

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2024-005940

12/19/2025

HONORABLE DAVID MCDOWELL

CLERK OF THE COURT  
A. Patel  
Deputy

SANDRA RODRIGUEZ

SANDRA RODRIGUEZ  
4375 E BETSY LN  
GILBERT AZ 85296

v.

GARDENS GILBERT COMMUNITY  
ASSOCIATION, et al.

AUGUSTUS H SHAW IV

JUDGE MCDOWELL

**RULING ON MOTIONS FILED BETWEEN NOVEMBER 7 AND DECEMBER 15**

Since this Court wrote its most recent order (November 10, 2025) filed by the Clerk of the Court on November 12, 2025, the Court has received fifteen filings from Ms. Rodriguez. Ten of those filings were motions. The Court will address each of those motions below.

As an initial matter, Ms. Rodriguez has altered the caption in this case by including “AUGUSTUS H. SHAW IV Defendant’s Legal Counsel” in the caption. The Caption CANNOT be altered without the express permission of the Court. The Court has not given anyone permission to alter the caption.

**IT IS ORDERED** Ms. Rodriguez must immediately stop using any caption other than the following on her filings with this Court:

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<b>IN THE SUPERIOR COURT OF THE STATE OF ARIZONA</b>	
<b>IN AND FOR THE COUNTY OF MARICOPA</b>	
SANDRA RODRIGUEZ,  <p style="text-align: right;">Plaintiff,</p> v.  GARDENS/GILBERT COMMUNITY ASSOCIATION, an Arizona non-profit corporation; FOCUS HOA MANAGEMENT, LLC, LLC, an Arizona limited liability company; HARMAN CADIS; BROOKE SORTOR; AND ANNA SCHULZ,  <p style="text-align: right;">Defendants.</p>	<b>Case No. CV2024-005940</b>

Any future filings which contain a caption other than that specified above will be rejected.

**PLAINTIFF’S MOTION IN RESPONSE TO DEFENDANTS’ REVISED RULE 16(c) REPORT**

On November 7, 2025<sup>1</sup> Ms. Rodriguez filed *Plaintiff’s Motion in Response to Defendants’ Revised Rule 16(c) Report*. Ms. Rodriguez requests the Court “clarify the procedural framework, establish compliant case-management deadlines, and move this matter forward to trial in accordance with the appellate mandate and the principles of fairness, due process, and judicial integrity.”

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<sup>1</sup> This was actually filed prior to the Court preparing the November 10, 2025 Order, but because it was electronically filed, it was not filed in the Docket by the Clerk of the Court until November 12, 2025. If the parties are unaware, even electronically filed documents can take three to five days to be incorporated into the Court’s docket. Until a filing is incorporated into the docket the Court does not have access to it unless the party delivers a physical copy to the Judge’s Division.

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The Court is uncertain what Ms. Rodriguez is seeking when she refers to “clarify the procedural framework”. The procedural framework for this case is set forth in orders of this Court and in the Rules of Civil Procedure. To the extent there is any inconsistency between an Order of the Court and the Rules of Civil Procedure, the Order of the Court controls. For instance, the Court has set a deadline for the parties to exchange their initial disclosure statement – that deadline controls over the timeline set forth in the Civil Rules. See Rule 26(f), and 26.1(a).

The Court established deadlines in the November 12, 2025 Order, but as indicated in footnote one, Ms. Rodriguez’s November 7, 2025 *Motion* was filed before she received the Court’s scheduling order and so some of the issues raised are resolved by the November 12, 2025 Order.

Ms. Rodriguez reiterates arguments in this motion she made in previous motions including her argument that Defendants’ answer does not comply with Rules 8, 10, and 11 Ariz.R.Civ.Proc. Those arguments were addressed and rejected, in the November 12, 2025 Order.

**IT IS ORDERED** denying *Plaintiff’s Motion in Response to Defendants’ Revised Rule 16(c) Report* filed November 7, 2025.

**MOTION TO EXTEND DEADLINES AND TEMPORARILY PAUSE DISCOVERY**

On November 13, 2025 Ms. Rodriguez filed a *Motion to Extend Deadlines and Temporarily Pause Discovery*. On November 14, 2025 Defendants filed a *Response to Motion to Extend Deadlines and Temporarily Pause Discovery*. Because Ms. Rodriguez has been so prolific in her filings, the Court previously ordered that Defendants do not need to respond to each filing unless directed by the Court. The Court did not direct Defendants to file a response.

In this motion, Ms. Rodriguez requests the Court “extend Plaintiff’s Rule 26.1 disclosure and Amended Complaint deadlines”, pause discovery, require Defendants to submit timely disclosures, and protect Plaintiff’s due process rights.

This case has been pending since March 2024. Rule 16(b) requires the parties to conduct an early meeting “at the earliest practicable time, but no later than 20 days after a party files an answer **or files a motion directed at the complaint** or 120 days after the action commences ...”. [Emphasis added]. Rule 16(c) requires a joint report and proposed scheduling order be filed within 14 days of the early meeting. The first motion directed at the complaint was filed on April 10, 2024. Thus the early meeting was required to be completed by May 10, 2024 and the Joint Report was due on May 24, 2024. That didn’t occur. Another eighteen months has elapsed since that date. Ms.

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Rodriguez has not stated good cause to delay the exchange of disclosure statements, to begin discovery, or to pause discovery.

**IT IS ORDERED** denying the request to extend the deadline to submit disclosures.

**IT IS ORDERED** denying the request to pause discovery.

The Court did not set a deadline for Plaintiff to file an Amended Complaint, so there is no deadline to extend. Plaintiff argues, without citation to any authority, that Defendants' answer restarts the "pleading clock". It appears Ms. Rodriguez is arguing that she can file an amendment as of right because an answer was filed November 13, 2025. That argument is unpersuasive, Defendants filed an answer on December 17, 2024. Ms. Rodriguez's ability to amend as of right expired long ago. Ms. Rodriguez must file a motion to amend the complaint that complies with Rule 15.

As for the argument that Ms. Rodriguez was granted the right by the Court of Appeals to amend her complaint, that argument has been previously addressed. Ms. Rodriguez should carefully read the prior orders of the Court on that topic.

**IT IS ORDERED** denying the request to deem that Ms. Rodriguez has the ability to file an amended complaint as of right.

**IT IS ORDERED** denying the November 13, 2025 *Motion to Extend Deadlines and Temporarily Pause Discovery*.

The Court always protects the due process rights of both parties, but due process rights do not permit a party to do whatever he/she wants whenever he/she wants. Due process gives a party an opportunity to be heard at a designated time in a designated manner. The parties are encouraged to carefully read any cases he/she cites in support of an argument about due process rights to ensure he/she understands the full import of the decision and not just a single quote taken out of context.

Portions of this Motion implicate discovery obligations and a dispute over discovery; therefore, the parties are required to comply with Rule 26(d). To comply with Rule 26(d) the parties must have a good faith consultation. There was no good faith consultation certificate attached to this Motion, and nothing in the Motion indicates that consultation occurred. The lack of a consultation is the main point raised in the *Response*. Because there was no documented compliance with Rule 37 and this is not a joint statement of discovery dispute under Rule 26(d), the Court could have rejected this filing. And in the future the Court will reject any discovery motions filed without express permission of the Court entered after a Rule 26(d) conference.

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**OBJECTION TO DEFENDANTS' NOTICE OF DEPOSITION**

On November 13, 2025 Ms. Rodriguez filed an *Objection to Notice of Deposition (Rule 26(c))*. In this *Motion* she asserts the deposition notice is “Procedurally defective, Unreasonable, Issued in bad faith, In violation of Rule 26(f) and Rule 37(a)(1); Incompatible with the Fourteenth Amendment’s Due Process and Equal Protection guarantees, and Inconsistent with Arizona case law prohibiting oppressive and harmful discovery tactics. Ms. Rodriguez argues there has been a pattern of harassment and retaliation prior to and during the litigation.

Ms. Rodriguez refers to several instances of behavior attributed to the HOA and its employees which she contends is harassment, but she cites no behavior which she attributes to defense counsel. None of the instances cited are supported by admissible evidence. Her argument that the deposition constitutes harassment or is in furtherance of harassment is rejected.

Ms. Rodriguez argues a deposition cannot be set before a disclosure is served. No rule or case law supports that argument. While it is common practice to set a deposition after some discovery has occurred, it is not required. In fact, Rule 26(f)(2) states that the methods of discovery may be used in any sequence. Further the Court ordered the parties to exchange initial disclosures by December 1, 2025, so the deposition was set to occur after the disclosures.

Ms. Rodriguez argues defense counsel failed to confer with her prior to setting the deposition. She cites Rule 26(f) and Rule 37(a). Neither state that communication prior to setting a deposition date is required.. Again, while communication to coordinate a date is common it is not required.

Ms. Rodriguez argues the location is oppressive and unsafe. She cites no evidence in support of those arguments.

Ms. Rodriguez argues the deposition would inflict emotional distress, physical symptoms, and retraumatization (sic), and further physical injury. She cites no evidence in support of this argument.

Ms. Rodriguez argues she is not required to attend because no subpoena was served and Defendants have not moved to compel and the Court has not ordered attendance. That is incorrect. A subpoena is not required for a party’s deposition. See Rule 30. A subpoena is only required to compel a non-party to attend a deposition. While the Court understands the civil rules of procedure can be complicated and difficult to read, a party representing him/herself is required to understand and apply them.

Ms. Rodriguez argues the notice of deposition violates her fourteenth amendment rights because it is coercive, the parties engaged in harassment and retaliation, no 26.1 disclosure has been

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supplied, and the deposition would occur in the presence of an attorney engaged in perjury and misconduct. Most of those arguments were rejected above. For those which were not, Ms. Rodriguez cites no case law or statutory authority in support of her positions, fails to establish the nexus between her allegations and her Fourteenth Amendment rights, and fails to provide any evidentiary support for her arguments. Stating the names of cases without analysis or even a proper citation to the case (including the page or paragraph) is not proper reference to authority.

Ms. Rodriguez charges that defense counsel has been implicated in misconduct by the Court of Appeals but cites to nothing in the record to support her position. As the Court warned in the November 12, 2025 Order:

Both parties are cautioned to avoid hyperbole and exaggerating the facts, the law, or the prior orders in this case. If the Court finds that either party is exaggerating the facts, the law, or prior orders in this case to the extent the statements become misleading, the Court will require the offending party to use direct quotes and attach highlighted pages of the source documents to every filing.

The parties should be aware an allegation without a citation to a specific exhibit, declaration, decision, filing, etc. will be considered argument and will have no evidentiary effect.

Ms. Rodriguez argues the discovery has been weaponized, but to the Court's knowledge this deposition is actually the first instance of these parties engaging in any discovery. Ms. Rodriguez fails to explain how the first instance of discovery amounts to weaponization.

**IT IS ORDERED** denying the November 13, 2025 *Objection to Notice of Deposition (Rule 26(c))* in its entirety.

The Court acknowledges this case has become emotionally charged and acknowledges a deposition conducted at the office of defense counsel may cause emotions to remain high. **IT IS ORDERED** the deposition of Plaintiff shall be scheduled to occur at the office of the Court Reporter or at the State Bar Association office.

Ms. Rodriguez's *Objection to Defendant's Notice of Deposition* is a discovery motion under Rule 37 and requires compliance with Rule 26(d). Nothing submitted to the Court indicates Ms. Rodriguez attempted to comply with Rule 26(d). On that basis alone, the Court could have rejected this filing.

**IT IS ORDERED** after December 18, 2025 the Court will reject any discovery motions unless the Court orders the parties to file them after conducting a Rule 26(d) hearing. If the parties have a

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discovery dispute. They MUST comply with Rule 26(d) including conducting a good faith consultation to resolve the dispute.

**MOTION FOR PROTECTIVE ORDER**

In a November 13, 2025 *Motion for Protective Order*, Ms. Rodriguez seeks several items of relief, some of which were raised previously. Defendants filed a *Response to Motion for Protective Order and Objection to Notice of Deposition* on November 14, 2025. Because Ms. Rodriguez has been so prolific in her filings, the Court previously ordered that Defendants do not need to respond to each filing unless directed by the Court. The Court did not direct Defendants to file this response.

Ms. Rodriguez requests a protective order prohibiting her from being deposed. Many of her arguments were previously set forth in her November 13, 2025 *Motion to Extend Deadlines and Temporarily Pause Discovery* and her November 13, 2025 *Objection to Notice of Deposition* and are addressed above. Both of those motions were denied and nothing in this *Motion for Protective Order* alters those decisions.

Ms. Rodriguez claims Defendants' discovery is unlawful. For the reasons stated above related to the other two November 13, 2025 Motions, these arguments are denied. The Court finds Ms. Rodriguez has not submitted sufficient persuasive evidence or factual basis for the Court to find that Defendants have committed discovery violations.

Ms. Rodriguez requests the Court permit Mr. Shaw to be added as a defendant. This is an issue to be raised in a motion pursuant to Rule 15 or Rule 19, but not in a motion for protective order. Further a list of five bullet points without any evidentiary support does not meet Ms. Rodriguez's burden under either rule. The Court will not consider this issue as raised in this motion.

**IT IS ORDERED** denying the November 13, 2025 *Motion for Protective Order* in its entirety.

The Response indicates Ms. Rodriguez did not conduct a meet and confer as required by Rule 26 and 37 prior to filing this discovery motion. Possibly Ms. Rodriguez did not recognize that an objection to a deposition or seeking a protective order to avoid a deposition is a discovery motion - but it is.

Again, a motion seeking to avoid a deposition of a party is a discovery motion and the Rules of Civil Procedure REQUIRE compliance with Rule 26(d). This Motion does not comply with Rule 26(d). As stated above, after December 18, 2025 the Court will reject any discovery motions unless the Court orders the parties to file them after conducting a Rule 26(d) hearing. If the parties have

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a discovery dispute. They MUST comply with Rule 26(d) including conducting a good faith consultation to resolve the dispute.

**IT IS ORDERED** after December 18, 2025 the Court will reject any discovery motions unless the Court orders the parties to file them after conducting a Rule 26(d) hearing.

**IT IS ORDERED** deferring Defendants' request for attorney fees. The Court specifically ordered that Defendants do not need to respond to each of Plaintiff's filings unless directed by the Court to minimize the attorney fees incurred to respond to motions which are improper or duplicative. Defendants should consider heeding the Court's advice because it will impact the amount of fees, if any, the Court deems reasonable.

**SPECIAL EMERGENCY REQUEST: MOTION TO STRIKE DEFENDANTS'  
RESPONSE FOR BAD FAITH AND VIOLATION OF COURT ORDER**

In this November 14, 2025 filing entitled *Special Emergency Request: Motion to Strike Defendants' Response for Bad Faith and Violation of Court Order*. Ms. Rodriguez seeks to strike Defendants' *Response to Motion to Extend Deadlines and Temporarily Pause Discovery* (filed November 14, 2025).

Rule 7.1 states that motions to strike are limited to two pages. Ms. Rodriguez's motion is seven pages. Future violations of the Rules of Civil Procedure will result in the filing being rejected.

Ms. Rodriguez argues Defendants' Response "contains repeated misrepresentations, violations of a direct court order, coercive litigation tactics, and legally baseless arguments for attorney's fees". What Ms. Rodriguez characterizes as "direct misstatement" is not. Ms. Rodriguez does not cite to exhibits to support her arguments and while some emails are attached, they are not cited in her motion and no declaration establishes their authenticity.

The Court disagrees that the Response contains redundant, immaterial, impertinent, or scandalous materials.

Ms. Rodriguez requests the Court dispense with the meet and confer requirement. She argues "the opposing party has demonstrated an extreme level of hostility toward Plaintiff". Nothing supplied with this motion has demonstrated that Mr. Shaw or his office have demonstrated hostility toward Plaintiff and the email Ms. Rodriguez attached was quite polite in word choice (since emails have no tone – the Court relies on word choice). It may be helpful to remember that the meet and confer requirement will occur between Ms. Rodriguez and Mr. Shaw or another attorney in his office and not with Mr. Shaw's client. In her December 9, 2025 *Reply to Defendant's (sic) Response to Amend*

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(sic) for *Protective Order* she argues “Written communication fully complies with Rule 26 and the Court’s expectations.” IT DOES NOT. Ms. Rodriguez makes repeated allegations about harassment and accuracy, but she has failed to produce any persuasive credible evidence of either committed by any individual in defense counsel’s office. Rule 26 requires a meet and confer by telephone or in person and the Court will require the parties to comply.

**IT IS ORDERED** denying the November 14, 2025 *Special Emergency Request: Motion to Strike Defendants’ Response for Bad Faith and Violation of Court Order* in its entirety.

**MOTION TO STAY PENDING RESOLUTION OF SPECIAL ACTION**

On November 24, 2025, Ms. Rodriguez filed a *Motion to Stay (Pending Resolution Special Action Request with the Court of Appeals)*. The Court of Appeals declined to consider the special action on November 25, 2025 making this *Motion* moot.

On November 25, 2025 Ms. Rodriguez filed a *Motion to Withdraw Motion to Stay Petition for Special Action*.

**IT IS ORDERED** granting the *Motion to Withdraw Motion to Stay (Pending Resolution of Special Action Request with the Court of Appeals)*.

**MOTION TO AMEND CIVIL COMPLAINT, EXTEND TIME,  
TEMPORARILY PAUSE DISCOVERY**

On November 25, 2025 Ms. Rodriguez filed a *Motion to Amend Civil Complaint, Extend Time, Temporarily Pause Discovery*. On December 2, 2025 Defendants filed a *Response to Motion to Amend Civil Complaint, Extend Time, and Temporary Pause Discovery*. Because Ms. Rodriguez has been so prolific in her filings, the Court previously ordered that Defendants do not need to respond to each filing unless directed by the Court. The Court did not direct Defendants to file this response. On December 3, 2025 Ms. Rodriguez filed a *Consolidated Response to Defendants’ Response to Motion to Compel and Motion to Amend Civil Complaint*.

There is no proposed amended complaint attached to this Motion. Instead, Ms. Rodriguez asks the Court to grant her leave to amend without the amended complaint being submitted. She argues that Rule 15(a), Ariz.R.Civ.Proc. does not require the submission of the proposed amended pleading. She is misreading the Rules. Rule 15(a)(4) requires the attachment of the proposed amendment. Rule 15(a)(4) uses mandatory language – “must”. A motion seeking to amend which does not have attached a proposed amended pleading does not comply with the rules.

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**IT IS ORDERED** rejecting the Motion to Amend. Ms. Rodriguez can refile her motion to amend when she can attach a proposed amended complaint which complies with Rule 15.

In the portion of this *Motion* addressing the request for an extension and to pause discovery, she seeks to pause discovery until the amended complaint is filed and accepted.

**IT IS ORDERED** denying the request to pause discovery. This case has been pending for nearly two years and no appreciable discovery has been conducted. If, as Ms. Rodriguez contends on page 2 of this Motion, the proposed amendment is intended to address events that have occurred since the litigation began, all of that information and evidence is already in existence and can be disclosed, even if that disclosure occurs before the motion to amend is filed. The Court finds no good cause to continue to delay discovery. Further Rule 26.1 imposes an obligation to supplement disclosures. So if anything is discovered after the initial disclosure, there is a duty to timely supplement.

Finally, Ms. Rodriguez argues that discovery should be paused until after she amends to avoid the need to re-do the discovery. This would be a more persuasive argument if Ms. Rodriguez were not in full possession of all of the facts, circumstances, and evidence motivating her desire to amend the complaint. It will be Defendants, not Ms. Rodriguez, who are prejudiced if discovery begins before she files her amended complaint because they are unaware of her intended claims, evidence, and facts.

A motion to pause discovery is a discovery motion and requires compliance with Rule 26(d). This motion to pause discovery is not permitted until the Court directs the parties to file it after a Rule 26(d) conference. No discovery conference has been conducted. No good faith consultation certificate is attached to this Motion and nothing in the Motion indicates a good faith consultation occurred. This motion is impermissible under Rule 26(d) and Rule 37. Further motions of this sort will be rejected unless the Court expressly authorizes a party to file it.

**IT IS ORDERED** after December 18, 2025 the Court will reject any discovery motions unless the Court orders the parties to file them after conducting a Rule 26(d) hearing.

**IT IS ORDERED** denying the *Motion to Amend Civil Complaint, Extend Time, Temporarily Pause Discovery* in its entirety.

**IT IS ORDERED** denying the request in the Response to prohibit Plaintiff from filing a motion to amend.

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**IT IS ORDERED** deferring Defendants' request for attorney fees. The Court specifically ordered that Defendants do not need to respond to each of Plaintiff's filings unless directed by the Court to minimize the attorney fees incurred to respond to motions which are improper or duplicative. Defendants should consider heeding the Court's advice because it will impact the amount of fees, if any, the Court deems reasonable.

**MOTION TO COMPEL AND CONTINUED BREACH  
OF CONSTITUTIONAL VIOLATIONS**

In this November 26, 2025 filing entitled *Motion to Compel and Continued Breach of Constitutional Violations*. On December 2, 2025 Defendants filed a *Response to Plaintiff's Motion to Compel and Continued Breach of Constitutional Violations and Cross Motion for Sanctions*. Because Ms. Rodriguez has been so prolific in her filings, the Court previously ordered that Defendants do not need to respond to each filing unless directed by the Court. The Court did not direct Defendants to file this response. On December 3, 2025 Ms. Rodriguez filed a *Consolidated Response to Defendants' Response to Motion to Compel and Motion to Amend Civil Complaint*. On December 15, 2025 Ms. Rodriguez filed *Plaintiff's Limited Reply to Defendant's Sanction Request*. Because one party is not permitted to file both a response to a motion and then a reply to the same motion, the Court disregards the December 15, 2025 filing by Ms. Rodriguez.

Ms. Rodriguez seeks and order requiring Defendants to "provide full and proper disclosure in accordance with Rule 26.1..." and she seek sanctions due to "non-compliance, false certification of service, and violation of Plaintiff's 14<sup>th</sup> Amendment rights."

Ms. Rodriguez argues Defendants failed to disclose evidence, but she fails to explain how she knows the evidence she seeks exists. She asserts Defendants failed to provide contact information for witnesses – but the disclosure statement was not provided to the Court, so the Court does not know what was provided. She argues Defendants failed to disclose damage information – but to this Court's knowledge Defendant has not filed a counter-claim so Defendants are not seeking damages.

More importantly, a motion to compel is a discovery motion which isn't permitted until the Court directs the parties to file one after a Rule 26(d) conference. No discovery conference has been conducted. No good faith consultation certificate is attached to this Motion and nothing in the Motion indicates a good faith consultation occurred. This motion is impermissible under Rule 26(d) and Rule 37.

**IT IS ORDERED** after December 18, 2025 the Court will reject any discovery motions unless the Court orders the parties to file them after conducting a Rule 26(d) hearing.

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**IT IS ORDERED** deferring Defendants' request for attorney fees. The Court specifically ordered that Defendants do not need to respond to each of Plaintiff's filings unless directed by the Court to minimize the attorney fees incurred to respond to motions which are improper or duplicative. Defendants should consider heeding the Court's advice because it will impact the amount of fees, if any, the Court deems reasonable.

**IT IS ORDERED** other than what is stated above, the Court will take no action on this Motion or the Cross Motion until and unless the parties meet and confer about the disputed issues and then file a Rule 26(d) statement if they are unable to resolve the issue.

**MOTION FOR PROTECTIVE ORDER**

On December 2, 2025, Ms. Rodriguez filed another *Plaintiff's Motion for Protective Order (Amended)*. On December 9, 2025 Defendants filed a *Response*. Because Ms. Rodriguez has been so prolific in her filings, the Court previously ordered that Defendants do not need to respond to each filing unless directed by the Court. The Court did not direct Defendants to file this response. On December 9, 2025 Ms. Rodriguez filed *Plaintiff's Reply to Defendant's (sic) Response to Amend (sic) for Protective Order*.

In this Motion, she asserts Non-Uniform Interrogatories, Requests for Admission, and Requests for Production served upon her by Defendants "demonstrate retaliation, surveillance, and discriminatory targeting". Specifically, she contends the interrogatories inquiring about her income, operation of a daycare, and benefits are improper and beyond the scope of the issues in this case.

No good faith consultation certificate is attached to this Motion and nothing in the Motion indicates a good faith consultation occurred. This motion is impermissible under Rule 26(d) and Rule 37. **IT IS ORDERED** after December 18, 2025 the Court will reject any discovery motions unless the Court orders the parties to file them after conducting a Rule 26(d) hearing.

Turning to the substance of the discovery, Ms. Rodriguez does not object to each and every interrogatory, request for production, or request for admission. In her Motion she only identifies those that relate to her financial circumstances and operation of a daycare.

Therefore, **IT IS ORDERED** Ms. Rodriguez should prepare complete answers to each and every interrogatory, request for production, and request for admission to which she did not state a specific objection in her Motion. Please consult the Rules of Civil Procedure to determine when the answers are due.

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**IT IS ORDERED** Ms. Rodriguez and counsel for Defendants shall confer in person or by telephone no later than **January 2, 2026** to determine whether they can reach an agreement on those discovery requests to which Ms. Rodriguez stated a specific objection in her Motion. The Court will address any unresolved issues during the January 5, 2026 Status Conference.

In Ms. Rodriguez's *Reply* she states that defense counsel has engaged in litigation abuse. The Court disagrees. The examples set forth by Ms. Rodriguez demonstrate she failed to comply with the Civil Rules regarding discovery and discovery disputes and Defendants are complaining about her lack of compliance. Complaining about a party's lack of compliance with the rules is not litigation abuse.

**IT IS ORDERED** deferring Defendants' request for attorney fees. The Court specifically ordered that Defendants do not need to respond to each of Plaintiff's filings unless directed by the Court to minimize the attorney fees incurred to respond to motions which are improper or duplicative. Defendants should consider heeding the Court's advice because it will impact the amount of fees, if any, the Court deems reasonable.

**IT IS ORDERED** denying Plaintiff's request for a protective order.

**EMERGENCY MOTION TO STAY**

On December 9, 2025 Ms. Rodriguez filed an *Emergency Motion to Stay (Pending Resolution of Plaintiff's Motions for Protective Order Filed November 13 & 26 2025)*. On December 11, 2025 Defendants filed a *Response to Plaintiff's Emergency Motion to Stay*. Because Ms. Rodriguez has been so prolific in her filings, the Court previously ordered that Defendants do not need to respond to each filing unless directed by the Court. The Court did not direct Defendants to file this response. In this Motion, Ms. Rodriguez reiterates her previously filed requests for a stay. The reasons stated for seeking a stay were the reasons stated in her November 13, 2025 and November 26, 2025 Motion which have been addressed above.

**IT IS ORDERED** denying the December 9, 2025 *Emergency Motion to Stay (Pending Resolution of Plaintiff's Motions for Protective Order Filed November 13 & 26 2025)* for the reasons stated above.

The parties should be aware that this Division, like all civil judges in Maricopa County, has more than 1,000 cases for which he is responsible. While every effort is made to address motions as soon as possible, in addition to receiving a tremendous volume of written filings, the Court also

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presides over trials and other hearings. Filing of additional motions will not assist the Court in addressing matters any more quickly.

**IT IS ORDERED** deferring Defendants' request for attorney fees. The Court specifically ordered that Defendants do not need to respond to each of Plaintiff's filings unless directed by the Court to minimize the attorney fees incurred to respond to motions which are improper or duplicative. Defendants should consider heeding the Court's advice because it will impact the amount of fees, if any, the Court deems reasonable.

**ADVISORY NOTICE TO BOTH PARTIES**

Despite the Court's warning in the November 12, 2025 Order, the parties have continued to engage in unprofessional behavior. The parties are encouraged to **READ CAREFULLY** the warnings contained in the November 12, 2025 Ruling and in this Ruling.

**IT IS ORDERED** in the future the Court will reject any replies which raise issues not mentioned in the response (if any is filed).

**BOTH PARTIES ARE AGAIN** warned to avoid hyperbole and exaggeration. And both parties need to avoid name-calling. If this pattern continues, the Court will enter an order indicating that any future filings containing hyperbole, exaggeration, or name calling will be rejected and not considered.

The Court previously warned the parties as follows:

If the Court finds that either party is exaggerating the facts, the law, or prior orders in this case to the extent the statements become misleading, the Court will require the offending party to use direct quotes and attach highlighted pages of the source documents to every filing.

Despite this warning, this has continued to occur.

**IT IS ORDERED** any statement which the filing party contends should be considered by the Court as a statement of fact **MUST** contain a parenthetical citation to an exhibit or order of the Court. A party cannot cite to a motion or other filing previously made by him/her as authoritative but can cite to motions or other filings made by the other party. Pin cites ARE REQUIRED - a pin cite is one that references a specific page, paragraph, and line of the referenced document. Any factual statement that does not contain a parenthetical pin cite will be considered argument and will be given little or no weight because arguments are not evidence and the Court is required to make decision based on evidence.

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**IT IS ORDERED** any request for relief which is not addressed in the body of the filing will be disregarded.