

1 Sandra Rodriguez
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6 **Representing:** Self Represented, without a Lawyer

7 **IN THE SUPERIOR COURT IN THE STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MARICOPA**

9
10 SANDRA RODRIGUEZ,
11 **Plaintiff,**

12 vs.

13 GARDENS GILBERT COMMUNITY
14 ASSOCIATION an Arizona non-profit
15 corporation; FOCUS HOA
16 MANAGEMENT, LLC, and Arizona
17 limited liability company; HARMIN
18 CADIS, BROOKE SORTOR, ANNA
19 SCHULTZ

20 **Defendants,**

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

**MOTION TO STRIKE
DEFENDANTS' UNTIMELY
REPLY IN SUPPORT OF PARTIAL
MOTION TO DISMISS**

21 **TO THE HONORABLE JUDGE MCDOWELL:**

22
23 Plaintiff respectfully moves this Court to strike Defendants' "Reply in Support of
24 Defendants' Partial Motion to Dismiss Plaintiff's Amended Complaint" filed on May 8, 2026, as
25 untimely under the Arizona Rules of Civil Procedure.

26
27 Defendants filed their Partial Motion to Dismiss on March 31, 2026. Plaintiff filed her
28 response on April 3, 2026, which the Court expressly stated it would consider as a response to
Defendants' Motion to Dismiss.

1 Under Rule 7.1(a)(3), Arizona Rules of Civil Procedure:

2
3 *“The moving party may serve and file a reply memorandum within 5*
4 *days after service of the answering memorandum.”*

5
6 Here, Plaintiff’s response was filed on April 3, 2026. Therefore, Defendants’ reply
7 memorandum was due no later than five (5) days thereafter under Rule 7.1(a)(3). Instead,
8 Defendants waited until May 8, 2026—approximately thirty-five (35) days after Plaintiff’s
9 filing—to submit their Reply.

10 Defendants neither sought leave of Court to file an untimely reply nor demonstrated
11 excusable neglect. Their attempt to retroactively justify the delay based on alleged confusion
12 regarding the Court’s treatment of Plaintiff’s filing does not override the mandatory deadline
13 imposed by Rule 7.1(a)(3).

14 Further, Defendants’ filing improperly attempts to relitigate matters already addressed by
15 the Court while introducing additional argument well outside the procedural deadlines established
16 under the Arizona Rules of Civil Procedure.

17
18 Accordingly, Plaintiff respectfully requests that the Court strike Defendants’ untimely
19 Reply filed May 8, 2026, or alternatively decline to consider it in ruling on Defendants’ Partial
20 Motion to Dismiss.

21 Respectfully submitted,

22 

23
24 Sandra Rodriguez

1 **II. CERTIFICATE OF SERVICE**

2 I served copies of this ***PLAINTIFF'S MOTION TO STRIKE DEFENDANTS'***
3 ***UNTIMELY REPLY IN SUPPORT OF PARTIAL MOTION TO DISMISS*** for on all parties
4 of record via U.S. Mail.
5

6 **OPPOSING PARTY INFORMATION**

7 **DEFENDANTS:**

- 8
 - o Gardens Gilbert Community Association
 - 9 o Focus HOA Management, LLC
 - 10 o Harmin Cadis
 - 11 o Brooke Sortor
 - 12 o Anna Schultz

- 13
 - **Address:** 4135 E. Power Road, Suite 133, Mesa, Arizona 85212

14 **DEFENDANT'S LEGAL COUNSEL:**

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

18
19 Respectfully submitted this 8th day of March 2026.

20 

21
22 Sandra Rodriguez