

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-005940

04/16/2026

HONORABLE DAVID MCDOWELL

CLERK OF THE COURT
A. Patel
Deputy

SANDRA RODRIGUEZ

SANDRA RODRIGUEZ
4375 E BETSY LN
GILBERT AZ 85296

v.

GARDENS GILBERT COMMUNITY
ASSOCIATION, et al.

AUGUSTUS H SHAW IV

FOCUS H O A
NO ADDRESS ON RECORD
ANNA SCHULTZ
NO ADDRESS ON RECORD
JUDGE MCDOWELL

DISCOVERY CONFERENCE SET

The Court is disappointed that the parties have failed to follow not only the Rules of Civil Procedure but also this Court's orders to conduct Rule 26(d) discovery conferences before filing a discovery dispute.

The Court is in receipt of the March 25, 2026 *Defendants' Rule 26(d) Statement of Discovery Dispute regarding Plaintiff's Refusal to Attend Deposition* and the March 31, 2026 *Plaintiff's Response to Defendants' Rule 26(d) Statement of Discovery Dispute regarding Plaintiff's Refusal to Attend Deposition*.

NO WHERE in Rule 26(d) does it authorize a party to file a response to a Rule 26(d) statement of discovery dispute. The Rule specifically indicates both parties can include their statement of position in the discovery dispute.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-005940

04/16/2026

Rule 26(d)(2) specifies the statement is limited to three pages of text with each party being allocated one and a half pages. Defendant's statement complied because it only contained one and a half pages of text. Plaintiff's statement was comprised of three and a third pages.

IT IS ORDERED the parties shall meet and confer (in person or by telephone) AGAIN by **April 30, 2026** to attempt to resolve this matter. If this meeting does not occur, sanctions will be imposed.

IT IS ORDERED setting a virtual discovery conference for **10:00 a.m. on May 4, 2026** to address the issue, AND ONLY the issue of Plaintiff's deposition (since that is the only unresolved Rule 26(d) discovery dispute before the Court). Because one or both parties failed to comply with Rule 26(d) sanctions will be imposed at this discovery conference. The conference shall be conducted by Court Connect:

[Join the meeting now](https://tinyurl.com/jbazmc-cvj05a)

<https://tinyurl.com/jbazmc-cvj05a>

Dial in by phone

+1 917-781-4590 United States, New York City

Phone conference ID: 171 232 856#