, LLC in order to proceed with replacing my windows.

As previously reported, your continued refusal—and that of the defendants—to provide the requested forms is causing **irreparable harm**, including prolonged exposure to environmental elements impacting my children and me. This avoidable delay constitutes **additional damages** and reinforces the ongoing pattern of retaliatory conduct.

For your convenience, I have attached a copy of my original April 2, 2025, email for reference.

Kindly provide the requested forms and process without further delay. I appreciate your prompt attention to this matter.

Sincerely,

| | Sandra Rodriguez



My Email to Shaw Regarding Architectural Form 05.13.25.pdf

152K

Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>

Fri, May 16, 2025 at 9:51 AM

To: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>, Augustus Shaw <ashaw@shawlines.com>

Cc: "Audrey Cage (SUP)" <Audrey.Cage@jbazmc.maricopa.gov>, Brooke Sortor <Brooke@focushoa.com>, Harman Cadis <Harman@focushoa.com>

Ms. Rodriguez,

Moving forward please remove Audrey Cage and I from this email chain, there is no reason for the court to be included in communication between you and Defendant.

Thank you

Tiffany Fotos

JA to The Honorable Rodrick Coffey

Maricopa County Superior Court

[101 W. Jefferson St. Phoenix, AZ 85003](#)

Phone: (602) 372-1783 Fax: (602) 372-8772

Email: tiffany.fotos@jbazmc.maricopa.gov

[Quoted text hidden]

Augustus Shaw <ashaw@shawlines.com>

Fri, May 16, 2025 at 11:26 AM

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

Cc: "Tiffany Fotos (SUP)" <Tiffany.Fotos@jbazmc.maricopa.gov>, "Audrey Cage (SUP)" <audrey.cage@jbazmc.maricopa.gov>, Brooke Sortor <Brooke@focushoa.com>, Harman Cadis <Harman@focushoa.com>

Ms. Rodriguez,

As a courtesy, please see the attached.

As this matter does not involve the current litigation, please do not communicate with me regarding your "architectural compliance questions." I will not respond to any e-mail communications regarding issues not involving the current litigation, including your "architectural compliance questions"

Please direct all communication regarding your “architectural compliance questions” to Gardens Gilbert Community Association, [4135 S Power Rd Suite 133, Mesa, AZ 85212](#) via U.S. Mail only. E-mail communications regarding “architectural compliance questions” will no longer be accepted or responded to.

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

web site 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.

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

Sent: Friday, May 16, 2025 9:00 AM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>; Audrey Cage (SUP) <audrey.cage@jbazmc.maricopa.gov>; Brooke Sortor <Brooke@focushoa.com>; Harman Cadis <Harman@focushoa.com>

Subject: Ongoing Nonresponse and Interference with Architectural Compliance

Dear All,

[Quoted text hidden]

[Quoted text hidden]



GGC 4375 E Bestsy - Denial.pdf

88K

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Fri, May 16, 2025 at 2:28 PM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: "Tiffany Fotos (SUP)" <Tiffany.Fotos@jbazmc.maricopa.gov>, "Audrey Cage (SUP)"

<audrey.cage@jbazmc.maricopa.gov>, Brooke Sortor <Brooke@focushoa.com>, Harman Cadis
<Harman@focushoa.com>

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

Dear Mr. Shaw,

I am writing to formally request that you, as legal representative for the Gardens Gilbert Community Association (GGCA) and Focus HOA Management LLC, provide the specific governing documents that clearly outline the protocols, standards, and approval criteria used by the Architectural Review Committee (ARC) for homeowner modification requests.

To date, neither the HOA nor Focus HOA has provided me with any detailed guidelines—whether from the CC&Rs, Architectural Standards, Articles of Incorporation, or any Rules and Regulations—that establish or explain the requirements for items such as window glass color or photo submissions. The denial letter I received dated May 14, 2025, references the need for additional materials, including a picture of the windows and the color of the glass, but does not cite any legitimate or consistent written policy supporting these demands.

Furthermore, I would like to clarify that I already submitted two pictures of the windows in my original email on April 2, 2025. This makes the ARC's stated reason for denial inaccurate and further supports my concern that my request is being obstructed without cause or consistency. At no point during my time as a homeowner was I provided clear, specific architectural requirements. As of May 2024, my access to the HOA portal was removed, and even before that, no guidelines regarding the replacement of windows were made available to me.

I proactively asked for clear direction to avoid delay and ensure compliance, and yet I've been met with vague, shifting requirements that have no documented basis. The refusal to act on my request in a timely or transparent manner has become part of a larger pattern of obstruction and retaliation.

As such, I am respectfully requesting the following:

1. That you immediately provide the governing documents or written standards which explicitly outline the specifications the ARC relied on when denying my request.
2. That you identify exactly where in those documents the ARC is authorized to require sample pictures and glass color specifications for window replacements.
3. That GGCA amend its May 14, 2025 denial and approve my request without further delay, as no valid, written basis for the denial has been provided, and the requested photo documentation was already submitted over a month prior.

This obstruction continues to prevent me from addressing serious health and safety concerns in my home, including mold exposure, which is now affecting the well-being of my children and me. This ongoing delay not only jeopardizes our health but further exposes yourself and your clients to liability, including compensatory damages.

I'm including Judge Roderick Coffey's office in this communication to respectfully seek oversight—not to overwhelm the Court, but because continued obstruction, lack of transparency, and harm to my family's health require judicial support. I trust the Court will ensure the law is followed and protections upheld.

I have acted in good faith throughout this process. I hope I can receive it in return to process this quickly and efficiently.

I appreciate your time and look forward to your providing an approval so we can all moved forward.

Sincerely,

Sandra Rodriguez
[Quoted text hidden]

Tiffany Fotos (SUP) <Tiffany.Fotos@jbazmc.maricopa.gov>

Fri, May 16, 2025 at 2:40 PM

To: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>, Augustus Shaw <ashaw@shawlines.com>

Cc: "Audrey Cage (SUP)" <Audrey.Cage@jbazmc.maricopa.gov>, Brooke Sortor <Brooke@focushoa.com>, Harman Cadis <Harman@focushoa.com>

Ms. Rodriguez,

Do not copy the court on any further communication with Defendant. All Mt's must be put into writing and filed with the court.

Thank you

Tiffany Fotos

JA to The Honorable Rodrick Coffey

Maricopa County Superior Court

101 W. Jefferson St. Phoenix, AZ 85003

Phone: (602) 372-1783 Fax: (602) 372-8772

Email: tiffany.fotos@jbazmc.maricopa.gov

[Quoted text hidden]

EXHIBIT #3



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Notice Noncompliance with Court-Ordered Stay – Cease and Desist #2

1 message

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Mon, May 19, 2025 at 6:16 PM

To: Augustus Shaw <ashaw@shawlines.com>

Dear Augustus H. Shaw IV representing Gardens Gilbert Community Association (GGCA Board), Focus HOA Management LLC, Brooke Sortor, Harmin Cadis, and Anna Schultz;

This correspondence is to formally place you and your clients—Gardens Gilbert Community Association (GGCA), Focus HOA Management LLC, Brooke Sortor, Harmin Cadis, and Anna Schultz—on notice that you are actively violating a court-ordered stay issued by Judge Roderick Coffey on January 24, 2025, in the Maricopa County Superior Court. The Minute Entry explicitly orders a stay of all adverse or retaliatory actions pending further court proceedings.

Despite this binding order, you and your clients continue to engage in further unlawful conduct, including dispatching individuals to my residence without permission, constituting trespass, harassment, and retaliation, in direct violation of both the court's stay and applicable laws.

Legal Basis for Cease and Desist Demand**1. Violation of Court Order – Arizona Law**

Noncompliance with a court-ordered stay constitute indirect civil contempt, in violation of A.R.S. § 12-864 and Arizona Rule of Civil Procedure 65.

Under A.R.S. § 12-124, such conduct may result in sanctions or other remedies for violating injunctive relief.

2. Trespass and Harassment – Arizona Criminal Code

- Entering my property without consent is a violation of A.R.S. § 13-1502 et seq. (Criminal Trespass) and warrant law enforcement involvement.
- Repeated contact or surveillance constitutes harassment under A.R.S. § 13-2921, especially when intended to intimidate or retaliate.
- Federal Fair Housing Act – 42 U.S.C. §§ 3601–3619

The ongoing targeting of me and my household constitutes unlawful retaliation and interference under the Fair Housing Act, 42 U.S.C. § 3617, which prohibits any person from coercing, intimidating, threatening, or interfering with an individual's exercise of rights protected under the Act, including but not limited to fair housing rights and First Amendment freedoms.

These protections are enforceable regardless of whether litigation is ongoing and extend to harassment based on protected class status or exercise of legal rights.

4. Retaliation for Protected Activity

Retaliating against me for filing claims, participating in legal proceedings, or asserting rights under state or federal housing law constitutes unlawful retaliation, prohibited by both federal and state laws including:

- 42 U.S.C. § 1982 (equal property rights)
- 42 U.S.C. § 1983 (deprivation of civil rights under color of law)
- A.R.S. § 33-1806.01(B) (Arizona Planned Communities Act – retaliation prohibition against owners)

5. Abuse of Process / Harassment – HOA Misconduct

HOA officers and agents who misuse their authority for retaliation are liable for abuse of process and intentional infliction of emotional distress, as well as civil claims under A.R.S. § 12-541 and common law tort theories.

Demand for Immediate Compliance

I hereby demand that you and your clients immediately:

- Cease and desist all forms of harassment, retaliation, and adverse contact with me or my property;
- Comply fully with the stay ordered by Judge Roderick Coffey;
- Refrain from dispatching any agents or representatives to my property without express written consent.

If this conduct continues, I will:

- Report your actions to the appropriate law enforcement authorities;
- File a motion for contempt and notify the Arizona Court of Appeals of your continued bad-faith conduct;
- Pursue all legal remedies available under federal and state law, including those for retaliation, harassment, and civil rights violations.

A physical copy of this notice will also be mailed to you and served upon the named defendants. Continued violations will be documented and submitted into the record as further evidence of pattern retaliation and misconduct.

Sincerely,

Sandra Rodriguez

Note: This is the same individual you previously dispatched to harass me—an incident I reported to the Maricopa Superior Court. A copy of this notice will also be sent to you and the defendants by mail.

5:44 **b**


📶 5Guc 📶 48

Clip List


Edit



Today 255 events


Frontdoor2
5:37 PM
Betsy House
🚶 Motion


Frontdoor2
5:36 PM
Betsy House
🚶 Motion

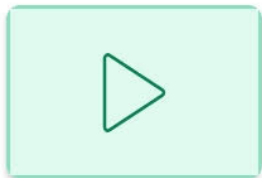

BetsyLaneRoadrunnerRo...
5:35 PM



Betsy House



Motion



FloodlampGarage

Betsy House

5:34 PM



Motion

Local Storage ▼



Home



Clips

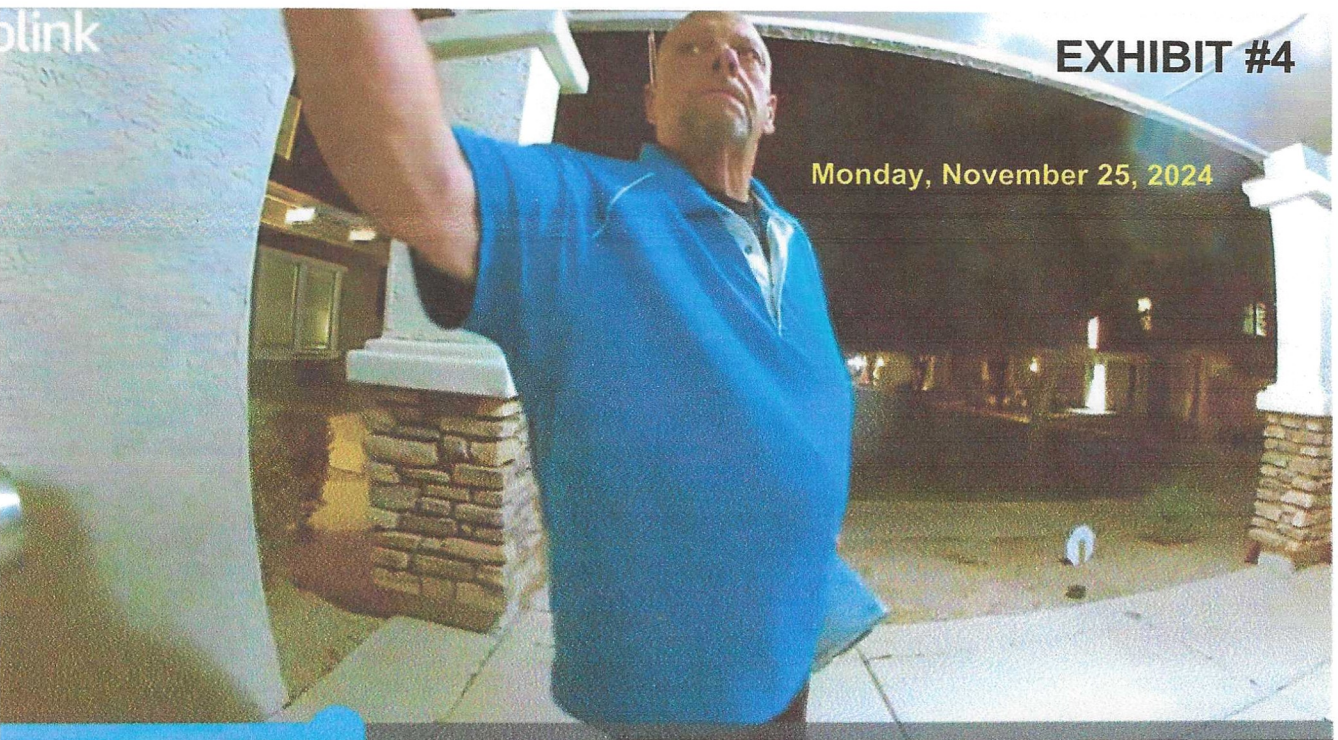




Settings







EXHIBIT #4



Monday, November 25, 2024



 Betsy House  Motion

 FloodlampGarage 6:07 PM
Betsy House  Motion

 Frontdoor2 6:07 PM
Betsy House  Motion

 Frontdoor2 6:06 PM
Betsy House  Motion

 EBetsyRoadrunner 6:05 PM
Betsy House  Motion

Clip List


EXHIBIT #4


Edit


Saturday, November 23, 2024


blink





 Betsy House Motion

 SantiFloodlamp 10:56 AM
Betsy House Motion

 FloodlampGarage 10:56 AM
Betsy House Motion

 Frontdoor2 10:55 AM
Betsy House Motion

 EBetsyLaneRoadrunner 10:08 AM
Betsy House Motion

 SantiFloodlamp 10:00 AM

Local Storage

