

1 Sandra Rodriguez
2 4375 E. Betsy Lane
3 Gilbert, Arizona 85296
4 **Phone Number:** 602-688-9720
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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,

**PLAINTIFF’S REPOSE AND
OBJECTION TO COURT’S
DEPOSITION
ORDER, NOTICE CONTINUING
PREJUDICE**

21 **TO THE HONORABLE JUDGE MCDOWELL:**

22
23 Plaintiff (“Rodriguez”), appearing self-represented, respectfully submits this Response
24 and Objection to the Court’s May 4, 2026 deposition-related rulings and states as follows:

25
26 **I. INTRODUCTION**

27 Rodriguez respectfully notes for the record that although the Court has ordered Plaintiff’s
28 deposition to proceed, the Court has not substantively addressed the extensive litigation abuse,
discovery obstruction, inconsistent representations, and procedural misconduct repeatedly

1 identified in Plaintiff's filings, including multiple Motions to Compel, discovery dispute
2 statements, supporting exhibits, sworn affidavits, transcript summaries, and documented meet-
3 and-confer correspondence.

4 Instead, Plaintiff's filings were repeatedly rejected or denied primarily on procedural
5 grounds under Rule 26(d), despite Plaintiff providing extensive documentation demonstrating:

- 6 1. Defendants' failure to provide complete Rule 26.1 disclosures;
- 7 2. Failure to produce responsive documents;
- 8 3. Failure to provide verified interrogatory responses;
- 9 4. Reliance on blanket objections;
- 10 5. Contradictory positions regarding Tier 3 discovery obligations;
- 11 6. Misrepresentations regarding meet-and-confer discussions;
- 12 7. Discovery sequencing arguments prohibited by Arizona Rule 26(d);
- 13 8. Ongoing discovery obstruction while simultaneously demanding deposition
14 compliance.

15 Plaintiff respectfully preserves these issues for appellate review and further review by any
16 subsequently assigned judicial officer.

17 **II. THE COURT'S ORDERS HAVE RESULTED IN CONTINUING PREJUDICE** 18 **TO PLAINTIFF**

19 The Court ordered Plaintiff to appear for an in-person deposition while simultaneously:
20

- 21 • rejecting Plaintiff's Motions to Compel on procedural grounds;
- 22 • denying Plaintiff's Motion for Protective Order;
- 23 • declining to substantively address the merits of Plaintiff's documented discovery
24 deficiencies;
- 25 • and permitting depositions to proceed despite unresolved disclosure disputes and
26 ongoing evidence obstruction.
27
28

1 As a result, Plaintiff remains in a severely prejudicial position because Defendants
2 continue to pursue deposition testimony while withholding evidence, documents,
3 communications, records, and verified discovery responses necessary for Plaintiff to fairly
4 prepare her claims and defenses.

5
6 Plaintiff specifically reported to this Court that Defendants:

- 7 • produced largely duplicative materials rather than responsive discovery;
- 8 • failed to provide verified interrogatories from individual Defendants;
- 9 • relied on generalized objections instead of substantive responses;
- 10 • failed to produce communications, governance records, enforcement records, and
11 decision-making materials;
- 12 • and continued refusing to cure deficiencies after multiple good-faith meet-and-
13 confers.

14 Plaintiff further documented that counsel Augustus H. Shaw IV acknowledged Rule 26(d)
15 discovery discussions occurred during the March 25, 2026 meet-and-confer, then later
16 contradicted that position in subsequent filings and correspondence.

17 **III. PLAINTIFF'S DUE PROCESS RIGHTS HAVE BEEN SUBSTANTIALLY**
18 **IMPAIRED**

19 The Fourteenth Amendment guarantees meaningful notice and a meaningful opportunity
20 to be heard. Here, Plaintiff respectfully asserts that procedural enforcement of Rule 26(d) has
21 effectively prevented substantive review of the extensive evidence of discovery obstruction and
22 litigation misconduct Plaintiff repeatedly submitted to the Court.

23
24 Plaintiff's filings included:

- 25 • transcript summaries;
- 26 • sworn affidavits;
- 27 • correspondence;
- 28 • disclosure deficiencies;
- discovery requests;

1 Plaintiff respectfully raises this issue because the Court's May 4, 2026 order directed the
2 deposition occur at the Arizona State Bar offices or the court reporter's office. Rodriguez requests
3 clarification regarding whether the noticed location complies with the Court's intended order and
4 whether accommodations exist to ensure safety, separation, and orderly proceedings.

5 6 **VI. PLAINTIFF PRESERVES OBJECTIONS FOR APPELLATE REVIEW**

7 Plaintiff respectfully preserves for appellate and constitutional review the following
8 issues:

- 9 1. Whether requiring deposition testimony while discovery deficiencies remain
10 unresolved violates procedural fairness and due process;
- 11 2. Whether repeated rejection of Motions to Compel based primarily on Rule
12 26(d) procedural requirements denied meaningful review of substantial
13 evidence of discovery obstruction;
- 14 3. Whether the Court adequately considered evidence of inconsistent
15 representations, alleged litigation abuse, and alleged misrepresentations by
16 counsel;
- 17 4. Whether denying meaningful consideration of transcript-related evidence due
18 to Plaintiff's inability to afford certification costs prejudiced Plaintiff's access
19 to justice as an indigent litigant;
- 20 5. Whether compelling deposition testimony before cure of material disclosure
21 deficiencies substantially prejudices Plaintiff's ability to prepare her case.

22 **VII. PLAINTIFF DOES NOT WAIVE OBJECTIONS**

23 Plaintiff respectfully states that compliance with the Court's orders should not be
24 construed as:

- 25 • waiver of objections;
- 26 • waiver of due process concerns;
- 27 • concession regarding Defendants' discovery compliance;
- 28 • or abandonment of Plaintiff's previously asserted discovery disputes and
constitutional claims.

1 Plaintiff continues to object to the ongoing prejudice caused by unresolved discovery
2 obstruction, incomplete disclosures, and the inability to obtain substantive review of the evidence
3 previously submitted to the Court.

4
5 WHEREFORE, Plaintiff respectfully requests that the Court:

- 6 1. Clarify the deposition location and conditions;
- 7 2. Preserve and consider the unresolved discovery disputes identified in Plaintiff's
8 prior filings;
- 9 3. Acknowledge Plaintiff's continuing objections and constitutional concerns;
- 10 4. Grant any additional relief the Court deems just and proper.

11 Respectfully submitted,

12 

13
14 Sandra Rodriguez

1 **II. CERTIFICATE OF SERVICE**

2 I served copies of this ***PLAINTIFF'S REPOSE AND OBJECTION TO COURT'S***
3 ***DESPOSITION ORDER, NOTICE CONTINUING PREJUDICE*** for on all parties of record
4 via U.S. Mail.
5

6 **OPPOSING PARTY INFORMATION**

7 **DEFENDANTS:**

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

- 14
 - 15 • **Address:** 4135 E. Power Road, Suite 133, Mesa, Arizona 85212

16 **DEFENDANT'S LEGAL COUNSEL:**

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

21 Respectfully submitted this 8th day of March 2026.

22 

23 Sandra Rodriguez