

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 Christopher Coury,

**MOTION FOR LEAVE TO FILE
MOTION TO STAY PENDING
APPELLATE REVIEW (Amended)**
*(A.R.S. § 12-2101, RULE 62, ARIZ. R. CIV.
P., ARCAP RULE 7)*

21 **TO THE HONORABLE JUDGE COURY:**

22 Plaintiff respectfully requests leave, pursuant to the Court's May 27, 2026 Order, to file a
23 limited Motion to Stay her deposition, the June 5, 2026 hearing, and related proceedings pending
24 appellate review. Plaintiff has filed a Notice of Appeal and a Request for Leave seeking final
25 signed appealable orders and Rule 54(b) certification regarding the dismissal of Counts 5, 6, 7,
26 and 11, denial of injunctive relief, and monetary sanctions. Plaintiff further seeks review because
27 the challenged rulings affect claims previously reinstated by the Arizona Court of Appeals, which
28 reversed dismissal, vacated the prior judgment, and remanded for further proceedings in its
August 12, 2025 decision.

1 Good cause exists because Plaintiff's deposition and the June 5, 2026 hearing may proceed
2 before the Arizona Court of Appeals determines jurisdiction and reviews the challenged rulings.
3 Proceeding with the deposition, hearing, or related discovery risks impairing Plaintiff's appellate
4 rights and rendering portions of the appeal moot. The requested stay is further warranted because
5 Plaintiff filed her Motion for Summary Judgment on May 21, 2026, before the Court's May 27,
6 2026 Order dismissed Counts 5 (Intentional Torts and Civil Conspiracy), 6 (Discrimination), 7
7 (Retaliation), and 11 (Intentional Torts). Those dismissals directly affect claims and issues raised
8 in the pending Motion for Summary Judgment and are the subject of Plaintiff's Notice of Appeal
9 and request for final signed appealable orders.

10 Arizona courts may stay proceedings to preserve appellate rights and maintain the status
11 quo. See Rule 62, Ariz. R. Civ. P.; ARCAP Rule 7. Unresolved disclosure, discovery, and service
12 disputes remain in the record, yet the Court granted partial dismissal and imposed sanctions
13 affecting substantial rights. A temporary stay is warranted to preserve meaningful appellate
14 review and ensure due process and fundamental fairness. See *Zimmerman v. Shakman*, 204 Ariz.
15 231 (App. 2003); *Lenze v. Synthes, Ltd.*, 160 Ariz. 302 (App. 1989). The requested stay is further
16 supported by the Fourteenth Amendment and Article 2, Sections 4 and 11 of the Arizona
17 Constitution, which protect meaningful notice, an opportunity to be heard, and meaningful
18 appellate review. See *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950);
19 *Mathews v. Eldridge*, 424 U.S. 319 (1976).

20 REQUEST FOR RELIEF

21 Plaintiff respectfully requests leave to file a Motion to Stay Plaintiff's deposition, the June
22 5, 2026 hearing, and related proceedings pending appellate review to preserve the status quo,
23 Plaintiff's appellate rights, and her pending Motion for Summary Judgment concerning claims
24 previously reinstated by the Arizona Court of Appeals and remanded for further proceedings,
25 pursuant to A.R.S. § 12-2101, Rule 62, Ariz. R. Civ. P., and ARCAP Rule 7.

26 Respectfully submitted,



27 Sandra Rodriguez
28

1 **II. CERTIFICATE OF SERVICE**

2 I served copies of this **MOTION FOR LEAVE TO FILE MOTION TO STAY PENDING**
3 **APPELLATE REVIEW (AMENDED)** (A.R.S. § 12-2101, RULE 62, ARIZ. R. CIV. P., ARCAP
4 **RULE 7**) for on all parties of record via U.S. Mail.

5 **A. OPPOSING PARTY INFORMATION**

6 **DEFENDANTS:**

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

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

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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

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22 Respectfully submitted this 1st day of June 2026.

23 

24

25 Sandra Rodriguez