



1 R. Civ. P. and as strongly suggested by the Court in its Ruling Addressing Several  
2 Motions and Filings dated November 11, 2025. When Defendants' Counsel attempted  
3 to reach out and schedule a telephone conference to discuss the Motion, Plaintiff refused.  
4  
5 (See **Exhibit A** attached hereto)

6 Since the Plaintiff refuses to meet and confer with Defendants' Counsel  
7 concerning the Motion, the Defendants are forced to respond to the Plaintiff's Motion.  
8

9 **MEMORANDUM OF POINTS AND AUTHORITIES**

10 **I. PLAINTIFF'S MOTION SHOULD BE DENIED.**

11 Plaintiff's Motion requests several forms of relief centered around the  
12 Defendants' noticing of the Plaintiff's deposition. (attached hereto as **Exhibit B** is the  
13 Plaintiff's Notice of Deposition).  
14

15 Plaintiff, as a party, has an obligation under Rule 30(a) Ariz. R. Civ. P. to attend  
16 a deposition. Defendants properly noticed Plaintiff's deposition pursuant to Rule 30(b)  
17 Ariz. R. Civ. P. for 11 days after the Initial Disclosure Statements are due in order to  
18 comply with Rule 26.1(f) and Rule 30(b) Ariz. R. Civ. P.

19 Plaintiff has not articulated a reasonable argument as to why she should not be  
20 deposed. The Plaintiff has made allegations in her complaint and subsequent pleadings  
21 that require impeachment through a deposition. Also, Plaintiff's deposition testimony  
22 will aid the Defendants in their defense of the Plaintiff's allegations and claims.

23 The date, time and location of Plaintiff's deposition can be freely discussed and  
24 negotiated between the parties if the Plaintiff would simply retract her refusal to meet  
25 and confer with Defendants' Counsel. Simply refusing to attend a deposition or seeking  
26 relief from the Court without first meeting and conferring is inappropriate.  
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1 Simply put, noticing a party's deposition is not a form of harassment. As such,  
2 the Defendants request that the Plaintiff's Motion for Protective Order be denied.

3 **II. PLAINTIFF'S REQUEST TO ADD DEFENDANTS'**  
4 **ATTORNEY AS A PART SHOULD BE DENIED.**

5 In its Ruling Addressing Several Motions and Filings dated November 11, 2025,  
6 the Court denied the Plaintiff's request to add Defendants' attorney as a Defendant  
7 because "Ms. Rodriguez has not met the requirements of Rule 19." The Plaintiff has  
8 because "Ms. Rodriguez has not met the requirements of Rule 19." The Plaintiff has  
9 "still not met the requirements of Rule 19" and as such, her request should be denied.

10 **III. CONCLUSION**

11 As such, the Defendants request that the Court deny the Plaintiff's Motion in its  
12 entirety and order the Plaintiff to reimburse the Defendants their reasonable attorney's  
13 fees and costs incurred to respond to the Motion.  
14

15 DATED this 14<sup>th</sup> day of November 2025.

16 SHAW & LINES, LLC

17 /s/ Augustus H. Shaw IV, Esq., CCAL

18 Augustus H. Shaw IV, Esq.

19 4523 E. Broadway Rd.

20 Phoenix, Arizona 85040

21 Attorneys for Defendant

22 ORIGINAL submitted for filing this  
23 14<sup>th</sup> day of November 2025 to:

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

27 COPY of the foregoing e-mailed and mailed this  
28 14<sup>th</sup> day of November 2025 to:

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Sandra Rodriguez  
4735 E. Besty Lane  
Gilbert, Arizona 85296  
Plaintiff

By: /s/ Diane Fincher .

# Exhibit “A”

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## Augustus Shaw

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**From:** Sandra Rodriguez <sandra.rodriguez0339@gmail.com>  
**Sent:** Thursday, November 13, 2025 7:21 PM  
**To:** Dominick D tente  
**Cc:** Augustus Shaw  
**Subject:** Re: Rodriguez v. Gardens Gilbert - Request to Meet and Confer Regarding Recent Filings

Dear Mr. Dentente,

Thank you for your email.

For the record, this request to meet and confer was sent only after I filed my Objection to Notice of Deposition, Motion for Protective Order, and Motion to Extend Deadlines and Temporarily Pause Discovery. Under the **Arizona Rules of Civil Procedure**, the issues raised in these filings—particularly those involving **Rule 26.1** violations, **Rule 26(f)** conferral deficiencies, safety concerns, harassment under **A.R.S.   12-1809**, and constitutional issues—are not the type of matters that can be resolved informally and therefore are not subject to **Rule 7.1(h)**'s conferral requirement.

Additionally, Defendants did not confer with me before noticing a deposition, as required by **Rule 26(f)** and **Rule 37(a)(1)**. I am noting this only to preserve the procedural history accurately.

To avoid any misunderstanding and to comply with **Rule 408** of the **Arizona Rules of Evidence**, I request that all future communications regarding these motions be provided in writing only. This ensures a clear and complete record and avoids any inadvertent implication of settlement discussions or waiver of rights. Any written communication you choose to provide will be reviewed and addressed through the proper procedural channels.

Thank you,

Sandra Rodriguez

On Thu, Nov 13, 2025, 5:15 PM Dominick D tente <[Dominick@shawlines.com](mailto:Dominick@shawlines.com)> wrote:  
Dear Ms. Rodriguez,

We are in receipt of your three recent filings, including the Objection to Notice of Deposition, Motion to Extend Deadlines and Temporarily Pause Discovery, and Motion for Protective Order.

Pursuant to Rule 7.1(h), we would like to consult with you regarding these matters, as we believe that all of the issues raised can be resolved without court intervention. We are available at your convenience for a phone call to respectfully discuss each of these items and work toward a mutually agreeable resolution.

Please let me know a date and time that works for you, and we will make ourselves available. We look forward to speaking with you.

Have a wonderful day,

Dominick Detente, Esq.

**SHAW & LINES, LLC**

4523 E. Broadway Rd.

Phoenix, Arizona 85040

480.456.1500

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*Relocating!*

Effective December 1, 2025, our new office location will be:

1490 S. Price Rd., Suite 318

Chandler, Arizona 85286

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**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.

1 **AFFIDAVIT**

2 STATE OF ARIZONA )  
3 ) ss.  
4 County of Maricopa )

5 I Dominick Detente, an Associate Attorney with Shaw & Lines, LLC, hereby  
6 swear and attest that I e-mailed and called Sandra Rodriguez on November 13, 2025, at  
7 5:15 PM, to coordinate a meet and confer regarding her three recent filings: (a)  
8 Objection to Notice of Deposition, (b) Motion to Extend Deadlines and Temporarily  
9 Pause Discovery, and (c) Motion for Protective Order. There was no answer to my call.  
10 I left a voice message to call back.

11 That same day, at 7:22 PM, Plaintiff responded by email declining to participate  
12 in a meet and confer, asserting that the issues in her filings were not subject to a meet  
13 and confer, and instructing that all future communications be made in writing only.  
14

15 I declare and verify under penalty of perjury that the foregoing is true and correct.

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18 Dominick Detente – Associate Attorney

# Exhibit “B”

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1 **PERSON TO BE EXAMINED:** Sandra Rodriguez  
2 **DATE/TIME OF DEPOSITION:** December 12, 2025 (Friday)  
3 1:30 p.m.  
4 **PLACE OF DEPOSITION:** Shaw & Lines, LLC  
5 1490 S. Price Rd., Suite 318  
6 Chandler, AZ 85286

7 DATED this 13<sup>th</sup> day of November 2025.

8 **SHAW & LINES, LLC**

9  
10 /s/ Dominick D. Detente, Esq.  
11 Augustus H. Shaw IV, Esq.  
12 Dominick D. Detente, Esq.  
13 4523 E. Broadway Rd.  
Phoenix, Arizona 85040  
*Attorneys for Defendant*

14 ORIGINAL e-mailed and mailed this  
15 13<sup>th</sup> day of November 2025 to:

16 Sandra Rodriguez  
17 4735 E. Besty Lane  
18 Gilbert, Arizona 85296  
*Plaintiff*

19 Seymore Reporting Services  
20 137 E. Elliot Rd., # 2473  
21 Gilbert, Arizona 85299  
office@srsreporting.com  
22 *Court Reporters*

23  
24 By: /s/ Diane Fincher  
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