

1 in any good faith effort to resolve discovery issues prior to filing, as required by the
2 Arizona Rules of Civil Procedure. Accordingly, Plaintiff has failed to satisfy the
3 mandatory meet-and-confer requirements, and any motion relying on such Certification
4 should be denied. This Motion is supported by the following memorandum of points and
5 authorities:

6 **MEMORANDUM OF POINTS AND AUTHORITIES**

7 **I. PLAINTIFF’S MOTION SHOULD BE DENIED.**

8 In her Certification, Plaintiff represents to the Court that she “participated in a
9 telephonic meet-and-confer... specifically addressing Defendants’ failure to provide
10 responses to Requests for Production, Interrogatories, Requests for Admission, and Rule
11 26.1 disclosures.” This assertion is not supported by the facts. The March 25, 2026 call
12 did occur; however, it did not involve any discussion of discovery disputes, disclosure
13 deficiencies, or the categories of discovery Plaintiff now claims were addressed. Instead,
14 as reflected in Plaintiff’s own contemporaneous email, the purpose and scope of that
15 communication were expressly limited. Plaintiff stated:

16 I am in receipt of your March 24, 2026 email indicating that Mr. Dente (sic.)
17 intends to contact me regarding a meet-and-confer on the deposition and
18 Defendants’ anticipated motion to dismiss.

18 *See Exhibit “A”* attached hereto.

19 This statement, authored by Plaintiff herself prior to the March 25, 2026 call,
20 clearly defines the subject of the anticipated meet-and-confer as relating to deposition
21 issues and Defendants’ anticipated motion practice, not discovery disputes.

22 The record further demonstrates that no discovery meet-and-confer occurred. After
23 Plaintiff later claimed that such a conference had taken place, Defendants promptly
24 corrected the record. In response to Plaintiff’s April 14, 2026 correspondence, in which
25 she asserted that “a recorded meet-and-confer was conducted on March 25, 2026 regarding
26 the ongoing discovery disputes,” Defendants expressly stated:

27 We have not met and conferred regarding your current discovery dispute. If
28 you would like to meet and confer, please give me a call.

1 See **Exhibit “B”** attached hereto.

2 This communication makes clear that Defendants did not consider the March 25,
3 2026 call to be a discovery meet-and-confer and, importantly, remained willing to conduct
4 one. Rather than engage in the required good faith consultation at that point, Plaintiff
5 instead proceeded to file her Certification, relying on a mischaracterization of the prior
6 communication.

7 Plaintiff’s Certification is therefore not merely deficient, it is materially
8 misleading. Plaintiff affirmatively represents to the Court that specific discovery issues
9 were discussed during the March 25, 2026 call when, in fact, her own contemporaneous
10 statements demonstrate that the call was limited to entirely different subject matter. By
11 attributing discovery-related discussions to that call that did not occur, Plaintiff attempts
12 to manufacture compliance with Rule 26(d) where none exists. This undermines the
13 purpose of the Rule, which is to reduce unnecessary motion practice by requiring parties
14 to genuinely attempt resolution before seeking judicial intervention.

15 Because Plaintiff failed to engage in a proper meet-and-confer regarding the
16 discovery issues raised, her Certification does not satisfy Rule 26(d), and any motion
17 relying upon that Certification is procedurally improper.

18 Accordingly, Defendants respectfully request that the Court reject Plaintiff’s
19 Certificate of Good Faith Consultation, deny any motion predicated upon it, and grant
20 such further relief as the Court deems just and appropriate.

21 DATED this 22nd day of April, 2026.

22 **SHAW & LINES, LLC**

23 /s/ Dominick D. Detente
24 Augustus H. Shaw, IV, Esq.
25 Dominick D. Detente, Esq.
26 1490 South Price Road, Suite 318
27 Chandler, Arizona 85286
28 Counsel for Defendants

1 ORIGINAL submitted for filing this
2 22nd day of April, 2026:

3 Clerk of the Court
4 Maricopa County Superior Court
5 (Via E-Filing online – Turbo Court)

6 COPY of the foregoing mailed and emailed this
7 22nd day of April, 2026 to:

8 Sandra Rodriguez
9 4735 E Besty Lane
10 Gilbert, Arizona 85296
11 sandra.rodriguez0339@gmail.com
12 *Plaintiff, pro per*

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By: /s/ Diane Fincher

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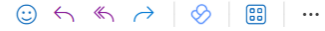
Exhibit “A”

2 SR

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

To: Augustus Shaw

Cc: Dominick D tente



Tue 3/24/2026 10:14 AM

3
4 Flag for follow up. Completed on 3/23/2026.

5 Gmail - Plaintiff's Response t...
122 KB

6 Dear Mr. Shaw,

7 I am in receipt of your March 24, 2026 email indicating that Mr. Dente intends to contact me regarding a meet-and-confer on the deposition and Defendants' anticipated motion to dismiss.

8 At the outset, any meet-and-confer must be conducted with counsel of record. Mr. Dente is not counsel of record in this matter, and therefore is not an appropriate party to conduct such discussions on behalf of Defendants. Please ensure that all communications and scheduling efforts are handled through counsel of record in compliance with the Arizona Rules of Civil Procedure.

9 Under Ariz. R. Civ. P. 16, the Court requires meaningful participation by the parties and their counsel of record in the management and resolution of pretrial matters, including discovery disputes and scheduling issues. A meet-and-confer conducted by an individual who is not counsel of record does not satisfy these obligations and undermines the purpose of Rule 16's case management requirements.

10 Additionally, Arizona law contemplates that litigation actions—including discovery coordination and motion-related discussions—be conducted by properly appearing counsel. See also A.R.S.   12-2234 and related provisions governing representation and attorney participation in civil proceedings.

11 To the extent Defendants seek to satisfy any meet-and-confer requirements under the Arizona Rules of Civil Procedure (including Rules 26, 37, and 7.1), such efforts must be undertaken in good faith by counsel of record. Any attempt to proceed otherwise will be noted as noncompliant.

12 I remain available to meet and confer in good faith with counsel of record at the previously provided times. Please confirm which counsel of record will be participating and provide availability accordingly.

13 Nothing herein waives Plaintiff's prior positions regarding Defendants' ongoing discovery noncompliance, as outlined in my prior correspondence.

14 I also note that I have not received a response to my email sent yesterday, nor have I received any of the outstanding discovery responses or production of evidence previously requested on December 1, 2025.

15 Sincerely,



16 Sandra Rodriguez

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Exhibit “B”

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SR Sandra Rodriguez <sandra.rodriguez0339@gmail.com>  Tue 4/14/2026 11:40 AM


To:  Augustus Shaw
Cc:  Dominick D tente

Dear Shaw,

I would like to remind you that a recorded meet-and-confer was conducted on March 25, 2026 regarding the ongoing discovery disputes. I am fully compliant with my obligations, as I have already met and conferred with you on these issues. Despite that conference, you and your co-counsel, Mr. Dente, have refused to cure the identified deficiencies and continue to refuse to comply with the Court's orders that you yourself reference but are not abiding by. I have a recording of this call and will provide it to the Court if necessary.

Sincerely,

Sandra Rodriguez
AS Augustus Shaw  Tue 4/14/2026 1:22 PM

To: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
Cc:  Dominick D tente

Ms. Rodriguez,

We have not met and conferred regarding your current discovery dispute. If you would like to meet and confer, please give me a call.

Also, please provide, in detail, how my firm is not abiding by the Court's various Orders. You have a habit of making allegations without reference to a specific Court Order.

Augustus H. Shaw IV†*