

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 AUGUSTUS H. SHAW IV

20 **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)**

**MOTION FOR PROTECTIVE
ORDER**

21 **TO THE HONORABLE JUDGE MCDOWELL:**
22

23 Defendants' conduct before litigation, during litigation, and now during discovery—
24 including the dangerous conduct captured on video and filed May 5, 2025—*clearly meets the*
25 *statutory definition of harassment* under A.R.S. § 12-1809, which governs *Injunctions Against*
26 *Harassment (IAH)* and *Orders of Protection (OP)*.

27 A deposition under these circumstances would expose Plaintiff to *continued harassment,*
28 *intimidation, retaliation, and danger.* This makes compelled attendance:

- Procedurally impermissible,
- Statutorily prohibited,
- Constitutionally unsafe, and
- Expressly barred under Arizona case law prohibiting abusive or harmful discovery.

**I. HARASSMENT UNDER A.R.S. § 12-1809 — AND HOW
DEFENDANTS' CONDUCT SATISFIES IT**

1. A.R.S. § 12-1809(A) defines harassment as:

“A series of acts over any period of time that is directed at a specific person and that would cause a reasonable person to be seriously alarmed, annoyed or harassed and that in fact seriously alarms, annoys or harasses the person.”

Defendants' conduct satisfies this definition and FAR exceeds it:

A. A “series of acts” AIMED AT PLAINTIFF

- Refusal to provide legally-required HOA documents.
- Escalation to threats and intimidation.
- Direct unwanted contact by counsel.
- Repeated false accusations.
- Online bullying and Harassment (referenced in Appeal)
- Perjury and misconduct acknowledged by the **Court of Appeals.**

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B. CONDUCT A REASONABLE PERSON WOULD FIND ALARMING

- Hostile escalation.
- False claim/insinuation Plaintiff was armed.
- Attempted physical restraint.
- Repeated legal retaliation.
- Harassment through misuse of the legal system.

C. CONDUCT THAT “DID” ALARM OR HARASS PLAINTIFF

- Plaintiff documented psychological, emotional, and physical harm.
- The Arizona Court of Appeals reinstated Plaintiff’s *personal-injury claims* based on this conduct.
- The video evidence shows clear distress, fear, and danger.

D. CONDUCT THAT WARRANTS AN IAH or OP UNDER THE STATUTE

Had Plaintiff filed a separate OP or IAH petition, every statutory element under A.R.S. § 12-1809 is met. Because discovery cannot proceed under circumstances that *independently justify an Order of Protection*, the Court must issue a Protective Order under Rule 26(c).

This is not optional under Arizona law.

II. VIDEO EVIDENCE SUPPORTING PROTECTIVE RELIEF

Plaintiff incorporates:

- **Addendum A – Supplemental Evidence** (filed May 5, 2025)
- **Affidavit Regarding Video Evidence** (filed May 5, 2025)

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- The video footage submitted into the court record

which show:

- 1. Hostile escalation, including police-threat escalation and a false implication by Brittany Schultz that Plaintiff was armed.**
- 2. Physical attempts to restrain Plaintiff, attempting to trap Rodriguez inside building until police arrived.**
- 3. Discriminatory and retaliatory treatment once Plaintiff's address was identified.**
- 4. Obstruction of access to legally required HOA documents, demonstrating continual retaliatory motives.**

This evidence independently satisfies the harassment elements under A.R.S. § 12-1809 and proves the deposition environment *cannot be made safe or neutral*.

III. DEFENDANTS' DISCOVERY VIOLATIONS MAKE A DEPOSITION UNLAWFUL

1. NO RULE 26.1 DISCLOSURES

Depositions cannot occur without mandatory exchange of disclosures.

2. NO RULE 26(f) or RULE 37(a)(1) CONFERRAL

Defendants unilaterally set the date and location.

3. UNREASONABLE AND DANGEROUS LOCATION

Shaw & Lines' office is the epicenter of the misconduct acknowledged by the **Arizona Court of Appeals**.

1 **4. MISUSE OF DISCOVERY “AS A WEAPON”**

2 Prohibited by *Schumacher v. Hargrave*, 122 Ariz. 74 (1979).

3
4 **5. PSYCHOLOGICAL HARM AND TRAUMA RISK**

5 Barred under *Cain and Dunlap*.

6
7 **6. DISCOVERY SOUGHT TO INTIMIDATE AND RETALIATE**

8 Prohibited under *Blazek*.

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10 **7. CONDUCT THAT WOULD JUSTIFY AN ORDER OF PROTECTION OR**
11 **INJUNCTION AGAINST HARASSMENT**

12 If conduct qualifies for an injunction under A.R.S. § 12-1809, *compelled deposition cannot be*
13 *permitted.*

14 **8. A DEPOSITION NOTICE IS NOT A SUPOENA**

15 Under **Rule 45**, no attendance is required unless the Court orders it—and it must not be
16 ordered here.

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19 **IV. FOURTEENTH AMENDMENT DUE-PROCESS AND EQUAL-**
20 **PROTECTION VIOLATIONS**

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22 Forcing Plaintiff into a deposition controlled by individuals who harassed, threatened,
23 restrained, and discriminated against her violates:

- 24 • **Fundamental fairness,**
25
26 • **Procedural due process,**
27
28 • **Equal protection, and**
• **Freedom from retaliatory use of legal process.**

1 Courts cannot compel discovery that creates **danger, trauma, or retaliation.**

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4 **V. REQUEST FOR COURT CONFIRMATION**
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6 **REGARDING ATTORNEY SHAW**

7 Given:

- 8
- 9 • Shaw's central role in harassment,
 - 10 • His misconduct recognized by the Court of Appeals,
 - 11 • His repeated misrepresentations,
 - 12 • His involvement in dangerous, retaliatory conduct, and
 - 13 • His direct role in weaponizing discovery,
 - 14
 - 15

16 Plaintiff requests confirmation that *Shaw must be added as a defendant* under:

- 17
- 18 • **Rule 15(a)(2)** (liberal amendment standard),
 - 19 • **Rule 19(a)** (required parties),
 - 20 • **Rule 21** (misjoined/newly joined parties).
 - 21
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23 **VI. RELIEF REQUESTED**

24 Plaintiff respectfully requests that the Court:

- 25
- 26 1. **Issue a Protective Order under Rule 26(c)** prohibiting any deposition of Plaintiff at
 - 27 this time;
 - 28 2. **Deny any motion to compel deposition** as a matter of law;

- 1 3. **Hold that *no deposition of Plaintiff* may occur** because Defendants' conduct meets the
2 statutory criteria for harassment under A.R.S. § 12-1809.
- 3 4. **Order that any future deposition (if required)** must be remote or in a neutral
4 courthouse location, not Shaw & Lines;
- 5 5. **Require Defendants' full compliance with Rule 26.1** and a documented **Rule 26(f)**
6 conferral;
- 7 6. **Confirm that Attorney Shaw may be named as a defendant** in the forthcoming
8 Amended Complaint;
- 9 7. **Award any other relief necessary to protect Plaintiff's safety, due-process rights, and**
10 well-being.
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14 VII. CONCLUSION

15 Because Defendants' conduct meets—and exceeds—the statutory definition of
16 harassment under A.R.S. § 12-1809, and because discovery is being used in a retaliatory,
17 dangerous, coercive, and unconstitutional manner, Plaintiff cannot be compelled to sit for any
18 deposition at this time.
19

20 Defendants' conduct would justify the issuance of an **Injunction Against Harassment**
21 if Plaintiff filed separately. It would be legally impossible—and contrary to Arizona and federal
22 law—to order a deposition under conditions that independently justify an IAH or OP.

23 Therefore, *the Court must grant this Protective Order* and prohibit any deposition until
24 safety, compliance, neutrality, and constitutional due process are restored.

25 Respectfully submitted this 13th day of November 2025.

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28 Sandra Rodriguez

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VIII. CERTIFICATE OF SERVICE

I served copies of this **MOTION FOR PROTECTIVE ORDER** for on all parties of record via U.S. Mail.

OPPOSING PARTY INFORMATION

DEFENDANTS:

- o Gardens Gilbert Community Association
- o Focus HOA Management, LLC
- o Harmin Cadis
- o Brooke Sortor
- o Anna Schultz
- **Address:** 4135 E. Power Road, Suite 133, Mesa, Arizona 85212

DEFENDANT'S LEGAL COUNSEL:

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

Respectfully submitted this 13th day of November 2025..



Sandra Rodriguez