

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,**

21 **MARICOPA COUNTY**
22 **SUPERIOR COURT**
23 **Case No.: CV2024-005940**
24 *Judge Christopher Coury,*

25 **(Emergency)**

26 **MOTION FOR TEMPORARY**
27 **RESTRAINING ORDER AND**
28 **INJUNCTION AGAINST**
HARASSMENT
(Pursuant to Rule 65, Ariz. R. Civ. P.
and A.R.S. § 12-1809)

29 **TO THE HONORABLE JUDGE COURY:**

30 Rodriguez ("*Plaintiff*"), appearing self-represented, pursuant to Rules 1, 5, 26(c), 26(g),
31 30(b)(4), 37, 54(b), and 65, Arizona Rules of Civil Procedure, and A.R.S. § 12-1809, respectfully
32 moves this Court for entry of an Emergency Protective Order, Temporary Restraining Order, and
33 Injunction Against Harassment against Defendants Gardens Gilbert Community Association
34 ("*GGCA*"), Focus HOA Management, LLC, Harman Cadis, Brooke Sortor, Anna Schultz, and
35 Defendants' legal counsel Augustus H. Shaw IV and Shaw & Lines, LLC.

1 This Motion arises from continuing discovery disputes, unresolved Rule 26.1 deficiencies,
2 disputed Rule 26(d) representations, escalating sanctions-related litigation conduct, repeated
3 unilateral deposition scheduling, repeated attempts to compel in-person proceedings despite
4 unresolved discovery disputes, continuing procedural prejudice, disputed factual representations
5 made to the Court, alleged retaliation and harassment, alleged monitoring and surveillance
6 concerns occurring both online and near Plaintiff's residence, and continuing conduct has
7 substantially interfered with Plaintiff's privacy, safety, emotional well-being, constitutional
8 rights, due process protections, and ability to safely and meaningfully participate in the litigation
9 process. Plaintiff respectfully requests emergency protective and injunctive relief necessary to
10 ensure fairness, meaningful participation, orderly proceedings, preservation of Plaintiff's
11 constitutional and procedural rights, and protection against continuing prejudice, intimidation,
12 harassment, oppression, and procedural abuse while unresolved Rule 26 controversies, Requests
13 for Production, disclosure deficiencies, and discovery disputes remain active throughout this
litigation.

14 I. PARTIES SUBJECT TO THIS MOTION

15 DEFENDANTS

- 16 • Gardens Gilbert Community Association ("GGCA")
- 17 • Focus HOA Management, LLC
- 18 • Harman Cadis
- 19 • Brooke Sortor
- 20 • Anna Schultz

21 Defendants' Address:

22 4135 E. Power Road, Suite 133
Mesa, Arizona 85212

23 DEFENDANTS' LEGAL COUNSEL

- 24 • Augustus H. Shaw IV
- 25 • Shaw & Lines, LLC

26 Counsel Address:

27 1490 S. Price Road, Suite 318
28 Chandler, Arizona 85286

1 conditions, and location. Rule 30(b)(4), Ariz. R. Civ. P., expressly authorizes depositions by
2 remote means upon stipulation or court order. Rule 65, Ariz. R. Civ. P., authorizes temporary
3 restraining orders and injunctive relief where irreparable injury and immediate harm are shown.
4 A.R.S. § 12-1809 authorizes injunctive relief where a series of acts directed toward a specific
5 person would cause a reasonable person to be seriously alarmed, annoyed, intimidated, or
6 harassed and in fact causes such distress.

7 Rule 1, Ariz. R. Civ. P., further requires proceedings be administered to secure the just,
8 speedy, and inexpensive determination of every action. Arizona courts recognize broad authority
9 to regulate discovery, prevent abusive litigation practices, and ensure fairness throughout judicial
10 proceedings. See *Bryan v. Riddel*, 178 Ariz. 472 (1994); *Brown v. Superior Court*, 137 Ariz. 327
11 (1983). Arizona law strongly favors adjudication on the merits rather than procedural termination
12 while substantial discovery disputes remain unresolved. See *Orme School v. Reeves*, 166 Ariz.
13 301 (1990). Dismissal under Rule 37 remains an extraordinary remedy reserved for willful
14 obstruction and substantial prejudice. See *Rivers v. Solley*, 217 Ariz. 528 (App. 2008); *Poleo v.*
Grandview Equities, Ltd., 143 Ariz. 130 (App. 1984).

15 The Fourteenth Amendment to the United States Constitution and Article 2, Sections 4
16 and 6 of the Arizona Constitution require meaningful notice, meaningful opportunity to be heard,
17 fundamentally fair procedures, and meaningful court access before substantial deprivation of
18 rights may occur. See *Mathews v. Eldridge*, 424 U.S. 319 (1976); *Mullane v. Central Hanover*
Bank & Trust Co., 339 U.S. 306 (1950).

19 20 **IV. CONTINUING CAMPAIGN OF HARASSMENT, RETALIATION, AND** 21 **PROCEDURAL ABUSE**

22 The cumulative procedural record reflects a continuing campaign of coercive and
23 retaliatory acts rather than isolated litigation disagreements. As reflected throughout Plaintiff's
24 Amended Civil Complaint, Motion for Summary Judgment, Separate Statement of Facts, Rule
25 26(d) filings, Motions to Compel, prior Motions for Protective Order, discovery correspondence,
26 deposition-related filings, recordings, emails, and supporting USB Physical Evidence previously
27 submitted to the Court, Plaintiff respectfully contends Defendants and counsel engaged in
28 continuing harassment, intimidation, procedural interference, retaliation, and misuse of judicial
process directed toward Plaintiff as a self-represented litigant.

1 The record reflects repeated Rule 11 and Rule 37 sanctions requests, repeated dismissal
2 efforts, repeated fee-shifting requests under A.R.S. §§ 12-341.01 and 12-349, repeated motions
3 seeking vexatious-litigant findings and filing restrictions under A.R.S. § 12-3201, repeated
4 deposition-enforcement threats, repeated procedural-restriction requests, and repeated
5 accusations characterizing Plaintiff as “vexatious,” “frivolous,” “scurrilous,” “repetitive,”
6 “harassing,” and abusive of the judicial system. Plaintiff further respectfully contends Defendants
7 repeatedly escalated litigation conduct following Plaintiff’s Motions to Compel, Motions for
8 Protective Order, Rule 26(d) filings, appellate filings, Requests for Production, and discovery
9 objections seeking governance records, financial records, ESI, metadata, remediation records,
10 communications, and evidence relevant to claims previously reinstated by the Arizona Court of
11 Appeals.

12 Plaintiff additionally respectfully contends Defendants repeatedly pursued unilateral
13 litigation tactics despite unresolved discovery disputes, including unilateral deposition
14 scheduling, disputed Rule 26 representations, repeated sanctions escalation, continuing attempts
15 to compel in-person proceedings, and ongoing efforts to obtain dispositive relief while substantial
16 Rule 26 controversies remained unresolved. Plaintiff respectfully contends such conduct
17 interfered with Plaintiff’s litigation rights, increased procedural hostility, complicated discovery
18 coordination, and contributed to continuing procedural prejudice.

19 Plaintiff further respectfully contends the procedural conduct reflected throughout this
20 matter bears substantial similarities to prior litigation-related conduct involving defense counsel
21 Augustus H. Shaw IV that resulted in formal State Bar disciplinary action in In the Matter of
22 Augustus H. Shaw IV, State Bar of Arizona File No. 05-2176, involving findings concerning
23 litigation conduct directed toward a self-represented litigant, unnecessary expansion of litigation,
24 abusive communications, and conduct prejudicial to the administration of justice. Plaintiff
25 respectfully submits these cumulative procedural circumstances are relevant to the Court’s
26 evaluation of ongoing harassment, procedural intimidation, discovery abuse, and the need for
27 emergency protective relief.

28 **V. DISCOVERY OBSTRUCTION, DISPUTED REPRESENTATIONS, AND
RETALIATORY CONDUCT**

Plaintiff respectfully contends Defendants repeatedly obstructed discovery by asserting
generalized objections, “previously produced” assertions, proportionality objections, privilege

1 objections without adequate logs, collective defenses, and incomplete disclosure responses while
2 simultaneously pursuing dismissal, contempt findings, sanctions, and deposition enforcement.
3 Plaintiff further respectfully contends Defendants repeatedly represented responsive records had
4 been “reviewed,” “disclosed,” or “produced,” while failing to identify Bates-numbered
5 productions, production dates, metadata, or admissible evidence establishing full compliance with
6 Rules 26.1, 26(g), 33, and 34, Ariz. R. Civ. P.

7 Plaintiff additionally respectfully contends the record reflects disputed factual
8 representations made to the Court concerning Rule 26 compliance, discovery status, meet-and-
9 confer efforts, service, deposition coordination, and Plaintiff’s alleged noncompliance that
10 Plaintiff contends were contradicted by emails, recordings, Rule 26(d) communications,
11 discovery correspondence, and exhibit evidence already submitted to the Court. Plaintiff
12 respectfully contends such disputed representations obstructed discovery enforcement, interfered
13 with Plaintiff’s Motions to Compel, and attempted to circumvent Defendants’ disclosure
14 obligations while simultaneously escalating Rule 37 threats and dismissal requests.

15 Plaintiff further respectfully contends the Court’s refusal to accept or fully adjudicate
16 certain Motions to Compel materially impaired Plaintiff’s ability to obtain discovery necessary
17 to prosecute claims reinstated by the Arizona Court of Appeals while Defendants simultaneously
18 pursued dismissal and compelled deposition proceedings.

19 **VI. MONITORING, SURVEILLANCE, AND INTIMIDATION CONCERNS**

20 Plaintiff additionally respectfully notes ongoing concerns regarding alleged monitoring,
21 surveillance, intimidation, and retaliatory conduct occurring both online and near Plaintiff’s
22 residence, as further alleged throughout Plaintiff’s Amended Civil Complaint, Motion for
23 Summary Judgment, Separate Statement of Facts, prior filings, and supporting USB Physical
24 Evidence previously submitted to the Court. Plaintiff respectfully contends these circumstances
25 contributed to continuing emotional distress, fear regarding personal safety, privacy concerns,
26 intimidation surrounding compelled in-person proceedings, and interference with Plaintiff’s
27 ability to safely and meaningfully participate in the litigation process. Plaintiff further respectfully
28 contends the cumulative procedural environment created substantial emotional distress, litigation-
related fear, and continuing concerns regarding retaliation and intimidation.

1 **VII. GOOD CAUSE EXISTS FOR EMERGENCY PROTECTIVE**
2 **AND INJUNCTIVE RELIEF**

3 Good cause exists for emergency protective relief under Rules 26(c), 30(b)(4), and 65,
4 Ariz. R. Civ. P., and A.R.S. § 12-1809 because substantial discovery disputes, unresolved Rule
5 26 controversies, disclosure deficiencies, disputed Rule 5 service issues, deposition-coordination
6 disputes, alleged intimidation and monitoring concerns, and continuing procedural hostility
7 remain active throughout the litigation. Plaintiff respectfully contends compelled in-person
8 proceedings under the current procedural circumstances would create continuing oppression,
9 intimidation, procedural prejudice, emotional distress, privacy concerns, and impairment of
10 Plaintiff's ability to safely and meaningfully participate in discovery proceedings.

11 Plaintiff further respectfully contends remote deposition procedures and structured
12 discovery safeguards constitute reasonable and proportional alternatives that would preserve
13 Defendants' ability to conduct discovery while reducing hostility, intimidation concerns,
14 continuing prejudice, and procedural unfairness. Plaintiff respectfully contends the requested
15 relief would not prevent Defendants from litigating the matter, but would instead regulate the
16 manner and conditions of communications, discovery coordination, and deposition procedures
17 necessary to ensure fairness, meaningful participation, and orderly proceedings.

18 **VIII. REQUEST FOR RELIEF**

19 WHEREFORE, Plaintiff respectfully requests that this Court:

- 20 1. Enter an Emergency Protective Order pursuant to Rules 26(c) and 30(b)(4), Ariz. R. Civ.
21 P.;
- 22 2. Order that any future deposition of Plaintiff occur remotely by secure videoconference;
- 23 3. Stay any compelled in-person deposition pending resolution of outstanding Rule 26
24 disputes, Requests for Production, disclosure deficiencies, discovery controversies, and
25 pending discovery motions;
- 26 4. Require substantial completion of Rule 26.1 disclosures and written discovery before any
27 deposition proceeds;
- 28 5. Require all discovery coordination and litigation communications occur in writing absent
 further Court order;

- 1 6. Prohibit retaliatory, harassing, intimidating, oppressive, or abusive litigation conduct
2 directed toward Plaintiff;
- 3 7. Consider Defendants' continuing discovery disputes, disputed procedural representations,
4 unresolved Rule 26 controversies, and ongoing procedural escalation when evaluating any
5 future sanctions-related requests;
- 6 8. Grant heightened case-management oversight concerning continuing discovery disputes,
7 deposition coordination, disputed Rule 26 representations, and disclosure adequacy;
- 8 9. Preserve Plaintiff's constitutional, procedural, appellate, interlocutory-review, and
9 special-action rights concerning ongoing discovery disputes and protective-order rulings;
- 10 10. Enter findings sufficient to permit appellate review if protective relief is denied and the
11 Court determines no just reason exists to delay review pursuant to Rule 54(b), Ariz. R.
12 Civ. P.; and
- 13 11. Grant such other and further relief as the Court deems just, equitable, and proper under
14 the circumstances.

15 Respectfully submitted,

16 

17 Sandra Rodriguez

1 **IX. CERTIFICATE OF SERVICE**

2 I served copies of this *(Emergency) MOTION FOR TEMPORARY RESTRAINING*
3 *ORDER AND INJUNCTION AGAINST HARASSMENT (Pursuant to Rule 65, Ariz. R. Civ.*
4 *P. and A.R.S. § 12-1809)* for on all parties of record via U.S. Mail.
5

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7 **A. OPPOSING PARTY INFORMATION**

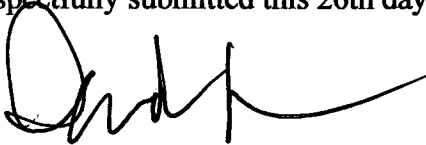
8 **DEFENDANTS:**

- 9
- 10 ○ Gardens Gilbert Community Association
 - 11 ○ Focus HOA Management, LLC
 - 12 ○ Harmin Cadis
 - 13 ○ Brooke Sortor
 - 14 ○ Anna Schultz
- 15 • **Address:** 4135 E. Power Road, Suite 133, Mesa, Arizona 85212

16
17
18 **DEFENDANT'S LEGAL COUNSEL:**

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

23
24
25 Respectfully submitted this 26th day of May 2026.

26 

27
28 Sandra Rodriguez