



1           Undersigned Counsel’s Representative has attempted, as detailed below, to contact  
2 the Plaintiff Sandra Rodriguez’s (hereafter, the “Plaintiff”) to request consultation as  
3 required and in order to file a Joint Report and Scheduling Order.  
4

5           Defendants, through undersigned counsel’s representatives, attempted to contact  
6 Plaintiff by sending correspondence on October 24, 2025. *See* “**Exhibit A**”. That  
7 correspondence included a Draft Joint Status Report prepared for Plaintiff review and  
8 comment, as well as a copy of the Court’s October 22, 2025 Minute Entry. *Id.* Defendant’s  
9 counsel requested that Plaintiff provide her input, redlined revisions, or availability for  
10 conference by November 6, 2025, to ensure compliance with the Court’s deadline. *Id.*  
11

12           Rather than respond to that email, contact defense counsel, or participate in the  
13 required Rule 16(b) meeting, Plaintiff unilaterally filed her own separate Rule 16(c)  
14 Report and Proposed Scheduling Order on October 27, 2025, without any prior  
15 communication or consultation with Defendant. *See* “**Exhibit B**”.  
16

17           Plaintiff’s unilateral filing not only predated any opportunity for a Rule 16(b)  
18 conference, but also misrepresented the procedural context by implying that Defendant  
19 failed to meet and confer. This filing was made before Plaintiff provided any response to  
20 Defendant’s October 24 correspondence or attempted to collaborate in good faith.  
21

22           Subsequently, on October 29, 2025, after her separate filing had already been  
23 docketed with the Court, Plaintiff transmitted an email to defense counsel purporting to  
24 “respond” to Defendant’s October 24 communication. *See* **Exhibit “C”**. In that  
25 correspondence, Plaintiff stated her refusal to sign or collaborate on a joint version of the  
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27  
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1 report and informing Defense Counsel of her previous October 27, 2025 separate Rule  
2 16(c) Report filing. *Id.*

3  
4 Ariz. R. Civ. P. 7.1(h) states:

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

10 As stated above, Defendants attempted to confer with the Plaintiff regarding the  
11 Joint Report and Scheduling Order but was unable to meet and confer due to the Plaintiff’s  
12 refusal to return the Defendants’ counsels attempts to communicate.

13  
14 As such, Defendants request that the Court hold that undersigned counsel has  
15 complied with the requisite rules governing the good faith consultation pursuant to Ariz.  
16 R. Civ. P. 12(j) and 7.1(h), prior to filing their Joint Report and Scheduling Order to be  
17 filed.  
18

19 DATED this 30<sup>th</sup> day of October 2025.

20 SHAW & LINES, LLC

21 /s/ Dominick D. Detente  
22 Dominick D. Detente, Esq.  
23 Augustus H. Shaw IV, Esq.  
24 4523 E. Broadway Rd.  
25 Phoenix, Arizona 85040  
Attorneys for Defendant

26 ORIGINAL submitted for filing this  
27 30<sup>th</sup> day of October 2025 to:  
28

1 (Via E-Filing online – Turbo Court)

2 COPY of the foregoing e-mailed and mailed this  
3 30<sup>th</sup> day of October 2025 to:

4 Sandra Rodriguez  
5 4735 E. Besty Lane  
6 Gilbert, Arizona 85296  
7 Plaintiff

8 By: /s/ Diane Fincher .

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# Exhibit “A”

## Receptionist

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**From:** Dominick Détente  
**Sent:** Friday, October 24, 2025 10:16 AM  
**To:** Sandra Rodriguez  
**Cc:** Augustus Shaw; Elizabeth Mundall; Diane Fincher; Receptionist  
**Subject:** Joint Status Report (Rule 16(c)) for Your Review – Due to Court by Nov. 12, 2025  
**Attachments:** DRAFT Joint Report (10.24.25).docx; Clean - m11535653.pdf - RULING ON SEVERAL MOTIONS FOR RELIEF - 10.22.2025.pdf

Ms. Rodriguez,

Per the Court's Minute Entry dated October 22, 2025, the parties must submit a Joint Status Report no later than November 12, 2025.

Attached please find a copy of the DRAFT Joint Status Report prepared for filing, along with a copy of the Court's October 22, 2025, Minute Entry.

Our office has also mailed hard copies of these documents to you today for your records.

To ensure we can meet the Court's deadline, please provide your approval or redlined edits by Thursday, November 6, 2025. If we do not hear from you, we will submit our version with an explanation of the parties' positions consistent with Rule 16(c) and advise the Court that Defendant attempted to confer.

Thank you Ms. Rodriguez,

Dominick

Dominick Detente, Esq.  
**SHAW & LINES, LLC**  
4523 E. Broadway Rd.  
Phoenix, Arizona 85040  
480.456.1500

**Confidentiality Statement:** This email and any accompanying files transmitted are confidential and intended solely for the receipt and use of the individual to whom it is addressed. This confidentiality includes the privilege of attorney/client protections. This message and files transmitted herewith are not to be forwarded, copied, distributed or disseminated to any person to whom said privileges do not apply. If you have received this message without being addressed by this sender, please disregard and delete the same, and notify this sender.

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# Exhibit “B”

**COPY**

**OCT 27 2025**



CLERK OF THE SUPERIOR COURT  
T. SEMENAK  
DEPUTY CLERK

1 Sandra Rodriguez  
2 4375 E. Betsy Lane  
3 Gilbert, Arizona 85296  
4 **Phone Number:** 602-688-9720  
5 **Email Address:** sandra.rodriguez0339@gmail.com  
6 **Representing:**  Self Represented, without a Lawyer

7 **IN THE SUPERIOR COURT IN THE STATE OF ARIZONA**  
8 **IN AND FOR THE COUNTY OF MARICOPA**

9  
10 SANDRA RODRIGUEZ,

11 **Plaintiff,**

12 vs.

13 GARDENS GILBERT COMMUNITY  
14 ASSOCIATION, FOCUS HOA  
15 MANAGEMENT, LLC, HARMIN CADIS,  
16 BROOKE SORTOR, ANNA SCHULTZ

17 **Defendants,**

18  
19  
20  
21 AUGUSTUS H. SHAW IV

22 **Defendant's Legal Counsel,**

**MARICOPA COUNTY  
SUPERIOR COURT**

**Case No.: CV2024-005940**

*Judge David McDowell,*

**APPEALS COURT (DIVISION  
ONE) Case No.: 1 CA-CV 24-0790; 1  
CA-CV 25-0040 (Consolidated)**

**PLAINTIFF'S SEPARATE RULE  
16(C) REPORT AND PROPOSED  
SCHEDULING ORDER (FILED  
PURSUANT TO RULE 16(C)(2))**

23 **TO THE HONORABLE JUDGE MCDOWELL:**

24  
25 **I. INTRODUCTION**

26 Pursuant to the Court's Minute Entry filed October 23, 2025 (entered October 22, 2025)  
27 directing the parties to submit a Joint Report and Proposed Scheduling Order under **Rule 16(c)**,  
28 Plaintiff Sandra Rodriguez respectfully submits this **Proposed Statement of Compliance**.

1 This filing updates the procedural posture, clarifies pending disclosure obligations, and  
2 proposes a schedule that includes time to amend the civil complaint in accordance with the  
3 Arizona Court of Appeals' Memorandum Decision of August 12, 2025 and this Court's  
4 directions.

## 5 II. PROCEDURAL BACKGROUND

- 6 1. On **August 12, 2025**, the Arizona Court of Appeals affirmed dismissal of certain claims  
7 but expressly held that Plaintiff's **discrimination and retaliation claims were**  
8 **dismissed *without prejudice***, preserving Plaintiff's right to re-plead those claims through  
9 a **Rule 15(a)** amendment.
- 10 2. On **October 22, 2025**, the Hon. David McDowell entered an order lifting the stay  
11 imposed by Judge Coffey and *directing all parties to resume discovery and disclosure*.
- 12 3. The same order required the parties to submit a **Joint Rule 16(c) Report and Proposed**  
13 **Scheduling Order** by **November 12, 2025**.
- 14 4. Defendants submitted a draft report on October 24, 2025; however, that document  
15 misstates key portions of the procedural record and does not include amendment  
16 timelines or the reinstated rights acknowledged by the Court of Appeals.
- 17 5. Plaintiff therefore submits this separate Proposed Statement to ensure full compliance  
18 and an accurate record.

## 19 III. DISCOVERY AND DISCLOSURE STATUS

- 20 • The prior discovery stay remained in effect until October 22, 2025.
- 21 • Plaintiff will serve her **Rule 26.1 Initial Disclosure Statement** no later than  
22 November 21, 2025, consistent with **Rule 26.1(f)(3)** (30 days after the stay is  
23 lifted).
- 24 • As of this filing, Defendants have not yet served their own updated disclosures.
- 25 • Plaintiff has previously submitted extensive supporting materials—HOA records,  
26 correspondence, estimates, and photographs—which will be incorporated into her  
27 disclosure statement.
- 28

1 **V. PENDING AMENDMENT – COMPLIANCE WITH COURT OF**  
2 **APPEALS AND RULE 15(a)(4)**

3  
4 The Court of Appeals' Memorandum Decision (Aug 12 2025) held that Plaintiff's  
5 discrimination and retaliation claims were dismissed *without prejudice* and may be re-filed by  
6 amendment.

7 Judge McDowell's October 22 Minute Entry further clarified that Plaintiff may pursue  
8 those claims upon filing a Rule 15-compliant motion with a redlined proposed pleading.  
9 Accordingly, Plaintiff proposes a deadline of December 5, 2025 to file that motion, with any  
10 responses due within 14 days thereafter, ensuring that all claims are properly before the Court  
11 early in discovery.

12 **VI. SETTLEMENT AND MEDIATION**

13 Plaintiff is willing to participate in **court-sponsored mediation or a settlement**  
14 **conference** once initial disclosures and preliminary discovery are complete (target May 2026).  
15

16 **VII. CONCLUSION**

17 Plaintiff submits this Proposed Statement in good faith and in full compliance with the  
18 Court's October 23, 2025 Order. This filing preserves the appellate rights confirmed by the Court  
19 of Appeals, incorporates the amendment period authorized by Judge McDowell, and ensures  
20 timely progress toward discovery, mediation, and trial.

21 Respectfully submitted this 27th day of October 2025.

22 

23  
24 Sandra Rodriguez  
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1 **VII. CERTIFICATE OF SERVICE**

2 On 27th day of November 2025, I served copies of this ***PLAINTIFF'S PROPOSED***  
3 ***STATEMENT IN COMPLIANCE WITH COURT ORDER FILED OCTOBER 23, 2025*** for  
4 on all parties of record via U.S. Mail.  
5

6 **OPPOSING PARTY INFORMATION**

7 **DEFENDANTS:**

- 8
- 9 o Gardens Gilbert Community Association
  - 10 o Focus HOA Management, LLC
  - 11 o Harmin Cadis
  - 12 o Brooke Sortor
  - 13 o Anna Schultz
- 14 • **Address:** 4135 E. Power Road, Suite 133, Mesa, Arizona 85212

15 **DEFENDANT'S LEGAL COUNSEL:**

- 16
- 17 • **Name:** Augustus H. Shaw IV
  - 18 • **Firm:** Shaw & Lines, LLC
  - 19 • **Address:** 4523 E. Broadway Road, Phoenix, Arizona 85040

20 Respectfully submitted this 27th day of October 2025..

21 

22 Sandra Rodriguez

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# Exhibit “C”

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Re: Joint Status Report (Rule 16(c)) for Your Review – Due to Court by Nov. 12, 2025

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

Date Wed 10/29/2025 12:01 PM

To Dominick Détente <Dominick@shawlines.com>

Cc Augustus Shaw <ashaw@shawlines.com>; Elizabeth Mundall <elizabeth@shawlines.com>; Diane Fincher <Diane@shawlines.com>; Receptionist <receptionist@shawlines.com>

 1 attachment (4 MB)

Plaintiff Separate Rule 16(c) Report & Proposed Scheduling Order (Clerk Copy) 10.27.25.pdf;

Dear Mr. Shaw,

I have reviewed your proposed Joint Report dated October 24, 2025. While I appreciate your efforts to meet the Court's directive, several sections misstate the current procedural posture and omit reference to claims dismissed without prejudice by the Arizona Court of Appeals.

To preserve the accuracy of the record and ensure compliance with Judge McDowell's October 22, 2025 Minute Entry, I will be submitting my own corrected Rule 16(c) Joint Report. This approach maintains procedural compliance while clarifying the scope of claims, pending Rule 15 amendments, and the current discovery posture.

Given the repeated false and misleading statements made under oath throughout the appellate proceedings—and reflected again in portions of your proposed draft—I cannot, in good faith, sign the version you submitted. Accordingly, I will file my own Rule 16(c) statement and proposed scheduling order directly with the Court.

**For transparency, the following corrections should have been incorporated into your version:**

1. Case Scope: The discrimination and retaliation claims were dismissed without prejudice and remain subject to amendment under Rule 15(a)(4).
2. Discovery: Plaintiff's disclosures were stayed by court order and will be served promptly now that the stay has been lifted per the October 22 Minute Entry.
3. Procedural Accuracy: The appellate decision vacated the attorney-fee award and reinstated negligence, gross-negligence, and intentional-tort claims.
4. Settlement and Scheduling: Mediation and discovery timelines should align with the reinstated claims and current procedural posture.

**CLARIFICATION REGARDING "Initial Disclosures"**

Your draft states that "Plaintiff has not served their Initial Disclosure Statement."

That characterization is misleading. Under **Rule 26.1(a)**, Ariz. R. Civ. P., an Initial Disclosure Statement requires each party to exchange core case information, including:

1. A factual statement of each claim or defense;
2. Names and contact information for persons likely to have discoverable information;
3. Copies or descriptions of documents, photos, or other evidence supporting those claims or defenses;
4. Computation of all categories of damages;
5. Any relevant insurance agreements; and
6. Expert disclosures, if applicable.

However, Judge Coffey's January 2025 Stay Order expressly froze all further filings and discovery pending appeal. As a result, I was legally prohibited from serving new disclosures until the stay was lifted. Judge McDowell's October 22, 2025 Minute Entry clearly states:

*> "IT IS ORDERED lifting the stay order and directing the parties to resume discovery/disclosure to ensure this matter is ready for a final trial."*

Therefore, no party—including the defendants—was permitted to exchange **Rule 26.1** disclosures before October 22, 2025. The reference in your draft omits this critical procedural context.

To date, the defendants have not provided their own Rule 26.1 Disclosure Statement either, despite being equally obligated to do so once the stay was lifted. Both parties are now required to serve updated disclosures consistent with Rule 26.1(a) and the Court's directive to resume discovery.

In addition, I have already submitted numerous supporting exhibits—emails, CC&Rs, billing records, photographs, estimates, and court filings—that satisfy the evidentiary categories of Rule 26.1(a)(4). Those materials will now be incorporated into a formal disclosure statement labeled:

*> "Plaintiff's Rule 26.1 Initial Disclosure Statement (Served Pursuant to October 22, 2025 Minute Entry and Rule 26.1, Ariz. R. Civ. P.)"*

This statement will be served within 14 days and followed by a Notice of Service filed with the Court.

## **CONCLUSION**

Your assertion that Plaintiff has not served disclosures overlooks both the Court's prior stay and its recent order **reopening discovery**. At this stage, neither party has yet served updated Rule 26.1 disclosures; however, the record will reflect that I am proceeding promptly and in good faith to comply with the Court's directive.

As you know, I have **submitted my own Rule 16(c) Report and Proposed Scheduling Order**, which is attached for your review. Please feel free to report to the Court any areas of alignment or proposed revisions you believe appropriate.

Additionally, I went ahead and **mailed you a physical copy** of these materials for your reference and records. By serving my updated disclosures now and documenting that timeline, I ensure full procedural compliance and eliminate any potential for mischaracterization in future filings.

Respectfully,

Sandra Rodriguez

On Fri, Oct 24, 2025, 10:16 AM Dominick Détente <[Dominick@shawlines.com](mailto:Dominick@shawlines.com)> wrote:  
Ms. Rodriguez,

Per the Court's Minute Entry dated October 22, 2025, the parties must submit a Joint Status Report no later than November 12, 2025.

Attached please find a copy of the DRAFT Joint Status Report prepared for filing, along with a copy of the Court's October 22, 2025, Minute Entry.

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Thank you Ms. Rodriguez,

Dominick

Dominick Detente, Esq.  
**SHAW & LINES, LLC**  
4523 E. Broadway Rd.  
Phoenix, Arizona 85040  
480.456.1500

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