

26 MAR 25 AM 11:31

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 an Arizona non profit
15 corporation; FOCUS HOA
16 MANAGEMENT, LLC, and Arizona
17 limited liability company; HARMIN
18 CADIS, BROOKE SORTOR, ANNA
19 SCHULTZ

20 **Defendants,**

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

**PLAINTIFF'S MOTION FOR
PROTECTIVE ORDER, TO STAY
DEPOSITION, AND ISSUE
SANCTIONS**

21 **TO THE HONORABLE JUDGE MCDOWELL:**

22
23 Rodriguez (*"Plaintiff"*), appearing pro per, respectfully moves this Court pursuant to
24 Ariz. R. Civ. P. 26(c), 30(b)(4), 37, and 56(d) for a protective order against Defendants and their
25 counsel, Augustus H. Shaw IV and Shaw & Lines, LLC. Plaintiff requests that this Court stay
26 Plaintiff's deposition until Defendants comply with their discovery obligations and the Court's
27 February 23, 2026 Order, require that any deposition be conducted remotely, and impose
28 appropriate relief under Rule 37 for Defendants' ongoing discovery violations. Defendants seek
to compel Plaintiff's deposition and threaten to file a partial summary judgment motion while

1 continuing to withhold discovery, misstate procedural rules, and disregard a Court order. This
2 conduct is prejudicial and abusive, warranting protection. The issues raised in the proposed
3 summary judgment motion were previously decided by the Arizona Court of Appeals (*See Exh.*
4 *2*).

5 I. FACTUAL BACKGROUND

6 On December 1, 2025, Plaintiff served Requests for Production, Interrogatories, and
7 Requests for Admission on Defendants. Defendants failed to provide responsive materials.
8 During a January 5, 2026 meet-and-confer, Defendants' counsel claimed that noncompliance was
9 due to confusion regarding "*Tier*" designations. Despite clarification, Defendants did not produce
10 discovery.

11 Discovery was temporarily stayed but lifted by Court Order on February 23, 2026. Since
12 that time, Defendants have continued to withhold responsive discovery. Plaintiff sent multiple
13 follow-up communications, including most recently on March 2, 2026, clarifying that all
14 discovery requests remain relevant to the Amended Complaint. Defendants' counsel has
15 Defendants repeatedly claimed confusion about the applicability of discovery despite prior
16 clarifications. Plaintiff also participated in a telephone meet-and-confer with Defendants'
17 counsel, Augustus H. Shaw IV, during which counsel asserted that discovery obligations applied
18 only to the original complaint and were altered or reset following the stay and the filing of the
19 amended complaint.. Plaintiff clarified that discovery obligations are ongoing and apply to the
20 Amended Complaint. Counsel refused to acknowledge these obligations, continued to withhold
21 evidence, and asked leading questions aimed at mischaracterizing Plaintiff's statements and
22 eliciting self-incriminating responses. During this call, counsel further stated that Plaintiff's
23 statements would be treated as testimony and would be used against her, creating a coercive and
24 adversarial environment inconsistent with good faith consultation.

25 Plaintiff proposed filing a Rule 26(d)(2) joint statement and offered to include
26 Defendants' position to facilitate resolution. Counsel refused and instead attempted to portray
27 Plaintiff as noncompliant by posing leading questions designed to elicit self-incriminating
28 responses and suggest she was electing to submit her own statement in lieu of complying with the
joint statement requirements. At the same time, Defendants noticed Plaintiff's deposition and

1 have indicated an intent to pursue summary judgment, despite withholding discovery and without
2 providing any draft motion or supporting evidence during meet-and-confer discussions.

3 II. LEGAL STANDARD

4
5 Under Ariz. R. Civ. P. 26(c), the Court may issue protective orders to protect a party from
6 annoyance, oppression, undue burden, or abuse of discovery. Arizona courts recognize broad
7 discretion to control discovery and prevent misuse of the process. *Brown v. Superior Court*, 137
8 Ariz. 327 (1983). Arizona Rule of Civil Procedure 26.1 imposes a continuing duty of disclosure
9 that persists throughout the litigation and requires timely supplementation as new information
10 becomes available. Arizona courts strictly enforce these obligations. *Bryan v. Riddel*, 178 Ariz.
11 472 (1994). Defendants' position that discovery obligations were "reset" by the filing of an
12 amended complaint is contrary to the plain language of Rule 26.1 and Arizona law.

13 Under Rule 37, a party's failure to comply with disclosure obligations or court orders may
14 result in sanctions. See *Zimmerman v. Shakman*, 204 Ariz. (App. 2003); *Allstate Ins. Co. v.*
15 *O'Toole*, 182 Ariz. 284 (1995). No rule permits unilateral suspension or modification of discovery
16 obligations; any alteration of deadlines requires court approval under Rule 6(b). Defendants
17 cannot avoid their disclosure duties by claiming confusion or attempting to redefine the scope of
18 discovery.

19 Under Rule 30(b)(4), the Court may order remote depositions to protect a party from
20 undue burden, expense, or safety concerns, consistent with Rule 26(c). Under Rule 56(d), a party
21 is entitled to discovery necessary to oppose dispositive motions, and summary judgment requires
22 a sufficiently developed factual record. *Orme School v. Reeves*, 166 Ariz. (1990). Summary
23 judgment is improper where facts remain undeveloped or discovery is incomplete. See *Wells*
24 *Fargo Credit Corp. v. Smith*, 166 Ariz. (App. 1990). A party cannot obtain summary judgment
25 while withholding evidence or failing to comply with disclosure obligations. See *Zimmerman v.*
26 *Shakman*, 204 Ariz. (App. 2003).

27 Finally, the Fourteenth Amendment to the United States Constitution and Article 2, § 4 of
28 the Arizona Constitution guarantee due process, including a meaningful opportunity to be heard.
Curtis v. Richardson, 212 Ariz. 308 (App. 2006).

III. ARGUMENT

1
2
3 A protective order is warranted because Defendants are engaging in ongoing discovery
4 abuse, violating a Court order, and attempting to compel Plaintiff's deposition under unfair and
5 prejudicial circumstances that deprive Plaintiff of a meaningful opportunity to prepare and be
6 heard. Defendants have failed to produce discovery served on December 1, 2025, despite the stay
7 being lifted on February 23, 2026, and despite repeated follow-up communications. Their
8 continued refusal to provide responsive materials violates Rules 26.1, 34, and 37.

9
10 Defendants are further withholding evidence while allowing Court-ordered timelines to
11 run, effectively preventing Plaintiff from timely questioning witnesses and obtaining evidence,
12 and developing the factual record required by this Court. This conduct undermines the Court's
13 February 23, 2026 Order and prejudices Plaintiff's ability to prepare her case.

14
15 Defendants' assertion that discovery obligations were altered or "reset" following the
16 filing of the Amended Complaint and the stay is legally incorrect. Arizona Rule of Civil Procedure
17 26.1 imposes a continuing duty of disclosure that persists throughout the litigation and requires
18 timely supplementation; it does not permit suspension or restart of obligations based on amended
19 pleadings. *See Bryan v. Riddell*, 178 Ariz. 472 (1994). No rule authorizes a party to unilaterally
20 modify or delay discovery obligations, and any extension or modification of deadlines requires
21 court approval under Rule 6(b). Defendants' position misstates Arizona law and does not justify
22 their continued withholding of responsive evidence.

23
24 Defendants through legal counsel Shaw now seek to compel Plaintiff's deposition while
25 continuing to withhold discovery and while remaining in violation of the Court's February 23,
26 2026 Order. A party cannot seek enforcement of court orders while disregarding its own
27 obligations, nor engage in procedural gamesmanship by selectively complying with rules to gain
28 a tactical advantage. Such selective compliance undermines the integrity of the discovery process.

29
30 Plaintiff has not refused to attend a deposition and remains willing to proceed once
31 Defendants cure their discovery violations, as Plaintiff is entitled to full disclosure before being
32 examined on matters within Defendants' exclusive control. Rodriguez objects only to proceeding
33 before receiving required disclosures and to an in-person format due to safety concerns, prior
34 agreement to conduct the deposition remotely, and ongoing harassment reflected in the record.

1 Under Ariz. R. Civ. P. 26.1 and 37, a party is entitled to full and timely disclosure, and courts
2 may limit or sequence discovery to prevent prejudice. *See Ariz. R. Civ. P. 26(c)*. Compelling a
3 deposition while Defendants withhold discovery would deprive Plaintiff of a fair opportunity to
4 prepare and respond, as Plaintiff cannot be fairly examined on facts and evidence exclusively
5 within Defendants' possession that have not been disclosed, in violation of Rule 56(d) and due
6 process protections under the Fourteenth Amendment and Article 2, § 4 of the Arizona
7 Constitution.

8 Plaintiff remains willing to proceed with deposition under reasonable conditions,
9 including a remote format pursuant to Rule 30(b)(4). A protective order is appropriate to ensure
10 the deposition proceeds in a safe, fair, and constitutionally sound manner. Compelling deposition
11 under these circumstances is premature and prejudicial. Plaintiff cannot be fairly examined on
12 information and evidence withheld by Defendants, particularly where such materials are
13 necessary to test credibility, prepare objections, and develop testimony. Arizona courts recognize
14 that a pattern of discovery abuse justifies limiting or delaying proceedings where necessary to
15 ensure fairness and protect the integrity of the judicial process.

16 Defendants have not acted in good faith and have engaged in a pattern of obstruction and
17 misrepresentation throughout the discovery process. Plaintiff attempted to resolve disputes
18 through meet-and-confer efforts and proposed filing a Rule 26(d)(2) joint statement. Defendants'
19 counsel refused to cooperate and instead attempted to characterize Counsel improperly attempted
20 to portray Plaintiff as noncompliant through misleading characterizations. During the meet-and-
21 confer, counsel asserted that discovery obligations applied only to the original complaint and were
22 "reset" following the stay and the filing of the amended complaint, and posed leading questions
23 designed to elicit statements suggesting Plaintiff was refusing to comply. These statements and
24 tactics created a coercive and prejudicial environment designed to mischaracterize and
25 incriminate Plaintiff's position and are inconsistent with the good-faith requirements of Rule
26 7.1(h).

27 Defendants' indication that they intend to pursue summary judgment while continuing to
28 withhold discovery further demonstrates the impropriety of their conduct. A party cannot seek
dispositive relief while depriving the opposing party of access to relevant evidence, as doing so
prevents the non-moving party from presenting facts essential to oppose the motion under Rule

1 56(d). Under Rule 56(d), Plaintiff is entitled to obtain discovery necessary to respond to any such
2 motion. Finally, Defendants' conduct violates Plaintiff's due process rights. Forcing Plaintiff to
3 proceed with deposition and litigation while denying access to evidence and disregarding a court
4 order deprives Plaintiff of a meaningful opportunity to prepare and be heard. This constitutes a
5 violation of due process under both the United States and Arizona Constitutions.

6 **IV. PRAYER FOR RELIEF**

7 WHEREFORE, Plaintiff respectfully requests that this Court enter an Order as follows:
8

9 **1. Protective Order and Stay of Deposition**

10 Issue a protective order against all defendants, their legal counsel(s) pursuant to Ariz.
11 R. Civ. P. 26(c) staying Plaintiff's deposition until Defendants have fully complied
12 with their disclosure and discovery obligations and the Court's February 23, 2026
13 Order;

14 **2. Remote Deposition Requirement**

15 Order that any deposition of Plaintiff be conducted remotely pursuant to Rule 30(b)(4),
16 in light of Plaintiff's safety concerns and to prevent further prejudice;

17 **3. Compel Discovery Compliance**

18 Order Defendants to serve full, complete, and verified responses to all outstanding
19 discovery requests, including production of all responsive documents, interrogatory
20 answers, and requests for admission, by a date certain;

21 **4. Preclusion of Undisclosed Evidence**

22 Preclude Defendants, pursuant to Rule 37(c), from using any documents, information,
23 or witnesses not properly disclosed in compliance with Rule 26.1;

24 **5. Sanctions Under Rule 37**

25 Impose appropriate sanctions under Rule 37(b) and (c) for Defendants' failure to
26 comply with discovery obligations and the Court's Order, including but not limited to
27 evidentiary sanctions, limitation of defenses, adverse inference, monetary sanctions, or
28 such other relief as the Court deems appropriate;

6. Relief Concerning Dispositive Motions

Order that Defendants may not file or proceed with any motion for summary judgment
until full compliance with disclosure and discovery obligations has occurred, or

1 alternatively, grant relief under Rule 56(d) to allow Plaintiff adequate time to obtain
2 discovery necessary to respond;

3 **7. Expedited Hearing and Case Management Relief**

4 Set a hearing to address Defendants' ongoing noncompliance and modify scheduling
5 deadlines as necessary to cure prejudice caused by Defendants' conduct;

6 **8. Clarification of Rule 26(d) Application**

7 Clarify that Rule 26(d) does not bar relief where a party refuses to participate in good
8 faith in the joint statement process or otherwise obstructs discovery;

9
10 Respectfully submitted this 25rd day of March 2026.

11 

12 Sandra Rodriguez
13

14 **V. EXHIBITS**

- 15 1. **Exhibit 1** - Plaintiff's Follow Up Discovery Email Requesting Outstanding Discovery
16 Obligations (March 2, 2026)
- 17 2. **Exhibit 2** – Defendants' Email Stating Intent to File Summary Judgment Without
18 Providing Motion and While Withholding Discovery (March 23, 2026)
- 19 3. **Exhibit 3** – Defendants' through Co-Counsel Dente, under the direction of legal counsel
20 Augustus H. Shaw IV March 10, 2026 Correspondence Misstating Disclosure
21 Obligations and Demanding Supplemental Legal Theories While Withholding Discovery
- 22 4. **Exhibit 4** - Defendants, through counsel Augustus H. Shaw IV, March 11, 2026
23 correspondence misstating discovery obligations, asserting delayed disclosure deadlines,
24 and refusing production while discovery remains outstanding
- 25 5. **Exhibit 5** - Plaintiff's Affidavit in support of Protective Order (March 25, 2026)
26
27
28

1 **VI. CERTIFICATE OF SERVICE**

2 I served copies of this ***PLAINTIFF'S MOTION FOR PROTECTIVE ORDER, TO STAY***
3 ***DEPOSITION AND FOR SANCTIONS*** for on all parties of record via U.S. Mail.
4

5 **OPPOSING PARTY INFORMATION**

6 **DEFENDANTS:**

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

13 **DEFENDANT'S LEGAL COUNSEL:**

- 14 • **Name:** Augustus H. Shaw IV
15 • **Firm:** Shaw & Lines, LLC
16 • **Address:** 1490 S. Price Road, Suite 318 Chandler, Arizona 85286
17

18 Respectfully submitted this 25th day of March 2026.

19 

20 Sandra Rodriguez
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EXHIBIT 1



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Discovery: Defendant's Uniform and Non Uniform Interrogatories, Request Admissions, and Production of Records (Second Attempt) CV2024-009540

1 message

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
To: Augustus Shaw <ashaw@shawlines.com>
Bcc: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Mon, Mar 2, 2026 at 8:00 AM

Dear Mr. Shaw,

Please be advised that the following discovery materials are enclosed and served pursuant to the Arizona Rules of Civil Procedure. Complete written responses are required within thirty (30) days of service.

These discovery requests are directed to the former and current Gardens Gilbert Community Association ("GGCA") Board Members, Focus HOA Management, LLC, and individuals with relevant knowledge, including Anna Schultz, Harmin Cadis, and Brooke Sortor.

Individuals with Knowledge

A. Former GGCA Board Members

- Anna Schultz – Former GGCA Board President
- Sara Herrera
- Kristene Celaya
- Fiona (last name unknown; attendee of the May 20, 2025 Board Meeting)
- Jennifer Watkins

B. Current GGCA Board Members

- Anna Foss
- Josh Dick
- Corey Krebs
- Coyan Bidwell (current and former Board Member)

Discovery Materials Served

1. Plaintiff's Requests for Admission
2. Plaintiff's First, Second, and now Third Set of Requests for Production of Documents (Third Attempt)
3. Plaintiff's Uniform and Non-Uniform Interrogatories

Please note that many of these requests were previously served on November 28, 2025, December 1, 2025, and December 22, 2025. Defendants are requested to ensure that all responses are complete, supplemented as necessary, verified where required, and served within thirty (30) days and/or no later than by April 1, 2026 as required under the Arizona Rules of Civil Procedure. This thirty-day deadline applies to all outstanding and newly served discovery, including Plaintiff's Requests for Production of Documents, Defendants' Requests for Admission, and Uniform Interrogatories. Please ensure timely compliance to avoid the need for court intervention.

Sincerely,

Sandra Rodriguez

7 attachments



DEFEND~1.PDF
517K



DEFEND~2.PDF
634K



Defendant Uniform & Non Uniform Interrogatories (ALL GGCA BOARD) 03.02.26.pdf
606K



DEFEND~1.PDF
316K



DEFEND~1.PDF
1155K



DEFENDANT'S REQUESTS FOR ADMISSIONS 12.01.25.pdf
242K



Third Set for Production of Records 03.01.26.pdf
505K

EXHIBIT 2



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Rodriguez v. Gardens Gilbert, et al - CV2024-005940

2 messages

Diane Fincher <Diane@shawlines.com>

Mon, Mar 23, 2026 at 12:35 PM

To: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Cc: Augustus Shaw <ashaw@shawlines.com>, Dominick Détente <Dominick@shawlines.com>

Good afternoon,

The Defendants intend to file a Motion to Dismiss. Pursuant to rule 12(j) and Rule 7.1(h), Arizona Rules of Civil Procedure, we are required to confer with you in person or by telephone prior to filing the Motion to Dismiss.

We are available at your convenience for a telephone conversation or an in-person meeting this week?

We look forward to hearing from you.

Diane Fincher

Paralegal

SHAW & LINES, LLC

We've Moved!

1490 S. Price Rd., Suite 318

Chandler, Arizona 85286

Phone 480-456-1500

Fax 480-456-1515

www.shawlines.com

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Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Tue, Mar 24, 2026 at 6:02 PM

To: Diane Fincher <Diane@shawlines.com>

Cc: Augustus Shaw <ashaw@shawlines.com>

Bcc: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Dear Diane,

I previously responded to this matter directly to Mr. Shaw.

This email is to document that I have not received any draft or copy of Defendants' anticipated partial summary judgment motion or supporting evidence.

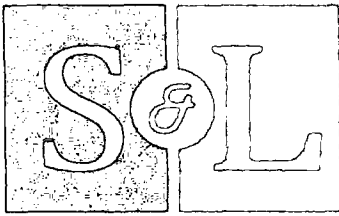
Defendants continue to withhold responsive discovery, in violation of Rules 26 and 34, Ariz. R. Civ. P., warranting relief under Rule 37, notwithstanding the Court's February 23, 2026 Order.

Sincerely,

Sandra Rodriguez

[Quoted text hidden]

EXHIBIT 3



SHAW & LINES, LLC

ATTORNEYS AT LAW

Attorneys

Augustus H. Shaw IV*†

Mark E. Lines**†

*Also licensed in Nebraska

** Also licensed in Utah

† Member, College of Community Association Lawyers

Address

4523 E. Broadway Rd.

Phoenix, Arizona 85040

Phone/Fax/Web

p 480-456-1500

f 480-456-1515

www.shawlines.com

March 10, 2026

SENT VIA US MAIL

& E-MAIL: sandra.rodriguez0339@gmail.com

Sandra Rodriguez
4735 E Besty Lane
Gilbert, AZ 85296

RE: SANDRA RODRIGUEZ V. GARDENS/GILBERT COMMUNITY ASSOCIATION, FOCUS HOA MANAGEMENT, LLC, HARMAN CADIS, BROOKE SORTOR, and ANNA SCHULTZ - CV2024-005940
DEFENDANT'S RESPONSE TO PLAINTIFF REGARDING INITIAL DISCLOSURE AND USB EXHIBITS

Ms. Rodriguez,

We write in response to your recent March 9, 2026 email regarding Defendants' Initial Disclosure Statement to the Amended Complaint.

First, the reason no exhibits were included with Defendants' disclosure is that the disclosure was made in response to the Amended Complaint, and Defendants have not identified any additional exhibits that were not previously disclosed to you. Accordingly, there are no new documents, electronically stored information, or tangible items to disclose at this time beyond materials already produced or referenced in prior disclosures.

Second, with respect to your Initial Disclosure Statement, we note that it contains a list of certain statutes and cases that you may intend to rely upon but does not include any explanation of the legal theories connecting those authorities to the facts of this matter.

Arizona Rule of Civil Procedure 26.1(a)(2) requires that a disclosure statement include "the legal theory on which each of the disclosing party's claims or defenses is based, including—if necessary for a reasonable understanding of the claim or defense—citations to relevant legal authorities." The rule distinguishes between the legal theory itself and citations to authority, meaning that merely listing statutes or cases does not satisfy the requirement to disclose the legal theory underlying a claim or defense.

In order for Defendants to reasonably understand and evaluate your legal positions, please provide an updated disclosure statement identifying the legal theories on which your claims rely and explaining how the statutes and cases you referenced apply to the facts of this case.

March 10, 2026

Page 2

Third, as of today, Tuesday, March 10, 2026, our office has not yet received the USB drive containing the physical exhibits that you requested leave to file and that the Court ordered you to provide. As you are aware, the Court's February 24, 2026 Order requires that a duplicate USB drive be served on Defendants' counsel no later than March 13, 2026. Please ensure that the USB drive is delivered to our office by the required deadline.

As always, if you have any questions or comments, please feel free to reply to this email or contact our office.

Thank you, and we hope you have a great rest of your day.

Sincerely,

Dominick D Detente

Dominick D. Detente, Esq.
For the Firm

EXHIBIT 4



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

RE: Meet and Confer – Outstanding Discovery and Interrogatories (Rodriguez v. Gardens Gilbert - CV 2024005940) - Discovery Dispute

Augustus Shaw <ashaw@shawlines.com>

Wed, Mar 11, 2026 at 1:03 PM

To: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Cc: Brooke Sortor <brooke@focushoa.com>, Anna Schultz <anna6890@yahoo.com>, Harman Cadis <harman@focushoa.com>

Ms. Rodriguez,

This correspondence will serve to respond to your current discover/disclosure demands/issues.

Discovery Request Concerning the Original Complaint

Pursuant to the Court's Order (first attachment) Original Complaint was designated a Tier 1 discovery case. Accordingly, discovery at that time was governed by Rule 26.2(f)(1), which limits discovery per side (plaintiffs collectively and defendants collectively) in a Tier 1 case to five (5) total hours of fact-witness depositions, five (5) Rule 33 interrogatories, five (5) Rule 34 requests for production, ten (10) Rule 36 requests for admission, absent court order permitting additional discovery for good cause shown.

Therefore, we responded to all of your discovery/disclosure requests pursuant to the First Attached Minute Entry (see second attachment). Any remaining issues are discussed below.

We are free to meet and confer regarding this issue after 2:00pm today, as requested.

Discovery Request Concerning the Amended Complaint

Pursuant to Rule 33(b)(1), Rule 34(b)(3)(A) and Rule 36(a)(4), Ariz. R. Civ. P.:

Subject to compliance with Rule 26(f)(1) by the party serving discovery, a defendant may serve its answers and any objections within 60 days after service—or execution of a waiver of service—of the summons and complaint on that defendant.

Pursuant to the Court's Order (third attachment) "Plaintiff must file a complete copy of her Amended Complaint within ten days of the date of this Ruling. A complete copy includes all exhibits. See Rule 15(a)(5)."

Pursuant to the Court's Order (fourth attachment) "**IT IS ORDERED** Plaintiff shall file the USB drive(s), deliver a copy to the Division, and serve Defendants' counsel with a copy no later than **March 13, 2026.**"

As we have previously conveyed to you, you have yet to serve upon the Defendants the USB drives containing the Exhibits for the Amended Complaint. Therefore, pursuant to the Court's Order, the Amended Complaint has not been served upon the Defendants.

Therefore, pursuant to Rule 33(b)(1), Rule 34(b)(3)(A) and Rule 36(a)(4), Ariz. R. Civ. P., a response to your recent discovery and disclosure requests concerning the Amended Complaint and any Tier 3 designation are not due until 60 days after you serve upon the Defendants the USB drives containing the Exhibits for the Amended Complaint, which would perfect service of the Amended Complaint as ordered by the Court.

This is our final statement on your discovery disputes.

We are free to meet and confer regarding this issue any time after 2:00pm today, as requested.

Augustus H. Shaw IV†*

Shaw & Lines, LLC

1490 S. Price Rd., Suite 318
Chandler, Arizona 85286

Phone 480-456-1500

e-mail ashaw@shawlines.com

web site www.shawlines.com

†Licensed in Arizona and Nebraska

*President- College of Community Association Lawyers

*Faculty Associate Professor - Arizona State University O'Connor College of Law

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THIS FIRM MAY ACT AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

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

Sent: Tuesday, March 10, 2026 6:30 PM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Dominick Détente <Dominick@shawlines.com>

Subject: Meet and Confer – Outstanding Discovery and Interrogatories (Rodriguez v. Gardens Gilbert - CV 2024005940)

Dear Mr. Shaw,

Thank you for reaching out. I am willing to meet and confer.

However, the Court's Order is clear, and my discovery requests are equally clear. The materials recently provided consist largely of duplicates of documents already filed with the Court and do not constitute responsive production to my First Set of Requests for Production of Documents, Requests for Admission, and Uniform and Non-Uniform Interrogatories (see attached).

Under Ariz. R. Civ. P. 26.1(a), parties have an affirmative and continuing duty to disclose all documents, electronically stored information, and tangible items relevant to any claim or defense. Written discovery responses must be complete and served within the time prescribed by Rules 33(b)(2) and 34(b)(2)(A). Rule 26(d) further makes clear that discovery may proceed in any sequence and is not contingent upon opposing party production.

To date, the substantive documents requested — including maintenance records, enforcement files, communications, policies, board minutes, and other responsive materials — remain unproduced. If Defendants are contending that such documents were not created, that representation must be expressly stated in a verified response, as required under the Arizona Rules of Civil Procedure. Silence or duplicate production does not satisfy the obligation to respond fully.

Additionally, I specifically served Uniform and Non-Uniform Interrogatories directed to each current and former GGCA Board member identified in my discovery. Those interrogatories have not been answered. Rule 33 requires that each interrogatory be answered separately and fully under oath by the responding party. No verified responses from the individual Board members have been provided. Similarly, the First Set of Requests for Production of Records and Requests for Admission remain incomplete and unaddressed as served.

While affidavits may be used in motion practice under Rule 56, they do not substitute for required discovery responses, nor do they satisfy Defendants' obligation to produce underlying documents and serve verified interrogatory answers.

For clarity, please confirm when all outstanding responsive documents, verified interrogatory responses from each identified current and former GGCA Board member, and complete responses to the Requests for Admission will be served. I am requesting a firm production date for full compliance with the outstanding discovery referenced in my prior correspondence.

For your convenience, I have attached copies of the previously served discovery requests.

I am available to meet and confer by telephone tomorrow at 1:00 p.m., 2:00 p.m., or 3:00 p.m. Please advise which time works best.

Sincerely,

Sandra Rodriguez

On Tue, Mar 10, 2026, 4:31 PM Augustus Shaw <ashaw@shawlines.com> wrote:

Ms. Rodriguez,

First pursuant to Rule 26(d) Arizona Rules of Civil Procedure, all discovery disputes must be addressed in a meet and confer either by conference call or by Zoom followed by a joint statement. Please let me know when you would like to meet and confer regarding your discovery dispute.

Next, attached please find the requested exhibits.

Augustus H. Shaw IV†*

Shaw & Lines, LLC

1490 S. Price Rd., Suite 318
Chandler, Arizona 85286

Phone 480-456-1500

e-mail ashaw@shawlines.com

web site www.shawlines.com

†Licensed in Arizona and Nebraska

*President- College of Community Association Lawyers

*Faculty Associate Professor - Arizona State University O'Connor College of Law

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THIS FIRM MAY ACT AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

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

Sent: Tuesday, March 10, 2026 2:02 PM

To: Dominick Détente <Dominick@shawlines.com>

Cc: Augustus Shaw <ashaw@shawlines.com>

Subject: Re: Response to : Defendant's Initial Disclosure Statement to Amended Complaint (Rodriguez v. Gardens Gilbert - CV 2024005940)

Dear Counsel Dominick and Shaw, along with Defendants:

Judge McDowell has lifted the stay in this matter. A copy of the Court's Order lifting the stay is attached for your reference. As a result, all disclosure and discovery obligations resumed in full. There is no operative order limiting, sequencing, or conditioning compliance.

Further, the Court's February 2 and 23, 2026 Order does not prohibit Defendants from providing any and all required disclosure and discovery materials. Nothing in that Order suspends or excuses compliance with the Arizona Rules of Civil Procedure.

To date, the only document produced is the Gardens Gilbert Community Association insurance policy. No other responsive materials have been provided despite written discovery requests served beginning in November 2025.

Under Ariz. R. Civ. P. 26.1(a), parties have an affirmative duty to disclose all documents, electronically stored information, tangible items, and other materials relevant to any claim or defense. This duty is continuing under Rule 26.1(b)(2) and is not contingent upon receipt of opposing party disclosures. There is no rule permitting a party to delay disclosure pending review of another party's evidence. Discovery may proceed in any sequence unless otherwise ordered. Ariz. R. Civ. P. 26(d).

Additionally, Defendants are violating Ariz. R. Civ. P. 33(b)(2) and 34(b)(2)(A). Those rules require written responses and production to be served within the time prescribed by the Rules. Responses must be complete, and any objections must be specifically stated. A failure to produce responsive documents, or to serve proper written responses within the required timeframe, constitutes non-compliance with these Rules.

At this point, the record reflects that Defendants, along with counsel Mr. Shaw and Mr. Dominick, are withholding and refusing to provide discovery required under Arizona law and in violation of Rules 26.1, 33(b)(2), and 34(b)(2)(A).

If complete discovery responses and all responsive documents are not received no later than 8:00 a.m. on Monday, March 16, 2026, Plaintiff will file a Motion to Compel pursuant to Ariz. R. Civ. P. 37(a) and will seek all available remedies, including evidentiary preclusion, fee shifting, and sanctions under Rule 37(c) for failure to disclose.

This correspondence constitutes a formal good faith effort to resolve this matter without court intervention.

Sincerely,

Sandra Rodriguez

On Tue, Mar 10, 2026, 1:46 PM Dominick Détente <Dominick@shawlines.com> wrote:

Ms. Rodriguez,

Please see the attached correspondence dated March 10, 2026 regarding Defendants' response to your March 9, 2026 email concerning the Initial Disclosure Statement and the outstanding USB exhibits.

A copy of the letter is being sent to you, today, via U.S. Mail as well.

If you have any questions, please feel free to reply to this email or contact our office.

Thank you.

Dominick Detente, Esq.
SHAW & LINES, LLC
We've Moved!
1490 S. Price Rd., Suite 318
Chandler, Arizona 85286
480.456.1500

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From: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
Sent: Monday, March 9, 2026 9:45 AM
To: Dominick Détente <Dominick@shawlines.com>
Cc: Augustus Shaw <ashaw@shawlines.com>
Subject: Response to : Defendant's Initial Disclosure Statement to Amended Complaint (Rodriguez v. Gardens Gilbert - CV 2024005940)

Dear Dominick,

Plaintiff notes for the record that Defendants' Initial Disclosure fails to include any documents, electronically stored information, tangible things, or other evidentiary materials supporting their asserted defenses and counterclaims.

Pursuant to Ariz. R. Civ. P. 26.1(a)(9), a party must disclose all documents, data compilations, and tangible evidence in its possession, custody, or control that may be relevant to the claims or defenses asserted. To the extent Defendants intend to rely on any such materials, they are required to disclose them.

Additionally, under Rule 26.1(a), disclosures must be complete and not evasive. No supporting exhibits were produced.

Plaintiff reserves all rights under Rule 37(c) regarding preclusion of any undisclosed evidence.

Sincerely,

Sandra Rodriguez

On Sun, Mar 1, 2026, 4:55 PM Dominick Détente <Dominick@shawlines.com> wrote:

Ms. Rodriguez,

I hope you are having a nice weekend.

Please see the attached Defendant's Initial Disclosure Statement to the Amended Complaint.

Thank you,

Dominick Detente, Esq.

SHAW & LINES, LLC

We've Moved!

1490 S. Price Rd., Suite 318

Chandler, Arizona 85286

480.456.1500

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4 attachments



Scheduling Order - Ruling Addressing Several Motions and Filings.pdf

393K



Responses to Plaintiff's First Set of Discovery Requests.pdf

292K



Ruling on Motion to Amend.pdf

303K



ME Ruling on Filing Physical Evidence.pdf

138K

EXHIBIT 5

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 an Arizona nonprofit
15 corporation; FOCUS HOA
16 MANAGEMENT, LLC, and Arizona
17 limited liability company; HARMIN
18 CADIS, BROOKE SORTOR, ANNA
19 SCHULTZ

20 **Defendants,**

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

25 **AFFIDAVIT SANDRA**
26 **RODRIGUEZ IN SUPPORT FOR**
27 **PROTECTIVE ORDER**

28 **TO THE HONORABLE JUDGE MCDOWELL:**

I, Sandra Rodriguez, being first duly sworn, declare as follows:

1. PERSONAL KNOWLEDGE

I am the Plaintiff in this action. I make this declaration based on my personal knowledge and am competent to testify to the matters stated herein. If called as a witness, I could and would testify truthfully to these facts.

1 **II. BACKGROUND AND IMPACT OF DEFENDANTS' CONDUCT**

2 Defendants' conduct has caused significant harm and disruption to me and my household,
3 both within and outside of this litigation. As a result of ongoing monitoring, targeting, and safety
4 concerns, my children and I were forced to relocate from our home, and those concerns continue
5 to persist.

6 I further allege that Defendants submitted false or misleading information to the Arizona
7 Department of Economic Security, Office of Inspector General ("DES OIG") regarding my
8 eligibility for public benefits. Following those reports, my household experienced termination of
9 food assistance and medical coverage affecting both myself and my children.

10 I am in the process of subpoenaing records related to these communications and
11 determinations. I expect those records will further support the claims in my Amended Complaint
12 and demonstrate a pattern of continued targeting, retaliation, and harassment by Defendants.

13 Additionally, I contend that Defendants, through their counsel, have engaged in litigation
14 abuse by using discovery for improper purposes. Specifically, Defendants have requested
15 documents unrelated to the claims in this case, posed inquiries designed to elicit self-incriminating
16 responses, and used discovery as a tool for collection efforts rather than for the legitimate purpose
17 of resolving the civil dispute.

18
19
20 **III. DISCOVERY SERVED AND CONTINUED NONCOMPLIANCE**

21
22 On December 1, 2025, I served Defendants with Requests for Production, Interrogatories,
23 and Requests for Admission. Defendants failed to provide complete or responsive discovery.
24 During a January 5, 2026 proceeding, Defendants' counsel stated that discovery had not been
25 provided due to confusion regarding "*Tier*" designation. Despite clarification, Defendants refuse
26 to produce discovery.

27 The Court lifted the discovery stay on February 23, 2026, at which point Defendants'
28 disclosure and discovery obligations resumed. Following the lifting of the stay, I sent multiple
follow-up communications, including on March 2, 2026, requesting compliance and clarifying

1 that all discovery requests remain applicable to the Amended Complaint. In response, Defendants,
2 through counsel Augustus H. Shaw IV and Dominick Dente, refused to provide the requested
3 discovery. Instead, counsel asserted shifting and inconsistent positions, including falsely claiming
4 that discovery was not yet due, offering varying explanations for their failure to produce records,
5 and imposing new barriers by challenging the sufficiency of Rodriguez disclosures.

6 Rather than curing their own discovery deficiencies, Defendants escalated their demands
7 following my follow-up communications and reports of discovery violations. This included
8 raising new objections, increasing demands directed at me, and insisting on an in-person
9 deposition despite a prior agreement to proceed remotely. Defendants did not previously seek to
10 enforce deposition under these conditions and only did so after I pressed for compliance with
11 discovery obligations.

12 Defendants have continued to withhold responsive documents, interrogatory answers, and
13 admissions in violation of their ongoing disclosure obligations and the Court's February 23, 2026
14 Order.

15 16 **IV. MISSTATEMENTS AND SHIFTING POSITIONS BY DEFENSE COUNSEL**

17
18 Defendants' counsel has taken inconsistent and shifting positions regarding discovery
19 obligations. In written communications, counsel asserted that discovery responses were not yet
20 due based on arguments related to service of the Amended Complaint. In other instances, counsel
21 claimed confusion regarding procedural rules, including Tier designation.

22 During a meet-and-confer call, counsel again stated he was "*confused*" regarding
23 discovery obligations despite the Court's February 23, 2026 Order and my repeated clarifications.
24 Counsel further asserted that discovery obligations were limited to the original complaint or had
25 been "*reset*," which is inconsistent with the Arizona Rules of Civil Procedure.

26 I understood these shifting explanations to be inconsistent and used to justify continued
27 noncompliance and withholding of evidence.
28

1 **V. IMPROPER USE OF DISCOVERY**

2 Defendants served discovery requests seeking information related to allegations that I was
3 operating an in-home daycare. These requests are not relevant to the claims or defenses in this
4 case and were intended to improperly target, defame, retaliate, and discredit me. I further believe
5 they are being used to monitor my activities and interfere with my ability to meet basic needs and
6 pursue lawful means of earning a living.

7 On January 27, 2026, during proceedings in West Mesa Justice Court (Case No.
8 CC2026016797), Defendants’ counsel testified under oath that discovery was being used, at least
9 in part, for collection-related purposes. Based on that testimony and the nature of the requests
10 served in this case, I understand that Defendants are using discovery for purposes unrelated to the
11 claims and defenses at issue here.

12 Specifically, the requests seek information that is not tied to any element of the claims in
13 this action, but instead appears directed toward identifying financial information, personal
14 activities, and other matters unrelated to liability or damages in this case. This indicates that
15 discovery is being used as a tool to gather information for collateral purposes—such as collection
16 efforts or personal scrutiny—rather than to resolve the legal issues before this Court.

17 In my understanding, this use of discovery is improper because it is not reasonably
18 calculated to lead to admissible evidence relevant to the claims or defenses in this case and
19 exceeds the permissible scope of discovery under the Arizona Rules of Civil Procedure.

20 **VI. GOOD FAITH EFFORTS TO RESOLVE**

21 I made multiple good faith efforts to resolve discovery disputes without court intervention.
22 I communicated with Defendants’ counsel in writing, provided clarifications, and participated in
23 a meet-and-confer discussion with legal counsel Augustus H. Shaw IV on Wednesday, March 25,
24 2026 at 10:30 am. I also offered to prepare and file a joint statement pursuant to Rule 26(d)(2)
25 and to include Defendants’ position. Defendants’ counsel declined to participate in that process
26 and instead attempted to characterize me as noncompliant.
27
28

1 require compliance with discovery obligations, and grant appropriate relief to prevent further
2 prejudice.

3 **DECLARATION**

4
5 I declare under penalty of perjury under the laws of the State of Arizona that the
6 foregoing is true and correct.

7
8 Respectfully submitted this 25th day of March 2026.

9
10 

11 Sandra Rodriguez