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3 Gilbert, Arizona 85296
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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 **MOTION TO STAY PENDING**
26 **TEMPORARY RESTRAINING**
27 **ORDER AND INJUNCTION**
28 **AGAINST HARASSMENT**

*(Pursuant to Rules 1, 26(c), 30(b)(4), 37,
54(b), and 65, Arizona Rules of Civil
Procedure; A.R.S. § 12-1809; and the
Fourteenth Amendment to the United
States Constitution)*

29 **TO THE HONORABLE JUDGE COURY:**

30 Rodriguez ("*Plaintiff*"), appearing self-represented, respectfully moves this Court for
31 entry of an Order temporarily staying all compelled deposition proceedings, sanctions-related
32 proceedings, contempt-related proceedings, and further discovery-enforcement proceedings
33 pending resolution of Plaintiff's Emergency Motion for Temporary Restraining Order, Injunction

1 Against Harassment, and Emergency Protective Order. This Motion is brought pursuant to Rules
2 1, 26(c), 30(b)(4), 37, 54(b), and 65, Arizona Rules of Civil Procedure, A.R.S. § 12-1809, the
3 Court's inherent authority to manage proceedings and prevent prejudice, and the Due Process
4 Clause of the Fourteenth Amendment to the United States Constitution.

5 Plaintiff respectfully contends a temporary stay is necessary to prevent continuing and
6 irreparable procedural prejudice while substantial unresolved Rule 26 disputes, Requests for
7 Production, Rule 26.1 disclosure deficiencies, disputed Rule 26(d) representations, deposition-
8 coordination disputes, alleged retaliation and harassment, alleged monitoring and surveillance
9 concerns, and continuing procedural controversies remain unresolved throughout the litigation.
10 Plaintiff further respectfully contends Defendants continue pursuing Rule 37 sanctions, dismissal,
11 contempt findings, attorney's fees, procedural restrictions, and compelled in-person deposition
12 proceedings despite unresolved discovery disputes and pending emergency requests directly
13 concerning Plaintiff's safety, meaningful participation, due process rights, and the manner and
14 conditions under which discovery should proceed.

15 **I. FACTUAL AND PROCEDURAL BACKGROUND**

16 As reflected throughout Plaintiff's Amended Civil Complaint, Motion for Summary
17 Judgment, Separate Statement of Facts, Motions to Compel, Rule 26(d) filings, discovery
18 correspondence, prior Motions for Protective Order, and supporting USB Physical Evidence
19 previously submitted to the Court, the parties remain engaged in substantial and unresolved
20 disputes concerning Rule 26.1 disclosures, Requests for Production, electronically stored
21 information ("*ESI*"), metadata, governance records, financial records, communications,
22 individualized disclosures, deposition coordination, and discovery sequencing. Plaintiff further
23 respectfully contends Defendants repeatedly pursued sanctions escalation, dismissal efforts, fee-
24 shifting requests, deposition-enforcement proceedings, and procedural-restriction requests while
substantial discovery controversies remained unresolved.

25 Plaintiff additionally respectfully contends the procedural record reflects disputed factual
26 representations concerning Rule 26 compliance, service, meet-and-confer efforts, discovery
27 coordination, and Plaintiff's alleged noncompliance that Plaintiff contends were contradicted by
28 emails, recordings, Rule 26(d) communications, discovery correspondence, and exhibit evidence

1 already submitted to the Court. Plaintiff further respectfully contends prior requests for protective
2 relief were denied or remained unresolved despite continuing escalation of alleged retaliation,
3 intimidation, harassment, procedural hostility, and continuing efforts to compel in-person
4 proceedings under circumstances Plaintiff contends create continuing prejudice, oppression,
5 emotional distress, privacy concerns, and impairment of Plaintiff's ability to safely and
6 meaningfully participate in the litigation process.

7 Plaintiff's pending Emergency Motion for Temporary Restraining Order, Injunction
8 Against Harassment, and Emergency Protective Order directly concerns:

- 9 1. ongoing discovery disputes;
- 10 2. alleged retaliation and intimidation;
- 11 3. alleged monitoring and surveillance concerns;
- 12 4. deposition conditions;
- 13 5. remote-versus-in-person procedures;
- 14 6. continuing procedural prejudice;
- 15 7. and Plaintiff's constitutional right to meaningful participation in the litigation process.

16 Proceeding with compelled deposition proceedings, sanctions-related litigation, or
17 additional discovery-enforcement proceedings before adjudication of those pending emergency
18 requests would substantially prejudice Plaintiff and risk further irreparable harm.

19 **II. LEGAL AUTHORITY**

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21 Arizona courts possess broad authority to regulate proceedings, manage discovery,
22 prevent procedural prejudice, and ensure fairness throughout litigation. Rule 26(c), Ariz. R. Civ.
23 P., authorizes protective relief to protect a party from annoyance, embarrassment, oppression,
24 undue burden, harassment, or expense. Rule 30(b)(4), Ariz. R. Civ. P., expressly authorizes
25 depositions by remote means upon stipulation or court order. Rule 65, Ariz. R. Civ. P., authorizes
26 temporary restraining orders and injunctive relief where irreparable injury and immediate harm
27 are shown. Rule 1, Ariz. R. Civ. P., further requires proceedings be administered to secure the
28 just, speedy, and inexpensive determination of every action.

1 The Fourteenth Amendment to the United States Constitution and Article 2, Sections 4
2 and 6 of the Arizona Constitution require meaningful notice, meaningful opportunity to be heard,
3 fundamentally fair procedures, and meaningful court access before substantial deprivation of
4 rights may occur. See *Mathews v. Eldridge*, 424 U.S. 319 (1976); *Mullane v. Central Hanover*
5 *Bank & Trust Co.*, 339 U.S. 306 (1950). Arizona law additionally strongly favors adjudication on
6 the merits rather than procedural termination where substantial discovery disputes remain
7 unresolved. See *Bryan v. Riddell*, 178 Ariz. 472 (1994); *Orme School v. Reeves*, 166 Ariz. 301
8 (1990); *Rivers v. Solley*, 217 Ariz. 528 (App. 2008).

9 Arizona courts further recognize that stays may be appropriate where necessary to
10 preserve fairness, prevent prejudice, avoid irreparable harm, and permit orderly adjudication of
11 pending issues materially affecting the litigation. Plaintiff respectfully contends the present
12 procedural posture warrants temporary stay relief pending resolution of Plaintiff's pending
13 emergency protective and injunctive requests.

14 **III. GOOD CAUSE EXISTS FOR TEMPORARY STAY RELIEF**

15 Good cause exists for temporary stay relief because:

- 16 1. substantial Rule 26 disputes remain unresolved;
- 17 2. Requests for Production and disclosure deficiencies remain outstanding;
- 18 3. Rule 26.1 supplementation disputes remain active;
- 19 4. deposition coordination disputes remain unresolved;
- 20 5. Plaintiff's pending emergency motion directly concerns discovery procedures and
21 deposition conditions;
- 22 6. Plaintiff continuing retaliation, intimidation, harassment, and procedural prejudice;
- 23 7. Plaintiff alleges continuing monitoring and surveillance concerns occurring online and
24 near Plaintiff's residence;
- 25 8. Defendants continue pursuing sanctions, dismissal, contempt findings, and compelled
26 deposition proceedings despite unresolved discovery disputes;
- 27 9. unresolved discovery disputes continue impairing Plaintiff's ability to prepare for
28 deposition proceedings; and

1 10. proceeding before adjudication of Plaintiff's emergency requests would risk
2 continuing irreparable harm and substantial procedural prejudice.

3 Plaintiff respectfully contends compelled in-person proceedings under the present
4 procedural circumstances would create continuing prejudice, intimidation, emotional distress,
5 oppression, privacy concerns, and impairment of Plaintiff's ability to safely and meaningfully
6 participate in the litigation process. Plaintiff further respectfully contends temporary stay relief
7 would preserve orderly proceedings, reduce continuing procedural hostility, prevent unnecessary
8 prejudice, and permit the Court to fully adjudicate Plaintiff's pending emergency requests before
9 further compelled discovery proceedings occur.

10 Plaintiff additionally respectfully contends the requested stay would not materially
11 prejudice Defendants because the requested relief is temporary, limited in scope, and directly
12 related to unresolved procedural disputes presently before the Court.

13 **IV. REQUEST FOR RELIEF**

14 WHEREFORE, Plaintiff respectfully requests that this Court:
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- 16 1. Temporarily stay all compelled deposition proceedings pending resolution of
17 Plaintiff's Emergency Motion for Temporary Restraining Order, Injunction Against
18 Harassment, and Emergency Protective Order;
- 19 2. Temporarily stay further Rule 37 sanctions proceedings, contempt-related
20 proceedings, deposition-enforcement proceedings, and related discovery-enforcement
21 proceedings pending adjudication of Plaintiff's emergency requests;
- 22 3. Preserve the status quo pending resolution of Plaintiff's pending emergency motions
23 concerning discovery procedures, deposition conditions, harassment allegations, and
24 protective relief;
- 25 4. Prohibit compelled in-person deposition proceedings pending adjudication of
26 Plaintiff's emergency requests;
- 27 5. Preserve Plaintiff's constitutional, procedural, appellate, interlocutory-review, and
28 special-action rights concerning continuing discovery disputes, due process concerns,
and protective-order issues;

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- 6. Enter findings sufficient to permit appellate review if stay relief is denied and the Court determines no just reason exists to delay review pursuant to Rule 54(b), Ariz. R. Civ. P.; and
- 7. Grant such other and further relief as the Court deems just, equitable, and proper under the circumstances.

Respectfully submitted,



Sandra Rodriguez

1 **V. CERTIFICATE OF SERVICE**

2 I served copies of this *(Emergency) MOTION FOR TEMPORARY RESTRAINING*
3 *ORDER AND INJUNCTION AGAINST HARASSMENT (Pursuant to Rules 1, 26(c),*
4 *30(b)(4), 37, 54(b), and 65, Arizona Rules of Civil Procedure; A.R.S. § 12-1809; and the*
5 *Fourteenth Amendment to the United States Constitution)* for on all parties of record via U.S.
6 Mail.

7 **A. OPPOSING PARTY INFORMATION**

8 **DEFENDANTS:**

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

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

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 Respectfully submitted this 26th day of May 2026.

25 

26 Sandra Rodriguez

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