

1 be filed until the pending appeal is resolved.” Yet Plaintiff has filed no fewer than six
2 post-stay motions or supplements, including this one.

3 To curtail Plaintiff’s improper litigation conduct, Defendant respectfully request
4 that the Court deny Plaintiff’s Motion in full and issue monetary sanctions and attorney’s
5 fees against Plaintiff for continued violations.

6 **MEMORANDUM OF POINTS AND AUTHORITIES**

7 **I. PLAINTIFF’S MOTION TO HOLD DEFENDANT IN CONTEMPT IS**
8 **IMPROPER.**

9 Plaintiff’s Motion is both procedurally and substantively improper. Despite
10 requesting and receiving a court-ordered stay, Plaintiff continues to file motions outside
11 the scope of the Court’s directive.

12 In the Court’s August 27, 2024 Minute Entry, it warned:

13 Plaintiff must refrain from filing repetitive motions that ask for essentially
14 the same relief when the Court has already denied similar requests....
15 Restating the same or virtually identical arguments over and over again in
16 serial filings is not going to change the Court’s disposition. And, doing so,
17 may very well lead to the imposition of monetary sanctions against Plaintiff.

18 Moreover, Plaintiff’s Motion continues Plaintiff’s practice of asserting baseless
19 accusations against the Defendant and its counsel. Plaintiff seeks relief that is either
20 beyond the scope of what this Court may grant, duplicative of issues already
21 adjudicated/rejected, or an effort to sidestep the orderly appellate process.

22 The fact that Plaintiff submitted the same Motion to the Court and sent a copy to
23 Defendant’s counsel on May 19, 2024, and then re-sent it to Defendant’s counsel on May
24 27, 2024, with variations in section arrangement, further highlights the improper and
25 duplicative nature of her conduct. This Court should deny Plaintiff’s Motion and proceed
26 to consider appropriate sanctions for Plaintiff’s repeated violation of its orders and misuse
27 of judicial resources.

28 As is the norm with Plaintiff, Plaintiff’s Motion is rambling, difficult to follow,
and ambiguous. Defendant will respond to Plaintiff’s operative allegations/requests as
detailed below:

1 **A. Accept and Review the USB Video Evidence**

2 Plaintiff alleges through her “video evidence” that the Defendant is harassing her.
3 It is the position of the Defendant that the Defendant has no idea who the person in the
4 Plaintiff’s “video evidence” is. Exhibit A attached hereto contains affidavits from the
5 Defendant’s Board President and Community Manager stating that the individual
6 referenced in the “video evidence” is unaffiliated with the Association.

7 **B. Reconsider and Reverse the April 30, 2025 Ruling**

8 Plaintiff does not provide any relevant statutory or case law basis to argue that the
9 Court should reconsider its April 30, 2025 Order. As stated by the Court, the Plaintiff’s
10 requests were either subject to the stay in litigation she requested or addressed issues
11 outside of the current litigation.

12 Therefore, this request should be denied.

13 **C. Compel Defendants to Immediately Provide the requested**
14 **Architectural Application and Guidelines (hereinafter,**
15 **“Architectural Forms”)**

16 Plaintiff alleges that Defendant failed to provide “Architectural Forms.” As
17 explained in the April 30, 2025 Minute Entry, discovery obligations under Rules 33–36,
18 Ariz. R. Civ. P., are suspended due to the Plaintiff’s requested stay.

19 Nevertheless, as detailed in **Exhibit “B”** attached hereto, Defendant delivered the
20 requested “Architectural Forms” to the Plaintiff via certified mail. As also detailed in
21 **Exhibit “B”** attached hereto, the Plaintiff **refused** to collect the sent Architectural Forms.

22 Also detailed in **Exhibit “B”** is email correspondence confirming that the
23 Architectural Forms were sent by the Defendant’s attorney. **Exhibit “B”** also confirms
24 that the Plaintiff RECEIVED the “Architectural Forms.” (see last page)

25 Plaintiff’s Motion is a disingenuous attempt to defame the Defendant and to waste
26 the Court’s time. Defendant should not be punished by having to pay it’s attorney to
27 respond to a motion from the Plaintiff that requests documents already provided by the
28 Defendant. This aspect of the Plaintiff’s behavior solidifies the need for the Court to
impose sanctions against the Plaintiff for her improper and illegal behavior.

1 **D. Acknowledge Defendants’ Ongoing Breaches**

2 Plaintiff’s Motion claims that the Association is harassing her by sending
3 individuals to her home. However, **Exhibit “A”** contains affidavits from the Association’s
4 Board President and Community Manager stating that the individual referenced in the
5 video and any other evidence has no affiliation whatsoever with the Association.

6 Plaintiff also contends that Defendants breached the Court’s January 24, 2025 Stay
7 Order. That order clearly states: “IT IS ORDERED plaintiff’s Request to Stay Proceedings
8 is granted. No further matters should be filed until the pending appeal is resolved.” Since
9 that date, Defendants have filed **no motions** in this case. Conversely, Plaintiff has filed no
10 fewer than six post-stay motions or supplements, including the current one. Accordingly,
11 it is Plaintiff, not Defendants, who has repeatedly violated the Court’s Stay Order.

12 Moreover, any communication sent by Defendants to Plaintiff has only been in
13 response to unsolicited correspondence initiated by Plaintiff. In those replies, Defendants
14 have repeatedly reminded Plaintiff that the case is currently stayed and that no further
15 communication should occur outside that context. *See Exhibit “C.”*

16 Plaintiff further alleges that Defendant and its counsel should be held in contempt
17 and sanctioned for supposed “ongoing breaches.” Defendant is unclear as to what Plaintiff
18 is referencing and find her allegations vague and baseless. Even assuming arguendo that
19 some issue existed, this matter remains stayed pursuant to the Court’s January 24, 2025
20 order. Defendant cannot be held in contempt for violating an order they have meticulously
21 complied with.

22 Plaintiff also makes broad accusations that the Defendant has engaged in “hostile,”
23 “unsafe,” and “discriminatory” practices. Again, these issues have been stayed at
24 Plaintiff’s own request. Raising these legal arguments while the case is stayed is
25 procedurally improper and demonstrates Plaintiff’s disregard for this Court’s directives.

26 ///

27 ///

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1 **E. Issue Sanctions Against Defendant and Their Counsel**

2 Plaintiff asks the Court to issue sanctions against Defendant and their counsel.
3 However, Defendant and their counsel have fully complied with the Court’s orders. It is
4 Plaintiff who has blatantly and repeatedly failed to adhere to the Court’s directives.

5 The Court, in its Minute Entry dated August 27, 2024, stated:

6 Plaintiff must refrain from filing repetitive motions that ask for essentially
7 the same relief when the Court has already denied similar requests....
8 Restating the same or virtually identical arguments over and over again in
9 serial filings is not going to change the Court’s disposition. And, doing so,
may very well lead to the imposition of monetary sanctions against Plaintiff.

10 Plaintiff’s Motion is yet another example of her pattern of baseless accusations,
11 duplicative arguments, and misuse of judicial resources. Her filings consistently reiterate
12 the same unsupported claims against Defendant and their counsel, despite clear guidance
13 from the Court.

14 Plaintiff has shown a complete disregard for the Arizona Rules of Civil Procedure
15 and the authority of this Court. Unless and until she is sanctioned, she will continue to
16 abuse the legal process.

17 As such, pursuant to Court’s Minute Entry dated August 27, 2024 and Rule 11,
18 Arizona Rules of Civil Procedure, the Defendant asks the Court to award sanctions against
19 the Plaintiff in the amount of the Defendant’s attorney’s fees and costs to respond to the
20 Plaintiff’s inappropriate motions and grant such other relief as the Court deems just and
appropriate.

21 Plaintiff does not state how Plaintiff’s Motion “is expressly authorized by statute
22 or other rule.” Plaintiff does not provide any cognizable legal argument as to how “any
23 part of a filing or submission (by the Defendant) is prohibited, or not authorized, by a
24 specific statute, rule, or court order” as is required by Rule 7.1(f), Ariz. R. Civ. P.
25 Therefore, based on Rule 7.1(f), Ariz. R. Civ. P. as further explained by the Court in its
26 Minute Entry dated August 27, 2024, the Plaintiff’s Motion should be denied.

27 ///

28 ///

1 **II. SANCTION SHOULD BE AWARDED AGAINST THE PLAINTIFF.**

2 Although the Court has ordered that no motions be filed in this case due to the
3 stay, the Court’s Minute Entry dated May 29, 2025, expressly ordered Defendant to
4 respond to Plaintiff’s Motion. Given the nature and history of Plaintiff’s conduct, a full
5 response would be incomplete without a cross-motion for sanctions.

6 Despite the Court’s clear stay order, Plaintiff has willfully violated that directive
7 on at least six separate occasions, forcing Defendant to respond to filings that are plainly
8 improper. Her repeated disregard is not just procedural error; it is a direct affront to the
9 authority of this Court and the integrity of its orders. Defendant has been dragged into
10 unnecessary and expensive motion practice, all to answer meritless and duplicative
11 arguments that the Court has already considered and rejected.

12 As Martin Luther King Jr. famously said, echoing a truth that predates him: “Justice
13 delayed is justice denied.” Defendant respectfully asks: when will this Court hold Plaintiff
14 accountable for her repeated disregard of the rules and its orders? When will Defendant
15 receive the justice they are due?

16 Plaintiff’s conduct has resulted in the needless expenditure of thousands of dollars
17 in attorneys’ fees and has severely undermined the orderly progress of this litigation.
18 Without meaningful consequences, this behavior will persist.

19 The Plaintiff, in her Motion, does not provide any relevant or accurate statutory or
20 caselaw refuting the Defendant’s arguments in its Request for Sanctions. The Plaintiff
21 does not even acknowledge the Court warning regarding sanctions as found in the Court’s
22 Minute Entry dated August 27, 2024, which states:

23 Plaintiff must refrain from filing repetitive motions that ask for essentially
24 the same relief when the Court has already denied similar requests....
25 Restating the same or virtually identical arguments over and over again in
26 serial filings is not going to change the Court’s disposition. And, doing so,
27 may very well lead to the imposition of monetary sanctions against Plaintiff.

28 Yet Plaintiff persists in filing frivolous, repetitive, and meritless motions, despite
these warnings and the clearly stated stay order. She fails to cite any applicable statute,

1 rule, or relevant case law to support her claims, and she has not addressed, let alone
2 rebutted, the Court's prior rulings or warnings.

3 At this point, Defendant has incurred substantial attorney's fees solely to respond
4 to filings that should never have been submitted under the Court's stay. Absent real
5 consequences, this behavior will only continue.

6 As such, pursuant to Court's Minute Entry dated August 27, 2024 and Rule 11,
7 Arizona Rules of Civil Procedure, the Defendant asks the Court to award sanctions against
8 the Plaintiff in the amount of the Defendant's attorney's fees and costs to respond to the
9 Plaintiff's inappropriate motions and grant such other relief as the Court deems just and
10 appropriate.

11 **III. CONCLUSION.**

12 Based on the Court's own Minute Entry in this case, Arizona Rules of Civil
13 Procedure, and relevant Arizona case law, Plaintiff's Motion should be denied. Also, the
14 Defendant should be awarded their attorney's fees and costs incurred in responding to the
15 Motion and in considering all other Motions filed by the Plaintiff that have violated the
16 stay in this matter, either as a Sanction or pursuant to any other relief available to the
17 Court.

18 DATED this 11^{JK} day of June 2025.

19 **SHAW & LINES, LLC**

20 
21 Augustus H. Shaw IV, Esq.

22 4523 E. Broadway Rd.
23 Phoenix, Arizona 85040
Attorneys for Defendant

24 ORIGINAL submitted for filing this
25 11^{JK} day of June 2025 to:

26 Clerk of the Court
27 Maricopa County Superior Court
28 (Via E-Filing online – Turbo Court)

1 COPY of the foregoing mailed this
2 11th day of June 2025 to:

3 Sandra Rodriquez
4 4735 E Besty Lane
5 Gilbert, Arizona 85296
6 *Defendant*

7 By: /s/ Diane Fincher

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Exhibit “A”

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2 1 I, the President of the Board of Directors at Gardens Gilbert Community
3 2 Association, hereby declare under penalty of perjury, that the following statements are
4 3 true and correct to the best of my knowledge and belief:
5 4

5 5 1. I am over the age of eighteen, a resident of Maricopa County, Arizona, and
6 6 am otherwise competent to make this declaration.
7 7

8 8 2. All of the statements set forth herein are made on the basis of my own
9 9 personal knowledge except for those statements made upon the basis of information and
10 10 belief, and as to such statements, I believe them to be true on the basis of the facts and
11 11 information known or provided to me.
12 12

12 13 3. I am on the current Board of Directors of the Gardens Gilbert Community
13 14 Association ("Association") located in Gilbert, Arizona, and I am authorized to make this
14 15 declaration on behalf of the Association. I make this declaration in my official capacity
15 16 and on behalf of the Association.
16 17

17 18 4. This affidavit is submitted in reference to the Motion Contempt of Court,
18 19 Breach of Stay, and Sanctions filed by the Plaintiff in Maricopa County Superior Court
19 20 Case No. CV2024-005940, on May 19, 2025.
20 21

21 22 5. In that motion, the Plaintiff submitted photographic evidence depicting an
22 23 unidentified male at or near Plaintiff's residence at 4375 E. Betsy Lane Gilbert, AZ,
23 24 85296, implying that this individual is affiliated with the Association.
24 25

25 26 6. I have personally reviewed the photographs, and based on knowledge of the
26 27 Association's Board, vendors, community manager, and representatives, I affirm that the
27 28 individual in question is not affiliated in any way with the Association.
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- 1 7. This individual is not, and has never been:
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- 3 a. An employee of the Association;
- 4 b. A Board or committee member;
- 5 c. A vendor, contractor, or service provider;
- 6 d. A managing agent or compliance representative; or
- 7 e. Approved or authorized to act on behalf of the Association.

8

9 8. The Board of Directors has no knowledge of who this individual is and did

10 not request, arrange for, or condone their appearance at the Plaintiff's property.

11 9. This affidavit is submitted solely to confirm that the Association is not

12 responsible for or connected to the individual depicted in Plaintiff's evidence.

13 10. I declare under penalty of perjury that the foregoing is true and correct to

14 the best of my knowledge and belief.

15 EXECUTED this 5 day of June, 2025.

16 

17 Anna Schultz, President of the Board of Directors at

18 Gardens Gilbert Community Association

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I, the Community Manager from Focus HOA Management for Gardens Gilbert Community Association, hereby declare under penalty of perjury, that the following statements are true and correct to the best of my knowledge and belief:

1. I am over the age of eighteen, a resident of Maricopa County, Arizona, and am otherwise competent to make this declaration.

2. All of the statements set forth herein are made on the basis of my own personal knowledge except for those statements made upon the basis of information and belief, and as to such statements, I believe them to be true on the basis of the facts and information known or provided to me.

3. I am currently the Community Manager from Focus HOA Management for the Gardens Gilbert Community Association ("Association") located in Gilbert, Arizona, and I am authorized to make this declaration on behalf of the Association. I make this declaration in my official capacity and on behalf of the Association.

4. This affidavit is submitted in reference to the Motion Contempt of Court, Breach of Stay, and Sanctions filed by the Plaintiff in Maricopa County Superior Court Case No. CV2024-005940, on May 19, 2025.

5. In that motion, the Plaintiff submitted photographic evidence depicting an unidentified male at or near Plaintiff's residence at 4375 E. Betsy Lane Gilbert, AZ, 85296, implying that this individual is affiliated with the Association.

6. I have personally reviewed the photographs, and based on knowledge of the Association's Board, vendors, community manager, and representatives, I affirm that the individual in question is not affiliated in any way with the Association.

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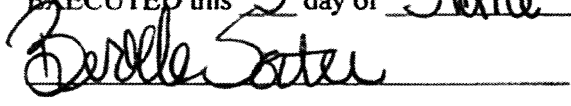
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7. This individual is not, and has never been:
- a. An employee of the Association;
 - b. A Board or committee member;
 - c. A vendor, contractor, or service provider;
 - d. A managing agent or compliance representative; or
 - e. Approved or authorized to act on behalf of the Association.

8. Focus HOA Management has no knowledge of who this individual is and did not request, arrange for, or condone their appearance at the Plaintiff's property.

9. This affidavit is submitted solely to confirm that the Association is not responsible for or connected to the individual depicted in Plaintiff's evidence.

10. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

EXECUTED this 5 day of June, 2025.


Brooke Sortor, Community Manager from Focus HOA
Management for Gardens Gilbert Community
Association

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Exhibit “B”

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$ _____
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	\$ _____
Total Postage and Fees	\$ _____

Postmark
Here

Sent To **Sandra Rodriguez**
 Street and Apt. No., or PO Box No. **4375 E Betsy Ln**
 City, State, ZIP+4® **Gilbert AZ 85296**

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
 - A unique identifier for your mailpiece.
 - Electronic verification of delivery or attempted delivery.
 - A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.
- Important Reminders:**
- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
 - Certified Mail service is *not* available for international mail.
 - Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
 - For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;
 - for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.
 - Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
 - Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
 - Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
 - To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.
- IMPORTANT: Save this receipt for your records.**

PS Form 3800, January 2023 (Reverse) PSN 7530-02-000-9047

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Focus HOA Management
4135 S Power Rd. Suite 133
Mesa, AZ 85212

CERTIFIED MAIL

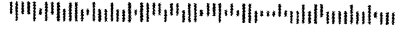


\$5.54⁰
US POSTAGE
FIRST-CLASS
FROM 85212
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9589 0710 5270 0948 8913 85

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SANDRA RODRIGUEZ
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RTXIE 850 DE 1048 0085/01/25

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

UNC SC: 85212360735 *1714-04791-11-43
85212>3627

1 **From:** Augustus Shaw <ashaw@shawlines.com >
2 **Date:** May 13, 2025 at 1:33:00 PM EST
3 **To:** Sandra Rodriguez <sandra.rodriguez0339@gmail.com >
4 **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 >
5 **Subject:** RE: EMERGENCY REQUEST: Architectural Forms & Process Outstanding for 41 Days

6 Mr. Rodriguez.

7 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.

8 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.

9 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.

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

11 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."

12 Good Day

13 Augustus H. Shaw IV**
14 Shaw & Lines, LLC
15 4523 E. Broadway Road
16 Phoenix, AZ 85040
17 Phone 480-456-1500
18 Fax 480-456-1515
19 e-mail ashaw@shawlines.com

20 web site www.shawlines.com

21 *Licensed in Arizona and Nebraska
22 *Faculty Associate - Arizona State University O'Connor College of Law
23 *Member, College of Community Association Lawyers

24 CONFIDENTIALITY STATEMENT: THIS E-MAIL MESSAGE AND ANY ACCOMPANYING DOCUMENTS CONTAIN INFORMATION WHICH IS ATTORNEY PRIVILEGED, CONFIDENTIAL AND INTENDED ONLY FOR THE USE OF THE ABOVE-NAMED RECIPIENT. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, PRINTING OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE OR RETURN THE E-MAIL MESSAGE TO US. THANK YOU.

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

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

27 Dear Augustus,

28 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.

1 **From:** Augustus Shaw <ashaw@shawlines.com>
2 **Date:** May 13, 2025 at 4:23:00 PM EST
3 **To:** Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
4 **Cc:** Focus Info <info@focushoa.com>, Brooke Sortor <Brooke@focushoa.com>, Harman Cadis <Harman@focushoa.com>
5 **Subject:** RE: Architectural Form (Windows)

6 I have forwarded the attached and below

7 Augustus H. Shaw IV**
8 Shaw & Lines LLC
9 4523 E. Broadway Road
10 Phoenix, AZ 85040
11 Phone 480-456-1500
12 Fax 480-456-1515
13 e-mail ashaw@shawlines.com
14 web site www.shawlines.com
15 *Licensed in Arizona and Nebraska
16 *Faculty Associate - Arizona State University O'Connor College of Law
17 *Member, College of Community Association Lawyers

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21 STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE OR RETURN THE E-
22 MAIL MESSAGE TO US. THANK YOU.

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

24 **From:** Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
25 **Sent:** Tuesday, May 13, 2025 12:11 PM
26 **To:** Augustus Shaw <ashaw@shawlines.com>
27 **Cc:** Focus Info <info@focushoa.com>; Brooke Sortor <Brooke@focushoa.com>; Harman Cadis <harman@focushoa.com>
28 **Subject:** Architectural Form (Windows)

Hi Mr. Shaw,

Thank you again for sending over the form. I'm moving quickly to submit it due to the urgent nature of this situation—please find the completed architectural form for the windows attached.

If you or Ms. Sortor could kindly respond to the questions I sent in the other email thread, I would greatly appreciate it.

Please confirm receipt of the attached form.

Have a great day.

Sandra Rodriguez

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Exhibit “C”

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

2 Mr. Rodriguez.

3 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.

4 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

5 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.

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

7 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."

8 Good Day.

9 Augustus H. Shaw IV+*
Shaw & Lines, LLC
4523 E. Broadway Road
Phoenix, AZ 85040
Phone 480-456-1500
Fax 480-456-1515

10 e-mail ashaw@shawlines.com
web site www.shawlines.com

11 †Licensed in Arizona and Nebraska

12 *Faculty Associate - Arizona State University O'Connor College of Law

13 *Member, College of Community Association Lawyers

14 **From:** Augustus Shaw <ashaw@shawlines.com>

15 **Date:** May 16, 2025 at 1:26:00 PM EST

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

17 **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>

18 **Subject: RE: Ongoing Nonresponse and Interference with Architectural Compliance**

19 Ms. Rodriguez.

20 As a courtesy, please see the attached.

21 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"

22 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.

23 Augustus H. Shaw IV+*
Shaw & Lines, LLC
4523 E. Broadway Road
Phoenix, AZ 85040
Phone 480-456-1500
Fax 480-456-1515

24 e-mail ashaw@shawlines.com
web site www.shawlines.com

25 †Licensed in Arizona and Nebraska

26 *Faculty Associate - Arizona State University O'Connor College of Law

27 *Member, College of Community Association Lawyers

28 CONFIDENTIALITY STATEMENT: THIS E-MAIL MESSAGE AND ANY ACCOMPANYING DOCUMENTS CONTAIN INFORMATION WHICH IS ATTORNEY PRIVILEGED, CONFIDENTIAL AND INTENDED ONLY FOR THE USE OF THE ABOVE-NAMED RECIPIENT. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, PRINTING OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE OR RETURN THE E-MAIL MESSAGE TO US. THANK YOU.

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