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1 Sandra Rodriguez
2 4375 E. Betsy Lane
3 Gilbert, Arizona 85296
4 **Phone Number:** 602-688-9720
5 **Email Address:** sandra.rodriguez0339@gmail.com
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**
26 **PENDING APPELLATE REVIEW**
27 **(PLEASE EXPEDITE)**
28 *(A.R.S. § 12-2101, RULE 62, ARIZ. R. CIV.*
P., ARCAP RULE 7)

29 **TO THE HONORABLE JUDGE COURY:**

30
31
32 Rodriguez ("*Plaintiff*") respectfully moves for a stay pursuant to Rule 62, Arizona Rules
33 of Civil Procedure, and ARCAP Rule 7. This request is made in good faith and with due diligence
34 following the Court's June 3, 2026 Order granting Plaintiff leave to file a motion to stay. Plaintiff
35 does not seek delay for purposes of obstruction. Rather, Plaintiff seeks to preserve meaningful
36 appellate review, maintain the status quo, and prevent irreparable impairment of rights presently
37 before the Arizona Court of Appeals.

38 Plaintiff's June 1, 2026 Notice of Appeal seeks review of: (1) dismissal of Counts 5, 6, 7,
and 11; (2) denial of Plaintiff's Motion for Protective Order; (3) denial of Plaintiff's Motion to

1 Stay; (4) denial of Plaintiff's requests for injunctive and equitable relief; (5) sanctions imposed
2 against Plaintiff; and (6) discovery, disclosure, and sanctions rulings entered on May 27, 2026.

3 Accordingly, Plaintiff respectfully requests a temporary stay of:

- 4 1. Plaintiff's June 10, 2026 deposition;
- 5 2. Proceedings arising from or related to Defendants' Rule 56(d) Request;
- 6 3. Enforcement of sanctions and sanction-related proceedings;
- 7 4. Discovery proceedings directly related to issues presently under appellate review;
- 8 and
- 9 5. Any proceedings that may materially affect the effectiveness of appellate review
- 10 concerning the rulings identified in Plaintiff's Notice of Appeal.

11 Good cause exists because Plaintiff's June 10, 2026 deposition is directly intertwined with
12 issues presently before both this Court and the Arizona Court of Appeals. Plaintiff's Notice of
13 Appeal seeks review of the dismissal of Counts 5, 6, 7, and 11, denial of Plaintiff's Motion for
14 Protective Order, denial of Plaintiff's Motion to Stay, denial of injunctive and equitable relief,
15 sanctions imposed against Plaintiff, and discovery, disclosure, and sanctions rulings entered on
16 May 27, 2026. The deposition is the very subject of Plaintiff's previously requested protective
17 relief and is closely connected to the discovery, disclosure, service, sanctions, and procedural
18 issues presently under appellate review. The deposition is likewise intertwined with Defendants'
19 pending Rule 56(d) Request, through which Defendants seek additional time based upon alleged
20 discovery needs while simultaneously maintaining that all discovery and disclosure have been
21 provided.

22 Plaintiff has consistently maintained that responsive records, Rule 26.1 disclosures,
23 electronically stored information, and other discoverable materials remain outstanding despite
24 repeated requests, deficiency notices, and multiple Motions to Compel. Defendants nevertheless
25 continue seeking Plaintiff's deposition while maintaining that all discovery has been provided.
26 Plaintiff further maintains that Defendants have not produced admissible proof establishing
27 proper service of prior deposition notices as required by Rules 5 and 30, Arizona Rules of Civil
28 Procedure. Proceeding with the deposition before appellate review risks substantially affecting

1 issues currently on appeal, impairing the effectiveness of appellate review, and requiring Plaintiff
2 to proceed without access to discovery that remains within Defendants' possession and control.

3 Notably, the Court recently observed that "discovery remains in its early stages" despite
4 more than 315 filings in this matter. Plaintiff respectfully submits that requiring deposition
5 testimony while discovery disputes, disclosure disputes, service disputes, protective-order issues,
6 sanctions issues, Rule 56(d) proceedings, and appellate proceedings remain unresolved weighs
7 strongly in favor of preserving the status quo pending appellate review.

8 Plaintiff further submits that maintaining the status quo is particularly appropriate where
9 the deposition is intertwined with issues already presented for appellate review. Arizona courts
10 recognize that stays may be appropriate where necessary to preserve appellate rights, maintain
11 the status quo, and protect the effectiveness of appellate review. See Rule 62, Ariz. R. Civ. P.;
12 ARCAP Rule 7; *Lenze v. Synthes, Ltd.*, 160 Ariz. 302, 305 (App. 1989). Arizona courts further
13 recognize the importance of fair disclosure and adjudication on the merits. See *Zimmerman v.*
14 *Shakman*, 204 Ariz. 231, 236-37 (App. 2003); *Bryan v. Riddel*, 178 Ariz. 472, 476 (1994); *Allstate*
15 *Ins. Co. v. O'Toole*, 182 Ariz. 284, 287 (1995).

16 Plaintiff further notes that the Court previously accepted Plaintiff's Affidavit of Financial
17 Inability and granted fee-deferral relief pursuant to A.R.S. § 12-302 and Rule 5.4, Arizona Rules
18 of Civil Procedure. Despite Plaintiff's indigency, sanctions have already been imposed, and the
19 Court's June 3, 2026 Order advises that additional sanctions may be imposed for nonappearance.
20 Plaintiff respectfully submits that further monetary sanctions during the pendency of appellate
21 proceedings would impose substantial hardship and may impair Plaintiff's ability to pursue her
22 claims and meaningful appellate review. See Ariz. Const. art. 2, § 4; *Boddie v. Connecticut*, 401
23 U.S. 371, 377-78 (1971); *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314
24 (1950); *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 429-30 (1982).

25 Federal and Arizona due process principles likewise protect meaningful notice,
26 meaningful access to the courts, and a meaningful opportunity to be heard before substantial rights
27 are affected. See *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950);
28 *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976); *Logan v. Zimmerman Brush Co.*, 455 U.S. 422,
429-30 (1982). Under these circumstances, a temporary stay is necessary to preserve meaningful

1 appellate review and ensure that any relief ultimately granted by the Arizona Court of Appeals
2 remains effective.

3
4 Plaintiff intends to file an emergency stay request with the Arizona Court of Appeals on
5 June 8, 2026, if relief is not granted by this Court. This motion is submitted as a good-faith effort
6 to first seek relief from the Superior Court and to preserve a complete record for appellate review.

7 WHEREFORE, Plaintiff respectfully requests entry of a temporary stay of the
8 proceedings identified above pending resolution of Plaintiff's appellate stay request and any
9 emergency stay proceedings before the Arizona Court of Appeals.

10 Respectfully submitted,

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12 Sandra Rodriguez
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1 **II. CERTIFICATE OF SERVICE**

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

5 **A. OPPOSING PARTY INFORMATION**

6 **DEFENDANTS:**

- 7
- 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

21

22 Respectfully submitted this 4th day of June 2026.

23 

24
25 Sandra Rodriguez