

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-005940

06/05/2026

HONORABLE CHRISTOPHER COURY

CLERK OF THE COURT
S. Ortega
Deputy

SANDRA RODRIGUEZ

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4375 E BETSY LN
GILBERT AZ 85296

v.

GARDENS GILBERT COMMUNITY
ASSOCIATION, et al.

AUGUSTUS H SHAW IV

JUDGE COURY

MINUTE ENTRY

Courtroom 713-VC-CV – East Court Building

8:57 a.m. This is the time set for a virtual Status Conference. Plaintiff, Sandra Rodriguez, is present on her own behalf. Defendant, Anna Schultz, is present and represented by Counsel, Augustus H. Shaw, IV, who also represents Defendants Gardens Gilbert Community Association, Focus HOA Management LLC, Harman Cadis, Focus HOA, and Brooke Sorter.

A record of the proceedings is made digitally in lieu of a court reporter.

The Court identifies the motions for consideration at this hearing.

Plaintiff interrupts the Court. The Court admonishes Plaintiff for interrupting the Court and informs Plaintiff that the Court does not permit interruptions by anyone.

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Defense counsel argues the merits of the pending motions and requests that the deposition of Plaintiff move forward as noticed on June 10, 2026 at 9:00 a.m. at the offices of the State Bar of Arizona.

Plaintiff interrupts counsel for Defendant. The Court again admonishes Plaintiff for interrupting defense counsel during his arguments, and instructs Plaintiff that she shall not do this again.

Further arguments are presented.

Plaintiff interrupts the discussion again. The Court admonishes Plaintiff for the third time for continuing to interrupt and cautions Plaintiff that sanctions will be imposed if this improper behavior continues.

Good cause appearing.

IT IS ORDERED granting Defendants' request for Rule 56(d) Relief. Defendants shall have until August 7, 2026 to respond to Plaintiff's Motion for Summary Judgment.

IT IS FURTHER ORDERED granting in-part and denying in-part Plaintiff's Motion for Leave to File Supplemental Facts in Support of Plaintiff's Motion for Summary Judgment and Defendants' Rule 56(d) Request, filed June 3, 2026. Plaintiff may file supplemental facts in support of her summary judgment motion. To the extent that Plaintiff's filing opposed the entry of the Rule 56(d) relief requested by Defendants, this filing is denied as the Court has ruled in favor of granting Defendants relief pursuant to Rule 56(d).

IT IS FURTHER ORDERED directing Plaintiff to appear for her duly-noticed deposition on June 10, 2026 at 9:00 a.m. at the offices of the State Bar of Arizona, unless a stay is entered by a Court of competent jurisdiction.

IT IS FURTHER ORDERED directing counsel for Defendant to (a) file a notice with the Court attaching the deposition notice for Plaintiff's deposition that had been issued by June 1, 2026, and (b) email to Plaintiff the same notice of deposition.

IT IS FURTHER ORDERED declining to modify the May 27, 2026 Order so that the Order is entered pursuant to Rule 54(b), *Arizona Rules of Civil Procedure*.

IT IS FURTHER ORDERED denying Plaintiff's Motion to Stay Pending Appellate Review, dated June 4, 2026, in which Plaintiff requests to stay this case pending the appeal.

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Because Plaintiff has no right to an interlocutory appeal at this time (because the May 27, 2026 Order was not entered pursuant to Rule 54(b)), there is no basis for a stay.

IT IS FURTHER ORDERED affirming that the dismissal of Plaintiff's Injunction Against Harassment claim was without prejudice, such that Plaintiff immediately can proceed to file a new action seeking an Injunction Against Harassment, if desired. An appeal of this ruling need not be taken before re-filing.

Plaintiff makes a statement to the Court and counsel. Before the Court has an opportunity to address the matters raised, Plaintiff terminates her virtual connection and voluntarily absents herself from the remainder of the hearing.

LET THE RECORD FURTHER REFLECT that Plaintiff has left the hearing at 9:28 a.m.

9:28 a.m. Hearing concludes.

LATER:

LET THE RECORD REFLECT that before Plaintiff terminated her virtual appearance and voluntarily absented herself from the conclusion of the hearing, she made multiple unfounded and accusatory statements. The Court encourages anyone, including any appellate court, to review not only the transcript but also the video of the hearing of June 5, 2026, to understand the misplaced nature of Plaintiff's accusations. Specifically:

1. Plaintiff has accused the Court of denying her access to an appeal by declining to enter the May 27, 2026 Order pursuant to Rule 54(b), *Arizona Rules of Civil Procedure*. The Court has considered legal merits of Rule 54(b), and has concluded that, on legal grounds, just reason for delay exists and the Order should not be entered pursuant to Rule 54(b).
2. Plaintiff has accused the Court of denying her an appeal for her injunction against harassment. The Court noted in its May 27, 2026 Order that her injunction against harassment claim was deficient, and dismissed the claim without prejudice. The Court also informed Plaintiff at the hearing on June 5, 2026, that she is free to go to the Courthouse today and immediately re-file her Petition for an Injunction for Harassment. Thus, rather than the delay associated with an appeal, Plaintiff could

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- remedy the deficiencies that the Court pointed out and seek an Injunction Against Harassment in a newly-filed case.
3. Plaintiff has accused the Court of threatening her with sanctions. To be clear, sanctions were discussed in two contexts at the hearing held of June 5, 2026. First, Plaintiff was admonished and informed that she could be sanctioned if she did not stop interrupting the Court and opposing counsel. Such an admonition is appropriate and well within the Court's discretion to conduct an orderly proceeding. Second, Plaintiff was put on notice of what possible sanctions could be imposed if Plaintiff failed to appear for her deposition on June 10, 2026. Again, such sanctions can be imposed as an appropriate consequence for Plaintiff's failure to appear – for a second time – at her duly noticed deposition.
 4. Plaintiff opposed the Order directing her to appear at her June 10 deposition because there was no “evidence” that a timely notice of deposition had been issued. Counsel for Defendants made an offer of proof with the Court that the timely notice of deposition was issued and mailed to Plaintiff, consistent with Paragraph 11 of this Court's May 27, 2026 Order. Based on Plaintiff's failure to appear for her first deposition that was duly noticed, the Court authorized this procedure because Plaintiff was available on June 10, 2026. To ensure that the record is complete, the Court directed counsel for Defendants to (a) file the Notice of Deposition for Plaintiff's June 10 deposition, and (b) email to Plaintiff a copy of the Notice of Deposition.
 5. Plaintiff implied that she may absent herself from her June 10 deposition, and then indicated that if her case was dismissed, she would simply go to the Court of Appeals and have her case reinstated again. The Court notes this simply to have the record reflect that Plaintiff understands what one potential sanction is should she fail to appear for her deposition for a second time, absent a stay from a court of competent jurisdiction.
 6. Plaintiff again reiterated why she believed the case should be stayed. The Court attempted to inform Plaintiff that there exists no valid appeal as a matter of right at this juncture because no Order has been entered pursuant to Rule 54(b). Consequently, there is no basis to stay this case to prosecute an appeal that cannot be prosecuted. The

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Court also made things easier for Plaintiff by allowing her to file a notice of filing an appellate special action without first needing to request leave for such a filing.