

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 AUGUSTUS H. SHAW IV

19 **Defendant's Legal Counsel,**

**MARICOPA COUNTY
SUPERIOR COURT**
Case No.: CV2024-005940
Judge David McDowell,

**EMERGENCY
MOTION TO STAY**
*(PENDING RESOLUTION OF PLAINTIFF'S
MOTIONS FOR PROTECTIVE ORDER FILED
NOVEMBER 13 & 26, 2025)*

20 **TO THE HONORABLE JUDGE MCDOWELL:**

21
22 Plaintiff Sandra Rodriguez respectfully submits this Emergency Motion to Stay all
23 proceedings, including deposition scheduling, discovery enforcement, deadlines, and any attempt
24 to compel Plaintiff's attendance at a deposition, pending the Court's rulings on Plaintiff's Motion
25 for Protective Order filed November 13, 2025, and her Amended Motion for Protective Order
26 filed November 26, 2025. As set forth in those filings, Plaintiff has raised substantial and well-
27 documented concerns regarding harassment, improper contact, retaliation, health and safety risks,
28 due process violations, and the misuse of discovery by Defendants and their counsel. Because

1 these issues directly determine whether an oral deposition may legally proceed, immediate
2 judicial intervention is required.

3 Plaintiff brings this request on an emergency basis because Defendants and their counsel
4 have already attempted to initiate deposition scheduling and pressure Plaintiff into premature
5 discovery notwithstanding two pending Protective Order motions. Forcing Plaintiff into a
6 deposition under these circumstances would cause immediate and irreparable harm, including
7 emotional distress, unsafe contact, intimidation, and a deprivation of her meaningful ability to
8 prepare or participate safely in litigation. These harms cannot be undone later, and Plaintiff would
9 have no adequate remedy on appeal. Under Rule 26(c), a party cannot be compelled to participate
10 in any deposition when she has filed a motion seeking protection from harassment, oppression,
11 or undue burden. Discovery must pause until the Court resolves the protective-order issues.
12 Proceeding now would undermine the purpose of Rule 26(c) and would expose Plaintiff to
13 precisely the harms the rule is designed to prevent.

14 Arizona appellate authority reinforces this requirement. In *Mittelstadt v. Burgess*, the
15 Court of Appeals held that when a litigant challenges the propriety, safety, or fairness of a
16 deposition, the trial court must resolve that dispute before the deposition may move forward. This
17 precedent applies directly here. Plaintiff has complied fully with the procedural requirements by
18 filing motions identifying specific safety concerns, improper conduct by opposing counsel, and
19 risks of harassment. Thus, the Court must rule on Plaintiff's motions before any deposition is
20 scheduled or enforced. To require otherwise would violate both Rule 26(c) and the protections
21 recognized in *Mittelstadt*.

22 Emergency relief is further necessary to safeguard Plaintiff's constitutional rights. As
23 described in Plaintiff's Protective Order motions, Defendants and their counsel have repeatedly
24 engaged in improper conduct, including unsolicited and intimidating phone contact, discovery
25 misuse designed to retaliate, and litigation tactics that disproportionately burden an indigent, self-
26 represented litigant. These actions violate Plaintiff's due-process rights, equal protection
27 guarantees, and fundamental access to the courts. Forcing an oral deposition while these issues
28 remain unresolved would exacerbate those violations and materially impair Plaintiff's ability to
participate in her case safely and effectively.

1 Because Plaintiff faces immediate and irreparable harm, because no adequate appellate
2 remedy exists, and because the interests of justice overwhelmingly require judicial protection,
3 Plaintiff respectfully requests that the Court immediately stay all proceedings until the Court
4 issues rulings on the Protective Order motions filed November 13 and November 26, 2025.
5 Plaintiff further requests that Defendants and their counsel be prohibited from contacting Plaintiff
6 regarding depositions or discovery scheduling until those rulings are issued, and that no
7 deposition be noticed, scheduled, or compelled unless and until the Court resolves the pending
8 motions and addresses Plaintiff's safety concerns. Plaintiff also requests any additional relief the
9 Court deems necessary to protect her health, safety, constitutional rights, and access to justice.

10
11 Respectfully submitted this 9th day of December 2025.

12 

13
14 Sandra Rodriguez

1 **VIII. CERTIFICATE OF SERVICE**

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3 I served copies of this **MOTION TO STAY (PENDING MOTION FOR**
4 **PROTECTIVE ORDER)** for on all parties of record via U.S. Mail.

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6 **OPPOSING PARTY INFORMATION**

7 **DEFENDANTS:**

- 8 o Gardens Gilbert Community Association
9 o Focus HOA Management, LLC
10 o Harmin Cadis
11 o Brooke Sortor
12 o Anna Schultz

- **Address:** 4135 E. Power Road, Suite 133, Mesa, Arizona 85212

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14 **DEFENDANT'S LEGAL COUNSEL:**

- 15 • **Name:** Augustus H. Shaw IV
16 • **Firm:** Shaw & Lines, LLC
17 • **Address:** 1490 S. Price Rd Ste 318 Chandler, AZ
 85286

18 Respectfully submitted this 9th day of December 2025..

19 

20
21 Sandra Rodriguez