



1 Due to the unorthodox manner in which the Plaintiff provides the Amended  
2 Complaint, Defendants will respond to the Amended Complaint pursuant to Rule 8(c)  
3 Ariz. R. Civ. P. generally.  
4

5 **I. JURISDICTION AND VENUE**

6 Defendants admit, for purposes of jurisdiction and venue only, that the real  
7 property at issue in this matter is located in Maricopa County, Arizona. Defendants also  
8 admit, for purposes of jurisdiction and venue only, that the Defendants reside or  
9 otherwise conduct business in Maricopa County, Arizona. Defendants deny all other  
10 allegations contained in Plaintiff’s “Jurisdiction and Venue” section.  
11

12 **II. DISCOVERY TIER**

13 Defendants admit that this matter is designated as a Tier 3 case pursuant to Rule  
14 26.2(c)(3) of the Arizona Rules of Civil Procedure. Except as expressly admitted herein,  
15 Defendants deny the remaining allegations contained in the Discovery Tier section of the  
16 Amended Complaint, including any characterization of damages, entitlement to relief, or  
17 factual assertions supporting such designation.  
18  
19

20 **III. PARTIES**

21 Defendants admit that Defendant Association, Defendant Focus, Defendant Cadis,  
22 Defendant Sortor, Defendant Schultz are Defendants in this matter. Defendants deny all  
23 other allegations contained in Plaintiff’s “Parties” section.  
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1 IV. CAUSES OF ACTION

2 Defendants deny all allegations contained in the preamble section entitled “Causes  
3 of Action”).  
4

5 **COUNT I – BREACH OF CONTRACT & BREACH OF GOVERNING**  
6 **DOCUMENTS**  
7 **(Against Gardens Gilbert Community Association and Focus HOA Management,**  
8 **LLC)**

9 In regard to this cause of action, Defendant Focus and Defendant Association are  
10 seeking a Verified Partial Motion to Dismiss. As such, the responsive pleading for  
11 Defendant Focus and Defendant Association will be contained in the Verified Partial  
12 Motion to Dismiss.

13 1. In regard to ¶ 1 of the Amended Complaint, Defendant Focus and Defendant  
14 Association are seeking a Verified Partial Motion to Dismiss this allegation. As such, the  
15 responsive pleading requirement for Defendant Focus and Defendant Association  
16 regarding ¶ 1 of the Amended Complaint, will be addressed in the Verified Partial Motion  
17 to Dismiss to be filed simultaneously with the Verified Partial Answer. The remaining  
18 Defendants deny all other allegations set forth in ¶ 1 of the Amended Complaint  
19  
20

21 2. In regard to ¶ 2a of the Amended Complaint, Defendant Association is  
22 seeking a Verified Partial Motion to Dismiss this allegation.

23 a. As such, the responsive pleading requirement for Defendant  
24 Association regarding ¶ 2a of the Amended Complaint, will be  
25 addressed in the Verified Partial Motion to Dismiss to be filed  
26 simultaneously with the Verified Partial Answer. The remaining  
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1 Defendants deny all other allegations set forth in ¶ 2a of the Amended  
2 Complaint.

3  
4 b. In regard to ¶ 2b of the Amended Complaint, since this allegation  
5 only concerns Defendant Association, Defendant Association admits  
6 ¶ 2a of the Amended Complaint but denies any remaining  
7 allegations, characterizations, or legal conclusions contained therein.  
8 The remaining Defendants deny all other allegations set forth in ¶ 2b  
9 of the Amended Complaint.  
10

11 c. In regard to ¶ 2c of the Amended Complaint, Defendant Association  
12 is seeking a Verified Partial Motion to Dismiss this allegation. As  
13 such, the responsive pleading requirement for Defendant Association  
14 regarding ¶ 2c of the Amended Complaint will be addressed in the  
15 Verified Partial Motion to Dismiss to be filed simultaneously with  
16 the Verified Partial Answer. The remaining Defendants deny all  
17 other allegations set forth in ¶ 2c of the Amended Complaint.  
18

19  
20 d. In regard to ¶ 2d of the Amended Complaint, since this allegation  
21 only concerns Defendant Association, Defendant Association denies  
22 ¶ 2d of the Amended Complaint. The remaining Defendants deny all  
23 other allegations set forth in ¶ 2d of the Amended Complaint.  
24

25  
26 3. In regard to ¶ 3a, ¶ 3b, ¶ 3d and ¶ 3e of the Amended Complaint Defendants  
27 are seeking a Verified Partial Motion to Dismiss these allegation. As such, the responsive  
28 pleading requirement for Defendants will be addressed in the Verified Partial Motion to

1 Dismiss to be filed simultaneously with the Verified Partial Answer. In responding to ¶  
2 3(c) of the Amended Complaint, Defendants deny ¶ 3(c) of the Amended Complaint. The  
3 Defendants otherwise deny all other allegations set forth in ¶ 3 of the Amended  
4 Complaint.

5  
6 4. In regard to ¶ 4 of the Amended Complaint, Defendants are seeking a  
7 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
8 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
9 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
10 deny all other allegations set forth in ¶ 4 of the Amended Complaint.

11  
12  
13 5. In regard to ¶ 5 of the Amended Complaint, Defendants deny ¶ 5 of the  
14 Amended Complaint.

15 **COUNT II – BREACH OF IMPLIED COVENANT**  
16 **OF GOOD FAITH AND FAIR DEALING**  
17 **(Against All Contracting Defendants and Individual Participants)**

18 6. In regard to ¶ 6 of the Amended Complaint, Defendants admits ¶ 6 of the  
19 Amended Complaint.

20 7. In regard to ¶ 7 of the Amended Complaint, Defendants deny ¶ 7 of the  
21 Amended Complaint.

22  
23 8. In regard to ¶ 8 of the Amended Complaint, Defendants deny ¶ 8 of the  
24 Amended Complaint.

25 **COUNT III – NEGLIGENCE**  
26 **(Against All Defendants)**

27 Plaintiff restarts paragraph numbering in this Count at ¶ 6; Defendants adopt the  
28 same numbering for clarity and ease of reference.

1           6.       In responding to ¶ 6 of Count III of the Amended Complaint requires no  
2 responsive pleading to the extent it merely incorporates prior allegations of the  
3 Amended Complaint. Defendants incorporate by reference their prior responses to those  
4 allegations as set forth in this Answer.  
5

6           7.       In regard to ¶ 7 of the Amended Complaint, Defendants are seeking a  
7 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
8 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
9 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
10 deny all other allegations set forth in ¶ 7 of the Amended Complaint:  
11

12           a.       Defendants deny ¶ 7(a) of the Amended Complaint;

13                   i.     In regard to ¶ 7(a)(i) of the Amended Complaint, Defendants are  
14 seeking a Verified Partial Motion to Dismiss these allegation.  
15 As such, the responsive pleading requirement for Defendants  
16 will be addressed in the Verified Partial Motion to Dismiss to be  
17 filed simultaneously with the Verified Partial Answer. The  
18 Defendants otherwise deny all other allegations set forth in ¶  
19 7(a)(i) of the Amended Complaint;  
20  
21                   ii.    In regard to ¶ 7(a)(ii) of the Amended Complaint, Defendants  
22 are seeking a Verified Partial Motion to Dismiss these  
23 allegation. As such, the responsive pleading requirement for  
24 Defendants will be addressed in the Verified Partial Motion to  
25 Dismiss to be filed simultaneously with the Verified Partial  
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1 Answer. The Defendants otherwise deny all other allegations set  
2 forth in ¶ 7(a)(ii) of the Amended Complaint; and

3  
4 iii. In regard to ¶ 7(a)(iii) of the Amended Complaint, Defendants  
5 are seeking a Verified Partial Motion to Dismiss these  
6 allegation. As such, the responsive pleading requirement for  
7 Defendants will be addressed in the Verified Partial Motion to  
8 Dismiss to be filed simultaneously with the Verified Partial  
9 Answer. The Defendants otherwise deny all other allegations set  
10 forth in ¶ 7(a)(iii) of the Amended Complaint.  
11

12  
13 8. Defendants deny ¶ 8 of the Amended Complaint.

14 **COUNT IV – GROSS NEGLIGENCE**  
15 **(Against Focus HOA Management, Cadis, Sortor, and Schultz)**

16 10. In responding to ¶ 10 of the Amended Complaint requires no responsive  
17 pleading to the extent it merely incorporates prior allegations of the Amended  
18 Complaint. Defendants incorporate by reference their prior responses to those  
19 allegations as set forth in this Answer.  
20

21 11. Defendants deny ¶ 11 of the Amended Complaint:

22 a. In regard to ¶ 11(a) of the Amended Complaint, Defendants are  
23 seeking a Verified Partial Motion to Dismiss these allegation. As  
24 such, the responsive pleading requirement for Defendants will be  
25 addressed in the Verified Partial Motion to Dismiss to be filed  
26 simultaneously with the Verified Partial Answer. The Defendants  
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1 otherwise deny all other allegations set forth in ¶ 11(a) of the  
2 Amended Complaint;

3  
4 b. In regard to ¶ 11(b) of the Amended Complaint, Defendants are  
5 seeking a Verified Partial Motion to Dismiss these allegation. As  
6 such, the responsive pleading requirement for Defendants will be  
7 addressed in the Verified Partial Motion to Dismiss to be filed  
8 simultaneously with the Verified Partial Answer. The Defendants  
9 otherwise deny all other allegations set forth in ¶ 11(b) of the  
10 Amended Complaint;

11  
12 c. In regard to ¶ 11(c) of the Amended Complaint, Defendants are  
13 seeking a Verified Partial Motion to Dismiss these allegation. As  
14 such, the responsive pleading requirement for Defendants will be  
15 addressed in the Verified Partial Motion to Dismiss to be filed  
16 simultaneously with the Verified Partial Answer. The Defendants  
17 otherwise deny all other allegations set forth in ¶ 11(c) of the  
18 Amended Complaint; and

19  
20  
21 d. In regard to ¶ 11(d) of the Amended Complaint, Defendants are  
22 seeking a Verified Partial Motion to Dismiss these allegation. As  
23 such, the responsive pleading requirement for Defendants will be  
24 addressed in the Verified Partial Motion to Dismiss to be filed  
25 simultaneously with the Verified Partial Answer. The Defendants  
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1 otherwise deny all other allegations set forth in ¶ 11(d) of the  
2 Amended Complaint.

3  
4 12. Defendants deny ¶ 12 of the Amended Complaint.

5 **COUNT V – INTENTIONAL TORTS**  
6 **(Against Focus HOA Management, Cadis, Sortor, and Schultz)**

7 13. Defendants deny ¶ 13 of the Amended Complaint. Defendants incorporate  
8 by reference their prior responses to those allegations as set forth in this Answer:

9 a. In regard to ¶ 13(a) of the Amended Complaint, Defendants are  
10 seeking a Verified Partial Motion to Dismiss these allegation. As  
11 such, the responsive pleading requirement for Defendants will be  
12 addressed in the Verified Partial Motion to Dismiss to be filed  
13 simultaneously with the Verified Partial Answer. The Defendants  
14 otherwise deny all other allegations set forth in ¶ 13(a) of the  
15 Amended Complaint;

16 b. In regard to ¶ 13(b) of the Amended Complaint, Defendants are  
17 seeking a Verified Partial Motion to Dismiss these allegation. As  
18 such, the responsive pleading requirement for Defendants will be  
19 addressed in the Verified Partial Motion to Dismiss to be filed  
20 simultaneously with the Verified Partial Answer. The Defendants  
21 otherwise deny all other allegations set forth in ¶ 13(b) of the  
22 Amended Complaint; and

23 c. In regard to ¶ 13(c) of the Amended Complaint, Defendants are  
24 seeking a Verified Partial Motion to Dismiss these allegation. As  
25  
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1 such, the responsive pleading requirement for Defendants will be  
2 addressed in the Verified Partial Motion to Dismiss to be filed  
3 simultaneously with the Verified Partial Answer. The Defendants  
4 otherwise deny all other allegations set forth in ¶ 13(c) of the  
5 Amended Complaint.  
6

7 14. Defendants deny ¶ 14 of the Amended Complaint.  
8

9 15. In regard to ¶ 15 of the Amended Complaint, Defendants are seeking a  
10 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
11 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
12 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
13 deny all other allegations set forth in ¶ 15 of the Amended Complaint.  
14

15 16. In regard to ¶ 16 of the Amended Complaint, Defendants are seeking a  
16 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
17 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
18 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
19 deny all other allegations set forth in ¶ 16 of the Amended Complaint.  
20

21 a. In regard to ¶ 16(a) of the Amended Complaint, Defendants are  
22 seeking a Verified Partial Motion to Dismiss these allegation. As  
23 such, the responsive pleading requirement for Defendants will be  
24 addressed in the Verified Partial Motion to Dismiss to be filed  
25 simultaneously with the Verified Partial Answer. The Defendants  
26  
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1 otherwise deny all other allegations set forth in ¶ 16(a) of the  
2 Amended Complaint;

3  
4 b. In regard to ¶ 16(b) of the Amended Complaint, Defendants are  
5 seeking a Verified Partial Motion to Dismiss these allegation. As  
6 such, the responsive pleading requirement for Defendants will be  
7 addressed in the Verified Partial Motion to Dismiss to be filed  
8 simultaneously with the Verified Partial Answer. The Defendants  
9 otherwise deny all other allegations set forth in ¶ 16(b) of the  
10 Amended Complaint;

11  
12 c. In regard to ¶ 16(c) of the Amended Complaint, Defendants are  
13 seeking a Verified Partial Motion to Dismiss these allegation. As  
14 such, the responsive pleading requirement for Defendants will be  
15 addressed in the Verified Partial Motion to Dismiss to be filed  
16 simultaneously with the Verified Partial Answer. The Defendants  
17 otherwise deny all other allegations set forth in ¶ 16(c) of the  
18 Amended Complaint;

19  
20 d. In regard to ¶ 16(d) of the Amended Complaint, Defendants are  
21 seeking a Verified Partial Motion to Dismiss these allegation. As  
22 such, the responsive pleading requirement for Defendants will be  
23 addressed in the Verified Partial Motion to Dismiss to be filed  
24 simultaneously with the Verified Partial Answer. The Defendants  
25  
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1 otherwise deny all other allegations set forth in ¶ 16(d) of the  
2 Amended Complaint; and

3  
4 e. In regard to ¶ 16(e) of the Amended Complaint, Defendants are  
5 seeking a Verified Partial Motion to Dismiss these allegation. As  
6 such, the responsive pleading requirement for Defendants will be  
7 addressed in the Verified Partial Motion to Dismiss to be filed  
8 simultaneously with the Verified Partial Answer. The Defendants  
9 otherwise deny all other allegations set forth in ¶ 16(e) of the  
10 Amended Complaint.  
11

12  
13 18. In regard to ¶ 18 of the Amended Complaint, Defendants are seeking a  
14 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
15 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
16 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
17 deny all other allegations set forth in ¶ 18 of the Amended Complaint.  
18

19 19. Defendants deny ¶ 19 of the Amended Complaint.

20 20. Defendants deny ¶ 20 of the Amended Complaint.

21 21. Defendants deny ¶ 21 of the Amended Complaint.

22 22. Defendants deny ¶ 22 of the Amended Complaint.  
23

24 **COUNT VI – DISCRIMINATION**  
25 **(Against Gardens Gilbert Community Association and Focus HOA Management)**

26 23. In responding to ¶ 23 of the Amended Complaint requires no responsive  
27 pleading to the extent it merely incorporates prior allegations of the Amended  
28

1 Complaint. Defendants incorporate by reference their prior responses to those  
2 allegations as set forth in this Answer.

3  
4 24. In regard to ¶ 24 of the Amended Complaint, Defendants are seeking a  
5 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
6 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
7 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
8 deny all other allegations set forth in ¶ 24 of the Amended Complaint.  
9

10 a. In regard to ¶ 24(a) of the Amended Complaint, Defendants are  
11 seeking a Verified Partial Motion to Dismiss these allegation. As  
12 such, the responsive pleading requirement for Defendants will be  
13 addressed in the Verified Partial Motion to Dismiss to be filed  
14 simultaneously with the Verified Partial Answer. The Defendants  
15 otherwise deny all other allegations set forth in ¶ 24(a) of the  
16 Amended Complaint;  
17

18  
19 b. In regard to ¶ 24(b) of the Amended Complaint, Defendants are  
20 seeking a Verified Partial Motion to Dismiss these allegation. As  
21 such, the responsive pleading requirement for Defendants will be  
22 addressed in the Verified Partial Motion to Dismiss to be filed  
23 simultaneously with the Verified Partial Answer. The Defendants  
24 otherwise deny all other allegations set forth in ¶ 24(b) of the  
25 Amended Complaint; and  
26  
27  
28

1 c. In regard to ¶ 24(c) of the Amended Complaint, Defendants are  
2 seeking a Verified Partial Motion to Dismiss these allegation. As  
3 such, the responsive pleading requirement for Defendants will be  
4 addressed in the Verified Partial Motion to Dismiss to be filed  
5 simultaneously with the Verified Partial Answer. The Defendants  
6 otherwise deny all other allegations set forth in ¶ 24(c) of the  
7 Amended Complaint.  
8  
9

10 25. Defendants deny ¶ 25 of the Amended Complaint.

11 **COUNT VII – RETALIATION**  
12 **(Against All Defendants)**

13 The introductory paragraph of Count VII requires no responsive pleading to the  
14 extent it merely incorporates prior allegations of the Amended Complaint. Defendants  
15 incorporate by reference their prior responses to those allegations as set forth in this  
16 Answer.  
17  
18

19 26. In regard to ¶ 26 of the Amended Complaint, Defendants are seeking a  
20 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
21 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
22 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
23 deny all other allegations set forth in ¶ 26 of the Amended Complaint.  
24

25 27. In regard to ¶ 27 of the Amended Complaint, Defendants are seeking a  
26 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
27 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
28

1 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
2 deny all other allegations set forth in ¶ 27 of the Amended Complaint.

3  
4 28. In regard to ¶ 28 of the Amended Complaint, Defendants are seeking a  
5 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
6 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
7 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
8 deny all other allegations set forth in ¶ 28 of the Amended Complaint.  
9

10 **COUNT VIII – VICARIOUS LIABILTY / RESPONDEAT SUPERIOR**  
11 **(Against Gardens Gilbert Community Association)**

12 29. In responding to ¶ 29 of the Amended Complaint requires no responsive  
13 pleading to the extent it merely incorporates prior allegations of the Amended  
14 Complaint. Defendants incorporate by reference their prior responses to those  
15 allegations as set forth in this Answer.  
16

17 30. In regard to ¶ 30 of the Amended Complaint, Defendants are seeking a  
18 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
19 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
20 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
21 deny all other allegations set forth in ¶ 30 of the Amended Complaint.  
22

23 31. In regard to ¶ 31 of the Amended Complaint, Defendants are seeking a  
24 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
25 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
26 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
27 deny all other allegations set forth in ¶ 31 of the Amended Complaint.  
28

1 **COUNT IX – NEGLIGENCE**  
2 **(Against Anna Schultz, Harman Cadis, and Brooke Sortor, Individually)**

3 32. Defendants incorporate by reference their prior responses to those  
4 allegations as set forth in this Answer. In regard to ¶ 32 of the Amended Complaint,  
5 Defendants are seeking a Verified Partial Motion to Dismiss these allegation. As such,  
6 the responsive pleading requirement for Defendants will be addressed in the Verified  
7 Partial Motion to Dismiss to be filed simultaneously with the Verified Partial Answer.  
8 The Defendants otherwise deny all other allegations set forth in ¶ 32 of the Amended  
9 Complaint:  
10  
11

12 a. In regard to ¶ 32(a) of the Amended Complaint, Defendants are  
13 seeking a Verified Partial Motion to Dismiss these allegation. As  
14 such, the responsive pleading requirement for Defendants will be  
15 addressed in the Verified Partial Motion to Dismiss to be filed  
16 simultaneously with the Verified Partial Answer. The Defendants  
17 otherwise deny all other allegations set forth in ¶ 32(a) of the  
18 Amended Complaint;  
19

20  
21 b. In regard to ¶ 32(b) of the Amended Complaint, Defendants are  
22 seeking a Verified Partial Motion to Dismiss these allegation. As  
23 such, the responsive pleading requirement for Defendants will be  
24 addressed in the Verified Partial Motion to Dismiss to be filed  
25 simultaneously with the Verified Partial Answer. The Defendants  
26 otherwise deny all other allegations set forth in ¶ 32(b) of the  
27 Amended Complaint;  
28

1 c. In regard to ¶ 32(c) of the Amended Complaint, Defendants are  
2 seeking a Verified Partial Motion to Dismiss these allegation. As  
3 such, the responsive pleading requirement for Defendants will be  
4 addressed in the Verified Partial Motion to Dismiss to be filed  
5 simultaneously with the Verified Partial Answer. The Defendants  
6 otherwise deny all other allegations set forth in ¶ 32(c) of the  
7 Amended Complaint; and  
8

9  
10 d. In regard to ¶ 32(d) of the Amended Complaint, Defendants are  
11 seeking a Verified Partial Motion to Dismiss these allegation. As  
12 such, the responsive pleading requirement for Defendants will be  
13 addressed in the Verified Partial Motion to Dismiss to be filed  
14 simultaneously with the Verified Partial Answer. The Defendants  
15 otherwise deny all other allegations set forth in ¶ 32(d) of the  
16 Amended Complaint.  
17  
18

19 33. In regard to ¶ 33 of the Amended Complaint, Defendants are seeking a  
20 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
21 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
22 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
23 deny all other allegations set forth in ¶ 33 of the Amended Complaint.  
24

25 34. In regard to ¶ 34 of the Amended Complaint, Defendants are seeking a  
26 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
27 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
28

1 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
2 deny all other allegations set forth in ¶ 34 of the Amended Complaint:

3  
4 a. In regard to ¶ 34(a) of the Amended Complaint, Defendants are  
5 seeking a Verified Partial Motion to Dismiss these allegation. As  
6 such, the responsive pleading requirement for Defendants will be  
7 addressed in the Verified Partial Motion to Dismiss to be filed  
8 simultaneously with the Verified Partial Answer. The Defendants  
9 otherwise deny all other allegations set forth in ¶ 34(a) of the  
10 Amended Complaint;  
11

12  
13 b. In regard to ¶ 34(b) of the Amended Complaint, Defendants are  
14 seeking a Verified Partial Motion to Dismiss these allegation. As  
15 such, the responsive pleading requirement for Defendants will be  
16 addressed in the Verified Partial Motion to Dismiss to be filed  
17 simultaneously with the Verified Partial Answer. The Defendants  
18 otherwise deny all other allegations set forth in ¶ 34(b) of the  
19 Amended Complaint;  
20

21  
22 c. In regard to ¶ 34(c) of the Amended Complaint, Defendants are  
23 seeking a Verified Partial Motion to Dismiss these allegation. As  
24 such, the responsive pleading requirement for Defendants will be  
25 addressed in the Verified Partial Motion to Dismiss to be filed  
26 simultaneously with the Verified Partial Answer. The Defendants  
27  
28

1 otherwise deny all other allegations set forth in ¶ 34(c) of the  
2 Amended Complaint; and

3  
4 d. In regard to ¶ 34(d) of the Amended Complaint, Defendants are  
5 seeking a Verified Partial Motion to Dismiss these allegation. As  
6 such, the responsive pleading requirement for Defendants will be  
7 addressed in the Verified Partial Motion to Dismiss to be filed  
8 simultaneously with the Verified Partial Answer. The Defendants  
9 otherwise deny all other allegations set forth in ¶ 34(d) of the  
10 Amended Complaint.  
11

12  
13 35. In regard to ¶ 35 of the Amended Complaint, Defendants are seeking a  
14 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
15 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
16 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
17 deny all other allegations set forth in ¶ 35 of the Amended Complaint:  
18

19 a. In regard to ¶ 35(a) of the Amended Complaint, Defendants are  
20 seeking a Verified Partial Motion to Dismiss these allegation. As  
21 such, the responsive pleading requirement for Defendants will be  
22 addressed in the Verified Partial Motion to Dismiss to be filed  
23 simultaneously with the Verified Partial Answer. The Defendants  
24 otherwise deny all other allegations set forth in ¶ 16(a) of the  
25 Amended Complaint;  
26  
27  
28

1           b.     In regard to ¶ 35(b) of the Amended Complaint, Defendants are  
2           seeking a Verified Partial Motion to Dismiss these allegation. As  
3           such, the responsive pleading requirement for Defendants will be  
4           addressed in the Verified Partial Motion to Dismiss to be filed  
5           simultaneously with the Verified Partial Answer. The Defendants  
6           otherwise deny all other allegations set forth in ¶ 35(b) of the  
7           Amended Complaint;  
8

9  
10          c.     In regard to ¶ 35(c) of the Amended Complaint, Defendants are  
11          seeking a Verified Partial Motion to Dismiss these allegation. As  
12          such, the responsive pleading requirement for Defendants will be  
13          addressed in the Verified Partial Motion to Dismiss to be filed  
14          simultaneously with the Verified Partial Answer. The Defendants  
15          otherwise deny all other allegations set forth in ¶ 35(c) of the  
16          Amended Complaint;  
17

18  
19          d.     In regard to ¶ 35(d) of the Amended Complaint, Defendants are  
20          seeking a Verified Partial Motion to Dismiss these allegation. As  
21          such, the responsive pleading requirement for Defendants will be  
22          addressed in the Verified Partial Motion to Dismiss to be filed  
23          simultaneously with the Verified Partial Answer. The Defendants  
24          otherwise deny all other allegations set forth in ¶ 35(d) of the  
25          Amended Complaint; and  
26  
27  
28

1 e. In regard to ¶ 35(e) of the Amended Complaint, Defendants are  
2 seeking a Verified Partial Motion to Dismiss these allegation. As  
3 such, the responsive pleading requirement for Defendants will be  
4 addressed in the Verified Partial Motion to Dismiss to be filed  
5 simultaneously with the Verified Partial Answer. The Defendants  
6 otherwise deny all other allegations set forth in ¶ 35(e) of the  
7 Amended Complaint.  
8  
9

10 36. In regard to ¶ 36 of the Amended Complaint, Defendants are seeking a  
11 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
12 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
13 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
14 deny all other allegations set forth in ¶ 36 of the Amended Complaint.  
15

16 37. Defendants deny ¶ 37 of the Amended Complaint.  
17

18 **COUNT X – GROSS NEGLIGENCE**  
19 **(Against Anna Schultz, Harman Cadis, and Brooke Sortor, Individually)**

20 38. In regard to ¶ 38 of the Amended Complaint, Defendants are seeking a  
21 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
22 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
23 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
24 deny all other allegations set forth in ¶ 38 of the Amended Complaint. Defendants  
25 incorporate by reference their prior responses to those allegations as set forth in this  
26 Answer.  
27  
28

1           39. In regard to ¶ 39 of the Amended Complaint, Defendants are seeking a  
2 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
3 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
4 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
5 deny all other allegations set forth in ¶ 39 of the Amended Complaint.  
6

7           40. In regard to ¶ 40 of the Amended Complaint, Defendants are seeking a  
8 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
9 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
10 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
11 deny all other allegations set forth in ¶ 40 of the Amended Complaint.  
12

13           41. In regard to ¶ 41 of the Amended Complaint, Defendants are seeking a  
14 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
15 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
16 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
17 deny all other allegations set forth in ¶ 41 of the Amended Complaint.  
18

19           42. In regard to ¶ 42 of the Amended Complaint, Defendants are seeking a  
20 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
21 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
22 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
23 deny all other allegations set forth in ¶ 42 of the Amended Complaint.  
24

25           43. In regard to ¶ 43 of the Amended Complaint, Defendants are seeking a  
26 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
27  
28

1 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
2 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
3 deny all other allegations set forth in ¶ 43 of the Amended Complaint.  
4

5 44. In regard to ¶ 44 of the Amended Complaint, Defendants are seeking a  
6 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
7 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
8 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
9 deny all other allegations set forth in ¶ 44 of the Amended Complaint.  
10

11 45. In regard to ¶ 45 of the Amended Complaint, Defendants are seeking a  
12 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
13 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
14 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
15 deny all other allegations set forth in ¶ 45 of the Amended Complaint.  
16

17 46. In regard to ¶ 46 of the Amended Complaint, Defendants are seeking a  
18 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
19 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
20 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
21 deny all other allegations set forth in ¶ 46 of the Amended Complaint.  
22

23 47. In regard to ¶ 47 of the Amended Complaint, Defendants are seeking a  
24 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
25 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
26 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
27 deny all other allegations set forth in ¶ 47 of the Amended Complaint.  
28

1 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
2 deny all other allegations set forth in ¶ 47 of the Amended Complaint.

3  
4 48. In regard to ¶ 48 of the Amended Complaint, Defendants are seeking a  
5 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
6 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
7 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
8 deny all other allegations set forth in ¶ 48 of the Amended Complaint.

9  
10 50. In regard to ¶ 50 of the Amended Complaint, Defendants are seeking a  
11 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
12 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
13 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
14 deny all other allegations set forth in ¶ 50 of the Amended Complaint.

15  
16 51. In regard to ¶ 51 of the Amended Complaint, Defendants are seeking a  
17 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
18 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
19 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
20 deny all other allegations set forth in ¶ 51 of the Amended Complaint.

21  
22  
23 **COUNT XI – INTENTIONAL TORTS**  
24 **(Against Anna Schultz, Harman Cadis, and Brooke Sortor, Individually)**

25 52. In regard to ¶ 52 of the Amended Complaint, Defendants are seeking a  
26 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
27 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
28 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise

1 deny all other allegations set forth in ¶ 52 of the Amended Complaint. Defendants  
2 incorporate by reference their prior responses to those allegations as set forth in this  
3 Answer.  
4

5 53. In regard to ¶ 53 of the Amended Complaint, Defendants are seeking a  
6 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
7 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
8 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
9 deny all other allegations set forth in ¶ 53 of the Amended Complaint.  
10

11 54. In regard to ¶ 54 of the Amended Complaint, Defendants are seeking a  
12 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
13 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
14 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
15 deny all other allegations set forth in ¶ 54 of the Amended Complaint.  
16

17 55. In regard to ¶ 55 of the Amended Complaint, Defendants are seeking a  
18 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
19 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
20 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
21 deny all other allegations set forth in ¶ 55 of the Amended Complaint.  
22

23 56. In regard to ¶ 56 of the Amended Complaint, Defendants are seeking a  
24 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
25 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
26 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
27 deny all other allegations set forth in ¶ 56 of the Amended Complaint.  
28

1 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
2 deny all other allegations set forth in ¶ 56 of the Amended Complaint.

3  
4 57. In regard to ¶ 57 of the Amended Complaint, Defendants are seeking a  
5 Verified Partial Motion to Dismiss these allegation. As such, the responsive pleading  
6 requirement for Defendants will be addressed in the Verified Partial Motion to Dismiss  
7 to be filed simultaneously with the Verified Partial Answer. The Defendants otherwise  
8 deny all other allegations set forth in ¶ 57 of the Amended Complaint.  
9

10 **V. STATEMENT OF FACTS AND BREACH**

11 **A. RETALIATION, DISCRIMINATION, AND CIVIL RIGHTS**  
12 **VIOLATIONS**

13 Defendants incorporate by reference their prior responses to those allegations as set  
14 forth in this Answer. Defendants deny the allegations contained in the first paragraph  
15 under Section A of the Amended Complaint.  
16

17 Defendants deny the allegations contained in the second paragraph under Section A  
18 of the Amended Complaint.  
19

20 Defendants deny the allegations contained in the third paragraph under Section A of  
21 the Amended Complaint.

22 Defendants deny the allegations contained in the fourth paragraph under Section A of  
23 the Amended Complaint.  
24

25 Defendants deny the remaining allegations contained in this section.  
26

27 ///  
28

1                   **B. PET WASTE, UNLEASHED DOGS, AND HEALTH HAZARDS**

2  
3           Defendants incorporate by reference their prior responses to those allegations as set  
4 forth in this Answer. Defendants deny the allegations contained in the first paragraph  
5 under Section B of the Amended Complaint.  
6

7           Defendants deny the allegations contained in the second paragraph under Section B  
8 of the Amended Complaint.

9           Defendants deny the allegations contained in the third paragraph under Section B of  
10 the Amended Complaint.  
11

12           Defendants deny the allegations contained in the fourth paragraph under Section B of  
13 the Amended Complaint.

14           Defendants deny the allegations contained in the fifth paragraph under Section B of  
15 the Amended Complaint.  
16

17           Defendants deny the allegations contained in the sixth paragraph under Section B of  
18 the Amended Complaint.  
19

20           Defendants deny the allegations contained in the seventh paragraph under Section B  
21 of the Amended Complaint.

22           Defendants deny the allegations contained in the eighth paragraph under Section B of  
23 the Amended Complaint.  
24

25           Defendants deny the allegations contained in the ninth paragraph under Section B of  
26 the Amended Complaint.

27           Defendants deny the allegations contained in the tenth paragraph under Section B of  
28 the Amended Complaint.

1 Defendants deny the allegations contained in the eleventh paragraph under Section B  
2 of the Amended Complaint.

3  
4 Defendants deny the remaining allegations contained in this section.

5  
6 **1. ASSOCIATION DRIVEN ENFORCEMENT REQUIRED BY  
GOVERNING DOCUMENTS**

7 Defendants incorporate by reference their prior responses to those allegations as  
8 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
9 under Section B(1) of the Amended Complaint.  
10

11 Defendants deny the allegations contained in the second paragraph under Section  
12 B(1) of the Amended Complaint.

13  
14 Defendants deny the allegations contained in the third paragraph under Section  
15 B(1) of the Amended Complaint.

16 Defendants deny the allegations contained in the fourth paragraph under Section  
17 B(1) of the Amended Complaint  
18

19 Defendants deny the allegations contained in the fifth paragraph under Section  
20 B(1) of the Amended Complaint.

21 Defendants deny the allegations contained in the sixth paragraph under Section  
22 B(1) of the Amended Complaint.  
23

24 Defendants deny the allegations contained in the seventh paragraph under Section  
25 B(1) of the Amended Complaint.

26 Defendants deny the allegations contained in the eighth paragraph under Section  
27 B(1) of the Amended Complaint.  
28

Defendants deny the remaining allegations contained in this section.

1                   **2. CONTINUED NUISANCE, RETALIATION, AND FAILURE TO ACT**  
2   **AFTER ACTUAL NOTICE**

3  
4                   Defendants incorporate by reference their prior responses to those allegations as  
5 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
6 under Section B(2) of the Amended Complaint.

7                   Defendants deny the allegations contained in the second paragraph under Section  
8 B(2) of the Amended Complaint.  
9

10                  Defendants deny the allegations contained in the third paragraph under Section  
11 B(2) of the Amended Complaint.

12                  Defendants deny the allegations contained in the fourth paragraph under Section  
13 B(2) of the Amended Complaint.  
14

15                  Defendants deny the allegations contained in the fifth paragraph under Section  
16 B(2) of the Amended Complaint.  
17

18                  Defendants deny the remaining allegations contained in this section.

19  
20                   **3. LEGAL SIGNIFICANCE OF THE FORGOING UNDER ARIZONA LAW**

21                  Defendants incorporate by reference their prior responses to those allegations as  
22 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
23 under Section B(3) of the Amended Complaint.

24                  Defendants deny the allegations contained in the second paragraph under Section  
25 B(3) of the Amended Complaint.  
26

27                  Defendants deny the allegations contained in the third paragraph under Section  
28 B(3) of the Amended Complaint.

1 Defendants deny the allegations contained in the fourth paragraph under Section  
2 B(3) of the Amended Complaint.

3  
4 Defendants deny the allegations contained in the fifth paragraph under Section  
5 B(3) of the Amended Complaint.

6 Defendants deny the allegations contained in the sixth paragraph under Section  
7 B(3) of the Amended Complaint.

8  
9 Defendants deny the allegations contained in the seventh paragraph under Section  
10 B(3) of the Amended Complaint.

11 Defendants deny the remaining allegations contained in this section.

12  
13 **C. PLAINTIFF'S PROACTIVE MITIGATION EFFORTS, MUNICIPAL**  
14 **INVOLVMENT, AND FORESEEABLE HARM**

15 Defendants incorporate by reference their prior responses to those allegations as  
16 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
17 under Section C of the Amended Complaint.

18  
19 Defendants deny the allegations contained in the second paragraph under Section  
20 C of the Amended Complaint.

21 Defendants deny the allegations contained in the third paragraph under Section C  
22 of the Amended Complaint.

23  
24 Defendants deny the allegations contained in the fourth paragraph under Section  
25 C of the Amended Complaint.

26  
27 Defendants deny the allegations contained in the fifth paragraph under Section C  
28 of the Amended Complaint.

1 Defendants deny the allegations contained in the sixth paragraph under Section C  
2 of the Amended Complaint.

3  
4 Defendants deny the allegations contained in the seventh paragraph under Section  
5 C of the Amended Complaint.

6 Defendants deny the allegations contained in the eighth paragraph under Section  
7 C of the Amended Complaint.

8  
9 Defendants deny the allegations contained in the ninth paragraph under Section C  
10 of the Amended Complaint.

11 Defendants deny the remaining allegations contained in this section.

12  
13 **D. GOVERNANCE, ACCESS, RETALIATION, AND RECORDS**  
14 **OBSTRUCTION**

15 **1. STATUTORY AND GOVERNANCE CONTEXT**

16  
17 Defendants incorporate by reference their prior responses to those allegations as  
18 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
19 under Section D(1) of the Amended Complaint.

20  
21 Defendants deny the allegations contained in the second paragraph under Section  
22 D(1) of the Amended Complaint.

23  
24 Defendants deny the allegations contained in the third paragraph under Section  
25 D(1) of the Amended Complaint.

26  
27 Defendants deny the allegations contained in the fourth paragraph under Section  
28 D(1) of the Amended Complaint.

Defendants deny the remaining allegations contained in this section.

1           **2. BOARD MEETINGS, RESTRICTED HOMEOWNER PARTICIPATION,**  
2           **AND CONTINUED REFUSAL TO ADDRESS PET WASTE HAZARD**

3  
4           Defendants incorporate by reference their prior responses to those allegations as  
5 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
6 under Section D(2) of the Amended Complaint.

7           Defendants deny the allegations contained in the second paragraph under Section  
8 D(2) of the Amended Complaint.  
9

10          Defendants deny the allegations contained in the third paragraph under Section  
11 D(2) of the Amended Complaint.

12          Defendants deny the allegations contained in the fourth paragraph under Section  
13 D(2) of the Amended Complaint.  
14

15          Defendants deny the allegations contained in the fifth paragraph under Section  
16 D(2) of the Amended Complaint.  
17

18          Defendants deny the allegations contained in the sixth paragraph under Section  
19 D(2) of the Amended Complaint.

20          Defendants deny the allegations contained in the seventh paragraph under Section  
21 D(2) of the Amended Complaint.  
22

23          Defendants deny the allegations contained in the eighth paragraph under Section  
24 D(2) of the Amended Complaint.

25          Defendants deny the allegations contained in the ninth paragraph under Section  
26 D(2) of the Amended Complaint.  
27

28          Defendants deny the allegations contained in the tenth paragraph under Section  
D(2) of the Amended Complaint.

1 Defendants deny the remaining allegations contained in this section.

2  
3 **3. POST LITIGATION RECORD UPLOADS AND RESTRICTION OF**  
4 **ACCESS**

5 Defendants incorporate by reference their prior responses to those allegations as  
6 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
7 under Section D(3) of the Amended Complaint.

8  
9 Defendants deny the allegations contained in the second paragraph under Section  
10 D(3) of the Amended Complaint.

11 Defendants deny the allegations contained in the third paragraph under Section  
12 D(3) of the Amended Complaint.

13  
14 Defendants deny the allegations contained in the fourth paragraph under Section  
15 D(3) of the Amended Complaint.

16 Defendants deny the allegations contained in the fifth paragraph under Section  
17 D(3) of the Amended Complaint.

18  
19 Defendants deny the allegations contained in the sixth paragraph under Section  
20 D(3) of the Amended Complaint.

21 Defendants deny the remaining allegations contained in this section.

22  
23 **4. FAILURE TO PROVIDE AGENDAS, MINUTE ENTRIES, AND**  
24 **RECORDS; JANUARY 22, 2024 GGCA BOARD MEETING**

25 Defendants incorporate by reference their prior responses to those allegations as  
26 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
27 under Section D(4) of the Amended Complaint.  
28

1 Defendants deny the allegations contained in the second paragraph under Section  
2 D(4) of the Amended Complaint.

3  
4 Defendants deny the allegations contained in the third paragraph under Section  
5 D(4) of the Amended Complaint.

6 Defendants deny the allegations contained in the fourth paragraph under Section  
7 D(4) of the Amended Complaint.

8  
9 Defendants deny the allegations contained in the fifth paragraph under Section  
10 D(4) of the Amended Complaint.

11 Defendants deny the allegations contained in the sixth paragraph under Section  
12 D(4) of the Amended Complaint.

13  
14 Defendants deny the allegations contained in the seventh paragraph under Section  
15 D(4) of the Amended Complaint.

16 Defendants deny the allegations contained in the eighth paragraph under Section  
17 D(4) of the Amended Complaint.

18  
19 Defendants deny the allegations contained in the ninth paragraph under Section  
20 D(4) of the Amended Complaint.

21  
22 Defendants deny the allegations contained in the tenth paragraph under Section  
23 D(4) of the Amended Complaint.

24 Defendants deny the allegations contained in the eleventh paragraph under  
25 Section D(4) of the Amended Complaint.

26  
27 Defendants deny the allegations contained in the twelfth paragraph under Section  
28 D(4) of the Amended Complaint.

1 Defendants deny the allegations contained in the thirteenth paragraph under  
2 Section D(4) of the Amended Complaint.

3  
4 Defendants deny the allegations contained in the fourteenth paragraph under  
5 Section D(4) of the Amended Complaint.

6 Defendants deny the allegations contained in the fifteenth paragraph under  
7 Section D(4) of the Amended Complaint.  
8

9 Defendants deny the remaining allegations contained in this section.

10  
11 **A. COMPARISON JANUARY, MARCH ELECTION ANNUAL MEETING,**  
12 **AND MAY 2024 GGCA BOARD MEETINGS: REPEATED**  
13 **RETALIATION AND EXCLUSION**

14 Defendants incorporate by reference their prior responses to those allegations as  
15 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
16 under Section A of the Amended Complaint.

17 Defendants deny the allegations contained in the second paragraph under Section  
18 A of the Amended Complaint.

19 Defendants deny the allegations contained in the third paragraph under Section A  
20 of the Amended Complaint.  
21

22 Defendants deny the allegations contained in the fourth paragraph under Section  
23 A of the Amended Complaint.  
24

25 Defendants deny the allegations contained in the fifth paragraph under Section A  
26 of the Amended Complaint.

27 Defendants deny the allegations contained in the sixth paragraph under Section A  
28 of the Amended Complaint.

1 Defendants deny the allegations contained in the seventh paragraph under Section  
2 A of the Amended Complaint.

3 Defendants deny the allegations contained in the eighth paragraph under Section  
4 A of the Amended Complaint.

5 Defendants deny the allegations contained in the ninth paragraph under Section A  
6 of the Amended Complaint.

7 Defendants deny the allegations contained in the tenth paragraph under Section A  
8 of the Amended Complaint.

9 Defendants deny the remaining allegations contained in this section.

### 10 **1. 2024 GGCA BOARD OF DIRECTORS ELECTIONS**

11 Defendants incorporate by reference their prior responses to those allegations as  
12 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
13 under Section A(1) of the Amended Complaint.

14 Defendants deny the allegations contained in the second paragraph under Section  
15 A(1) of the Amended Complaint.

16 Defendants deny the allegations contained in the third paragraph under Section  
17 A(1) of the Amended Complaint.

18 Defendants deny the allegations contained in the fourth paragraph under Section  
19 A(1) of the Amended Complaint.

20 Defendants deny the allegations contained in the fifth paragraph under Section  
21 A(1) of the Amended Complaint.

1 Defendants deny the allegations contained in the sixth paragraph under Section  
2 A(1) of the Amended Complaint.

3  
4 Defendants deny the allegations contained in the seventh paragraph under Section  
5 A(1) of the Amended Complaint.

6 Defendants deny the allegations contained in the eighth paragraph under Section  
7 A(1) of the Amended Complaint.

8  
9 Defendants deny the allegations contained in the ninth paragraph under Section  
10 A(1) of the Amended Complaint.

11 Defendants deny the allegations contained in the tenth paragraph under Section  
12 A(1) of the Amended Complaint.

13  
14 Defendants deny the allegations contained in the eleventh paragraph under  
15 Section A(1) of the Amended Complaint.

16 Defendants deny the allegations contained in the twelfth paragraph under Section  
17 A(1) of the Amended Complaint.

18  
19 Defendants deny the allegations contained in the thirteenth paragraph under  
20 Section A(1) of the Amended Complaint.

21  
22 Defendants deny the allegations contained in the fourteenth paragraph under  
23 Section A(1) of the Amended Complaint.

24 Defendants deny the allegations contained in the fifteenth paragraph under  
25 Section A(1) of the Amended Complaint.

26  
27 Defendants deny the allegations contained in the sixteenth paragraph under  
28 Section A(1) of the Amended Complaint.

1 Defendants deny the allegations contained in the seventeenth paragraph under  
2 Section A(1) of the Amended Complaint.

3  
4 Defendants deny the allegations contained in the eighteenth paragraph under  
5 Section A(1) of the Amended Complaint.

6 Defendants deny the allegations contained in the nineteenth paragraph under  
7 Section A(1) of the Amended Complaint.  
8

9 Defendants deny the remaining allegations contained in this section.

10  
11 **D. RESULTING HARM AND BASIS FOR PUNITIVE DAMAGES**

12 Defendants incorporate by reference their prior responses to those allegations as  
13 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
14 under Section D of the Amended Complaint:  
15

16 Defendants deny the allegations contained under the first bullet point in the first  
17 paragraph of Section D of the Amended Complaint;  
18

19 Defendants deny the allegations contained under the second bullet point in the  
20 first paragraph of Section D of the Amended Complaint;  
21

22 Defendants deny the allegations contained under the third bullet point in the first  
23 paragraph of Section D of the Amended Complaint; and

24 Defendants deny the allegations contained under the fourth bullet point in the first  
25 paragraph of Section D of the Amended Complaint.  
26

27 Defendants deny the allegations contained in the second paragraph under Section  
28 D of the Amended Complaint.

Defendants deny the remaining allegations contained in this section.



1 Defendants deny the remaining allegations contained in this section.

2 **E. SOCIAL MEDIA HARASSMENT**

3 **1. PRE-CANDIDANCY ONLINE TARGETING AND CREDIBILITY**  
4 **ATTACKS**

5 Defendants incorporate by reference their prior responses to those allegations as  
6 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
7 under Section E(1) of the Amended Complaint.  
8

9 Defendants deny the allegations contained in the second paragraph under Section  
10 E(1) of the Amended Complaint.  
11

12 Defendants deny the allegations contained in the third paragraph under Section  
13 E(1) of the Amended Complaint.  
14

15 Defendants deny the allegations contained in the fourth paragraph under Section  
16 E(1) of the Amended Complaint.  
17

18 Defendants deny the allegations contained in the fifth paragraph under Section  
19 E(1) of the Amended Complaint.  
20

21 Defendants deny the allegations contained in the sixth paragraph under Section  
22 E(1) of the Amended Complaint.  
23

24 Defendants deny the allegations contained in the seventh paragraph under Section  
25 E(1) of the Amended Complaint.  
26

27 Defendants deny the allegations contained in the eighth paragraph under Section  
28 E(1) of the Amended Complaint.  
29

30 Defendants deny the allegations contained in the ninth paragraph under Section  
31 E(1) of the Amended Complaint.  
32

1 Defendants deny the allegations contained in the tenth paragraph under Section  
2 E(1) of the Amended Complaint.

3  
4 Defendants deny the allegations contained in the eleventh paragraph under  
5 Section E(1) of the Amended Complaint.

6 Defendants deny the remaining allegations contained in this section.

7  
8 **2. RETALIATION, 42 U.S.C. § 3617, AND ABUSE OF PROCESS**

9 Defendants incorporate by reference their prior responses to those allegations as  
10 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
11 under Section E(2) of the Amended Complaint.

12 Defendants deny the remaining allegations contained in this section.

13  
14 **3. SOCIAL MEDIA INTERFERENCE WITH PLAINTIFF'S CANDIDACY,**  
15 **SELF-NOMINATION, AND GOVERNANCE PARTICIPATION**

16 Defendants incorporate by reference their prior responses to those allegations as  
17 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
18 under Section E(3) of the Amended Complaint.

19  
20 Defendants deny the allegations contained in the second paragraph under Section  
21 E(3) of the Amended Complaint.

22 Defendants deny the allegations contained in the third paragraph under Section  
23 E(3) of the Amended Complaint.

24  
25 Defendants deny the allegations contained in the fourth paragraph under Section  
26 E(3) of the Amended Complaint.

27 Defendants deny the allegations contained in the fifth paragraph under Section  
28 E(3) of the Amended Complaint.

1 Defendants deny the allegations contained in the sixth paragraph under Section  
2 E(3) of the Amended Complaint.

3  
4 Defendants deny the remaining allegations contained in this section.

5 **4. CIVIL CONSPIRACY TO INTERFERE WITH GOVERNANCE**  
6 **PARTICIPATION**

7 Defendants incorporate by reference their prior responses to those allegations as  
8 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
9 under Section E(4) of the Amended Complaint.

10  
11 Defendants deny the allegations contained in the second paragraph under Section  
12 E(4) of the Amended Complaint.

13 Defendants deny the allegations contained in the third paragraph under Section  
14 E(4) of the Amended Complaint.

15  
16 Defendants deny the allegations contained in the fourth paragraph under Section  
17 E(4) of the Amended Complaint.

18 Defendants deny the allegations contained in the fifth paragraph under Section  
19 E(4) of the Amended Complaint.

20  
21 Defendants deny the remaining allegations contained in this section.

22 **6. CONNECTION TO COORDINATED CONDUCT ONLINE SUPPORTING**  
23 **CIVIL CONSPIRACY**

24 Defendants incorporate by reference their prior responses to those allegations as  
25 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
26 under Section E(6) of the Amended Complaint.

27 Defendants deny the allegations contained in the second paragraph under Section  
28 E(6) of the Amended Complaint.

1 Defendants deny the allegations contained in the third paragraph under Section  
2 E(6) of the Amended Complaint.

3  
4 Defendants deny the allegations contained in the fourth paragraph under Section  
5 E(6) of the Amended Complaint.

6 Defendants deny the allegations contained in the fifth paragraph under Section  
7 E(6) of the Amended Complaint.

8  
9 Defendants deny the remaining allegations contained in this section.

10 **F. FINANCIAL MISREPRESENTATION, NONDISCLOSURE, AND**  
11 **OPERATIONAL MISMANAGEMENT**

12 Defendants incorporate by reference their prior responses to those allegations as  
13 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
14 under Section F of the Amended Complaint.

15  
16 Defendants deny the remaining allegations contained in this section.

17 **B. RETENTION OF LITIGATION COUNSEL AND ESCALATING LEGAL**  
18 **ACTIVITY**

19 Defendants incorporate by reference their prior responses to those allegations as  
20 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
21 under Section B of the Amended Complaint.

22  
23 Defendants deny the allegations contained in the second paragraph under Section  
24 B of the Amended Complaint.

25 Defendants deny the allegations contained in the third paragraph under Section B  
26 of the Amended Complaint.

27  
28 Defendants deny the remaining allegations contained in this section.

///

1                   **C. YEAR BY YEAR FINANCIAL DISCLSOURES TO HOMEOWNERS**

2                   Defendants incorporate by reference their prior responses to those allegations as  
3 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
4 under Section C of the Amended Complaint.  
5

6                   Defendants deny the allegations contained in the second paragraph under Section  
7 C of the Amended Complaint.  
8

9                   Defendants deny the allegations contained in the third paragraph under Section C  
10 of the Amended Complaint.

11                   Defendants deny the allegations contained in the fourth paragraph under Section  
12 C of the Amended Complaint.  
13

14                   Defendants deny the remaining allegations contained in this section.

15                   **D. OPERATIONAL MISMANAGEMENT AND MAINTENANCE NON-**  
16                   **PERFORMANCE AS CORROBORATING EVIDENCE**

17                   Defendants incorporate by reference their prior responses to those allegations as  
18 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
19 under Section D of the Amended Complaint.  
20

21                   Defendants deny the allegations contained in the second paragraph under Section  
22 D of the Amended Complaint.

23                   Defendants deny the allegations contained in the third paragraph under Section D  
24 of the Amended Complaint.  
25

26                   Defendants deny the allegations contained in the fourth paragraph under Section  
27 D of the Amended Complaint.  
28

                  Defendants deny the remaining allegations contained in this section.



1 Defendants deny the allegations contained under the first bullet point in the fifth  
2 paragraph of Section D of the Amended Complaint;

3  
4 Defendants deny the allegations contained under the second bullet point in the  
5 fifth paragraph of Section D of the Amended Complaint;

6 Defendants deny the allegations contained under the third bullet point in the fifth  
7 paragraph of Section D of the Amended Complaint;

8  
9 Defendants deny the allegations contained under the fourth bullet point in the  
10 fifth paragraph of Section D of the Amended Complaint; and

11 Defendants deny the allegations contained under the fifth bullet point in the fifth  
12 paragraph of Section D of the Amended Complaint.

13  
14 Defendants deny the allegations contained in the sixth paragraph under Section D  
15 of the Amended Complaint.

16 Defendants deny the allegations contained in the seventh paragraph under Section  
17 D of the Amended Complaint.

18  
19 Defendants deny the allegations contained in the eighth paragraph under Section  
20 D of the Amended Complaint.

21  
22 Defendants deny the allegations contained in the ninth paragraph under Section D  
23 of the Amended Complaint.

24 Defendants deny the allegations contained in the tenth paragraph under Section D  
25 of the Amended Complaint.

26 Defendants deny the remaining allegations contained in this section.

27  
28 ///

1                   **H. ESCLATION THROUGH LIENS, JUDGEMENTS, AND CONTINUED**  
2                   **RETALIATION (2024-2025)**

3  
4                   Defendants incorporate by reference their prior responses to those allegations as  
5 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
6 under Section E of the Amended Complaint.

7  
8                   Defendants deny the allegations contained in the second paragraph under Section  
9 E of the Amended Complaint.

10                  Defendants deny the allegations contained in the third paragraph under Section E  
11 of the Amended Complaint.

12  
13                  Defendants deny the allegations contained in the fourth paragraph under Section  
14 E of the Amended Complaint.

15                  Defendants deny the allegations contained in the fifth paragraph under Section E  
16 of the Amended Complaint.

17  
18                  Defendants deny the remaining allegations contained in this section.

19                  **1. FAILURE TO COMPLY WITH STATORY NOTICE AND DUE PROCES**  
20                  **[sic.] REQUIREMENTS**

21                  Defendants incorporate by reference their prior responses to those allegations as  
22 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
23 under Section H(1) of the Amended Complaint:

24  
25                  Defendants deny the allegations contained under the first bullet point in the first  
26 paragraph of Section H(1) of the Amended Complaint;

27  
28                  Defendants deny the allegations contained under the second bullet point in the  
first paragraph of Section H(1) of the Amended Complaint;

1 Defendants deny the allegations contained under the third bullet point in the first  
2 paragraph of Section H(1) of the Amended Complaint;

3  
4 Defendants deny the allegations contained under the fourth bullet point in the first  
5 paragraph of Section H(1) of the Amended Complaint; and

6 Defendants deny the allegations contained under the fifth bullet point in the first  
7 paragraph of Section H(1) of the Amended Complaint.  
8

9 Defendants deny the allegations contained in the second paragraph under Section  
10 H(1) of the Amended Complaint.

11 Defendants deny the remaining allegations contained in this section.  
12

## 13 **2. IMPROPER USE OF FINES AND PENALITIES TO SUPPORT LIEN** 14 **POSTURE**

15 Defendants incorporate by reference their prior responses to those allegations as  
16 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
17 under Section H(2) of the Amended Complaint.

18 Defendants deny the allegations contained in the second paragraph under Section  
19 H(2) of the Amended Complaint.  
20

21 Defendants deny the remaining allegations contained in this section.  
22

## 23 **3. RETALIATORY USE OF LIEN THREATS AS LEVERAGE**

24 Defendants incorporate by reference their prior responses to those allegations as  
25 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
26 under Section H(3) of the Amended Complaint.

27 Defendants deny the allegations contained in the second paragraph under Section  
28 H(3) of the Amended Complaint.

1 Defendants deny the remaining allegations contained in this section.

2 **4. REFUSAL TO COMMUNICATION AND PROVIDE STANDARD**  
3 **ASSOCIATION INFORMATION**

4 Defendants incorporate by reference their prior responses to those allegations as  
5 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
6 under Section H(4) of the Amended Complaint.  
7

8 Defendants deny the remaining allegations contained in this section.

9 **5. CONSUMER PROTECTION, GOVERNANCE, DUE PROCESS**  
10 **VIOLATIONS**

11 Defendants incorporate by reference their prior responses to those allegations as  
12 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
13 under Section H(5) of the Amended Complaint.  
14

15 Defendants deny the allegations contained in the second paragraph under Section  
16 H(5) of the Amended Complaint.

17 Defendants deny the allegations contained in the third paragraph under Section  
18 H(5) of the Amended Complaint.  
19

20 Defendants deny the allegations contained in the fourth paragraph under Section  
21 H(5) of the Amended Complaint.  
22

23 Defendants deny the allegations contained in the fifth paragraph under Section  
24 H(5) of the Amended Complaint.

25 Defendants deny the allegations contained in the sixth paragraph under Section  
26 H(5) of the Amended Complaint.  
27

28 Defendants deny the allegations contained in the seventh paragraph under Section  
H(5) of the Amended Complaint.

1 Defendants deny the allegations contained in the eighth paragraph under Section  
2 H(5) of the Amended Complaint.

3  
4 Defendants deny the allegations contained in the ninth paragraph under Section  
5 H(5) of the Amended Complaint.

6 Defendants deny the allegations contained in the tenth paragraph under Section  
7 H(5) of the Amended Complaint.

8  
9 Defendants deny the remaining allegations contained in this section.

10 **6. NOERR PENNINGTON / ANTI-SLAPP – SHAM ENFORCEMENT**

11 Defendants incorporate by reference their prior responses to those allegations as  
12 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
13 under Section H(6) of the Amended Complaint.

14  
15 Defendants deny the allegations contained in the second paragraph under Section  
16 H(6) of the Amended Complaint.

17  
18 Defendants deny the allegations contained in the third paragraph under Section  
19 H(6) of the Amended Complaint.

20  
21 Defendants deny the allegations contained in the fourth paragraph under Section  
22 H(6) of the Amended Complaint.

23  
24 Defendants deny the allegations contained in the fifth paragraph under Section  
25 H(6) of the Amended Complaint.

26  
27 Defendants deny the allegations contained in the sixth paragraph under Section  
28 H(6) of the Amended Complaint.

Defendants deny the allegations contained in the seventh paragraph under Section  
H(6) of the Amended Complaint.

1 Defendants deny the allegations contained in the eighth paragraph under Section  
2 H(6) of the Amended Complaint.

3  
4 Defendants deny the remaining allegations contained in this section.

5 **1. ARCHITECTURAL OBSTRUCTION, HEALTH AND SAFETY HARMS,**  
6 **AND PUNITIVE DAMAGES**

7 Defendants incorporate by reference their prior responses to those allegations as  
8 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
9 under Section H(1) of the Amended Complaint.

10  
11 Defendants deny the allegations contained in the second paragraph under Section  
12 H(1) of the Amended Complaint.

13 Defendants deny the remaining allegations contained in this section.

14 **1. PROLONGED NON RESPONSE AND REFUSAL TO COMMUNICATE**

15  
16 Defendants incorporate by reference their prior responses to those allegations as  
17 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
18 under Section H(1) of the Amended Complaint.

19  
20 Defendants deny the allegations contained in the second paragraph under Section  
21 H(1) of the Amended Complaint.

22 Defendants deny the remaining allegations contained in this section.

23 **2. IN PERSON DENIAL, FALSE CLAIMS< AND LAW ENFOCEMENT**  
24 **ESCALATION**

25 Defendants incorporate by reference their prior responses to those allegations as  
26 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
27 under Section H(2) of the Amended Complaint.  
28

1 Defendants deny the allegations contained in the second paragraph under Section  
2 H(2) of the Amended Complaint.

3  
4 Defendants deny the remaining allegations contained in this section.

5 **3. SHIFTING OBJECTIONS. DEEMED APPROVAL, AND NEED FOR**  
6 **JUDICIAL INTERVENTION**

7 Defendants incorporate by reference their prior responses to those allegations as  
8 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
9 under Section H(3) of the Amended Complaint.

10  
11 Defendants deny the allegations contained in the second paragraph under Section  
12 H(3) of the Amended Complaint.

13 Defendants deny the remaining allegations contained in this section.

14 **VII. INJURIES AND DAMAGES**

15  
16 Defendants incorporate by reference their prior responses to those allegations as  
17 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
18 under Section VII of the Amended Complaint.

19  
20 Defendants deny the remaining allegations contained in this section.

21 **A. PERSONAL INJURY, HEALTH HARM, AND SAFETY RISKS**

22  
23 Defendants incorporate by reference their prior responses to those allegations as  
24 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
25 under Section A of the Amended Complaint.

26  
27 Defendants deny the allegations contained in the second paragraph under Section  
28 A of the Amended Complaint.

1 Defendants deny the remaining allegations contained in this section.

2 **B. SEVERE EMOTIONAL DISTRESS AND PSYCHOLOGICAL HARM**

3  
4 Defendants incorporate by reference their prior responses to those allegations as  
5 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
6 under Section B of the Amended Complaint.  
7

8 Defendants deny the remaining allegations contained in this section.

9 **C. PROPERTY DAMAGE AND LOSS OF PROPERTY RELATED RIGHTS**

10  
11 Defendants incorporate by reference their prior responses to those allegations as  
12 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
13 under Section C of the Amended Complaint.  
14

15 Defendants deny the allegations contained in the second paragraph under Section  
16 C of the Amended Complaint.

17 Defendants deny the allegations contained in the third paragraph under Section C  
18 of the Amended Complaint.  
19

20 Defendants deny the remaining allegations contained in this section.

21 **D. FINANCIAL AND ECONOMIC DAMAGES**

22  
23 Defendants incorporate by reference their prior responses to those allegations as  
24 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
25 under Section D of the Amended Complaint.  
26

27 Defendants deny the allegations contained in the second paragraph under Section  
28 D of the Amended Complaint.

1 Defendants deny the allegations contained in the third paragraph under Section D  
2 of the Amended Complaint.

3  
4 Defendants deny the allegations contained in the fourth paragraph under Section  
5 D of the Amended Complaint.

6 Defendants deny the allegations contained in the fifth paragraph under Section D  
7 of the Amended Complaint.

8  
9 Defendants deny the allegations contained in the sixth paragraph under Section D  
10 of the Amended Complaint.

11 Defendants deny the allegations contained in the seventh paragraph under Section  
12 D of the Amended Complaint.

13  
14 Defendants deny the remaining allegations contained in this section.

15 **E. RETALIATION, DISCRIMINATION, AND CIVIL RIGHTS INJURIES**

16  
17 Defendants incorporate by reference their prior responses to those allegations as  
18 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
19 under Section E of the Amended Complaint.

20  
21 Defendants deny the allegations contained in the second paragraph under Section  
22 E of the Amended Complaint.

23  
24 Defendants deny the remaining allegations contained in this section.

25 **F. ABUSE OF PROCESS AND CONSPIRATIONAL HARM**

26  
27 Defendants incorporate by reference their prior responses to those allegations as  
28 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
under Section F of the Amended Complaint.

1 Defendants deny the remaining allegations contained in this section.

2 **G. ONGOING AND PROSPECTIVE HARM**

3  
4 Defendants incorporate by reference their prior responses to those allegations as  
5 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
6 under Section G of the Amended Complaint.  
7

8 Defendants deny the remaining allegations contained in this section.

9 **H. PUNITIVE DAMAGES**

10  
11 Defendants incorporate by reference their prior responses to those allegations as  
12 set forth in this Answer. Defendants deny the allegations contained in the first paragraph  
13 under Section H of the Amended Complaint.  
14

15 Defendants deny the remaining allegations contained in this section.

16 **GENERAL DENIALS**

17  
18 Defendants deny any and all allegations not specifically admitted, denied, or  
19 qualified herein.  
20

21 This answer is submitted only as to the claims reinstated or otherwise remaining  
22 following the August 12, 2025 Court of Appeals' and subsequent Superior Court's  
23 February 3, 2026 decisions. To the extent any paragraph or section allegation of the  
24 Amended Complaint purports to assert claims previously dismissed, otherwise resolved,  
25 or unsupported as a matter of law, Defendants deny those allegations.  
26

27  
28 *///*

1 **AFFIRMATIVE DEFENSES**

2 58. Plaintiff’s Amended Complaint allegations fail to state a claim(s) upon  
3 which relief can be granted against Defendant.  
4

5 59. Defendants affirmatively allege that neither the Association nor any  
6 individually named Association representative, Board Member or agent breached,  
7 materially or otherwise, any duty, legal or otherwise allegedly owed to Plaintiff.  
8

9 60. Defendants affirmatively allege that Plaintiff has failed to join all necessary  
10 parties, including but not limited to all owners within the Gardens Gilbert Community  
11 Association and that such parties must be joined to have a full and complete adjudication  
12 of the issues raised and relief requested herein.  
13

14 61. Plaintiff’s claims fail as a matter of law as Plaintiff incurred no damages as  
15 a result of any alleged conduct by the Defendant Focus, Defendant Cadis, and Defendant  
16 Sortor or any of their representative agents.  
17

18 62. Some or all of Plaintiff’s claims may be barred by equitable doctrines of  
19 unclean hands, laches, waiver by operation of law, release, performance, accord and  
20 satisfaction, and/or estoppel.  
21

22 63. Defendants affirmatively allege additional affirmative defenses including  
23 lack of standing, statutes of limitations, lack of duty, bad faith, lack of good faith and fair  
24 dealing, lack of or inadequate consideration, lack of enforceable promise, no contract  
25 and/or material breach.  
26

27 64. Defendants affirmatively allege that Plaintiff is barred under the doctrine  
28 of equitable estoppel, contributory negligence and/or comparative fault for Plaintiff’s

1 failure to exercise reasonable care and diligence with respect to the duties owed to  
2 Defendants and/or failure to mitigate Defendant's damages or losses, if any.

3  
4 65. Any alleged damage to Plaintiff was caused wholly or in part by the  
5 negligence of a third-party entity and/or person, whether a party to this action or not, whose  
6 actions were an intervening or superseding cause of the alleged damage and for whose fault  
7 the Defendants is not answerable.

8  
9 66. Defendants affirmatively allege lack of prior requisite notice of any  
10 dangerous condition.

11 67. Because this matter arises out of contract, Defendants is entitled to an award  
12 of attorneys' fees and costs, as reasonably incurred in defending this Amended Complaint  
13 and upon prevailing in this matter, pursuant to A.R.S. §§ 12-341 and 12-341.01.

14  
15 68. Defendants affirmatively allege that Plaintiff's damages, if any, are a result  
16 of or caused by factors, persons, or entities other than Defendant, including third-parties  
17 or nonparties at fault. Accordingly, Defendants reserve the right to aver and prove the  
18 apportionment and/or degrees of fault, if any, among the named parties herein and/or any  
19 nonparties pursuant to governing Arizona law and procedure.  
20

21  
22 69. Defendants affirmatively allege that Plaintiff failed to join indispensable  
23 parties and/or failed to bring and/or join Plaintiff's claims against the real party(ies) in  
24 interest.

25  
26 70. Defendants affirmatively allege that Plaintiff are not an aggrieved person  
27 with standing to pursue Plaintiff's alleged claims for relief.  
28





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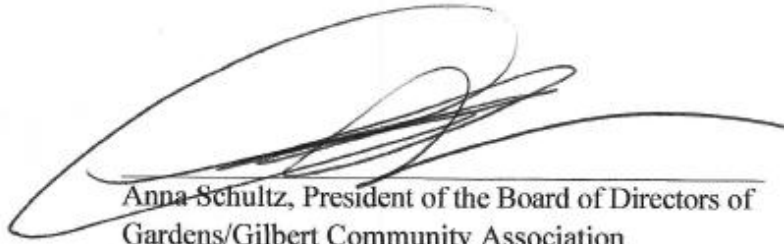
VERIFICATION

STATE OF ARIZONA     )  
  ) ss.  
County of Maricopa             )

Anna Schultz declares and states as follows:

I am the President for Gardens/Gilbert Community Association (hereafter, the "Association"), an Arizona nonprofit corporation. I am authorized by the Board of Directors for and on behalf of the Association to execute this verification regarding the allegations contained in the foregoing Answer to the Amended Complaint and know the contents thereof; the matters and things stated and alleged therein are true and of my own knowledge, except those matters therein stated upon information and belief, and, as to those matters, I believe them to be true.

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

  
\_\_\_\_\_  
Anna Schultz, President of the Board of Directors of  
Gardens/Gilbert Community Association


VERIFICATION

STATE OF ARIZONA     )  
  ) ss.  
County of Maricopa             )

Anna Schultz declares and states as follows:

I am a named Defendant in the foregoing Answer to the Amended Complaint and know the contents thereof, and state that the matters and things stated and alleged therein are true and of my own knowledge, except those matters therein stated upon information and belief, and, as to those matters, I believe them to be true.

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

  
\_\_\_\_\_  
Anna Schultz, named Defendant

VERIFICATION

STATE OF ARIZONA     )  
  ) ss.  
County of Maricopa                     )

Harman Cadis declares and states as follows:

I am the Authorized Representative for Focus HOA Management, LLC (hereafter, "Focus"), an Arizona limited liability company. I am authorized by Focus for and on behalf of Focus to execute this verification regarding the allegations contained in the foregoing Answer to the Amended Complaint and know the contents thereof; the matters and things stated and alleged therein are true and of my own knowledge, except those matters therein stated upon information and belief, and, as to those matters, I believe them to be true.

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

Harman  
Cadis

Digitally signed by  
Harman Cadis  
Date: 2026.03.31 12:34:30  
-07'00'

\_\_\_\_\_  
Harman Cadis, Authorized Representative of  
Focus HOA Management, LLC

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**VERIFICATION**

STATE OF ARIZONA     )  
  ) ss.  
County of Maricopa             )

Brooke Sortor declares and states as follows:

I am a named Defendant in the foregoing Answer to the Amended Complaint and know the contents thereof, and state that the matters and things stated and alleged therein are true and of my own knowledge, except those matters therein stated upon information and belief, and, as to those matters, I believe them to be true.

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

  
\_\_\_\_\_  
Brooke Sortor, named Defendant