

P/A

Today's Date: January 16, 2025


Your Signature

**This page must be completed and attached
to the LAST page of your Motion/Request**

I filed the ORIGINAL of the attached document(s) with the Clerk of the Superior Court in Maricopa County on: January 6, 2025
Month Date Year

I mailed/delivered a COPY of the attached document(s) to the Judicial Officer assigned to my case, Judge (or Commissioner): Coffey, on January 6, 2025
Month Date Year (Judicial Officer assigned to your case)

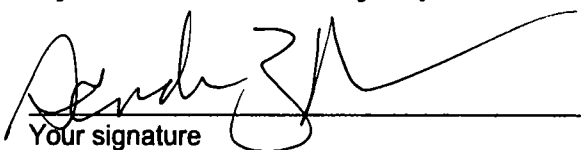
I mailed/delivered a COPY of the attached document(s) on this date:
January 6, 2025 To: Gardens Gilbert Community Association et. al
Month Date Year

(You must mail a copy of all documents to the other side and his/her lawyer)

<u>Gardens Gilbert Community Association et. al.</u> Name of Other Side	<u>Shaw & Lines, LLC/Augustus H. Shaw IV</u> Name of Other Side's Lawyer
<u>4135 S. Power Road, Ste. 133</u> Address	<u>4523 E. Broadway Road</u> Lawyer's Address
<u>Mesa, Arizona 85212</u> City, State, Zip	<u>Phoenix, Arizona 85040</u> City, State, Zip

By signing below, I state to the Court, under penalty of law, that the information stated on these pages is true and correct to the best of my knowledge and belief.

I further state that I have filed/mailed the attached document(s) as shown above. I understand that if I do not file/mail the attached document(s) as shown above, the judge in my case will not read my request/motion.


Your signature

ADDENDUM A:

PLAINTIFF RESPONSE TO DEFENDANT'S AMENDED GOOD FAITH CERTIFICATE

I. INTRODUCTION

Plaintiff Sandra Rodriguez respectfully submits this motion responding to the Defendant's Amended Good Faith Certificate to address the persistent and egregious misconduct of Defendants and their legal counsel, Augustus H. Shaw IV. Unfortunately, I am compelled to file this motion, despite my reluctance, as Defendants' actions demonstrate a pattern of fraudulent misrepresentation, legal manipulation, and outright obstruction of justice.

The Defendants' **Amended Good Faith Certificate** purports to address procedural gaps in their Original Certificate. It also refuses to address previous inadequacies in similar previous behavior in past filings. However, it does so by providing misleading and incomplete information, misrepresenting the "entire story" of their actions, and falsely implying good faith compliance with Arizona Civil Procedure and the Arizona Rules of Professional Conduct. Despite plaintiff's clear and documented proposals for email-based written communication to ensure transparency followed up by scheduled phone discussions, (See Exhibit #2), Mr. Shaw disregarded these efforts and instead orchestrated a campaign of avoidance, misrepresentation, and harassment. (See Exhibit #1, Exhibit #2, and Exhibit #3)

The truth is that Mr. Shaw and the Defendants have once again resorted to their standard practice of misleading, stonewalling, and refusing to act in good faith. Specific examples include:

- 1. Including individuals who are not parties to this lawsuit in email correspondence, turning communications into tools of bullying and harassment.** (See Exhibit #2) This conduct violates **ER 1.6 (Confidentiality of Information)** of the Arizona Rules of

Sandra Rodriguez v. Gardens Gilbert Community Association (GGCA) et. al.

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ADDENDUM A:

Professional Conduct, which prohibits attorneys from disclosing information related to the representation of a client unless explicitly authorized. By including unrelated individuals, such as HOA board members, in email chains discussing this litigation, Mr. Shaw breached confidentiality and exposed sensitive information. This also violates **ER 4.4 (Respect for Rights of Third Persons)** by causing unnecessary embarrassment and distress to the Plaintiff. Furthermore, this conduct undermines the protections of **Rule 26(b)(1)** of the Arizona Rules of Civil Procedure, which emphasizes confidentiality in litigation communications, and contravenes federal protections under the **Fair Housing Act (42 U.S.C. § 3617)** against coercion, intimidation, and interference in housing-related disputes.

- o **People Shaw included in email chain that are not named in this civil lawsuit:**
kristenecelaya@gmail.com, herrerasj2009@gmail.com,
southdakota94@gmail.com, coyanbidwell@gmail.com. (See Exhibit #2)
2. **Consistently obstructing justice by attempting to shift critical discussions to phone calls**, where the context and content of conversations could be misconstrued or manipulated.
 3. **Ignoring Plaintiff's documented good faith efforts** to clarify pending action items necessary for a fair trial and resolution of this case.

This behavior not only obstructs my constitutional right to due process but also fosters hostility, contention, and unnecessary stress—especially during the holiday season. Rather than engaging in constructive dialogue with the intent to resolve litigation, Mr. Shaw's actions escalate the conflict, further hindering resolution and increasing financial burdens on all parties, including homeowners subjected to pay Gardens Gilbert Community Association's Board of Directors, Focus HOA Management, LLC, Anna Schultz, Harman Cadis, and Brooke Sortor's outrageous legal fees. (See Exhibit #2 and Exhibit #3)

It is especially concerning that Defendants have refused to address their submission of a fraudulent Good Faith Certificate on December 31, 2024. This document misrepresented their

Professional Conduct, which prohibits attorneys from disclosing information related to the representation of a client unless explicitly authorized. By including unrelated individuals, such as HOA board members, in email chains discussing this litigation, Mr. Shaw breached confidentiality and exposed sensitive information. This also violates **ER 4.4 (Respect for Rights of Third Persons)** by causing unnecessary embarrassment and distress to the Plaintiff. Furthermore, this conduct undermines the protections of **Rule 26(b)(1)** of the Arizona Rules of Civil Procedure, which emphasizes confidentiality in litigation communications, and contravenes federal protections under the **Fair Housing Act (42 U.S.C. § 3617)** against coercion, intimidation, and interference in housing-related disputes.

o **People Shaw included in email chain that are not named in this civil lawsuit:**

kristenecelaya@gmail.com,

herreraj2009@gmail.com,

southdakota94@gmail.com, coyandbidwell@gmail.com.

2. **Consistently obstructing justice by attempting to shift critical discussions to phone calls**, where the context and content of conversations could be misconstrued or manipulated.
3. **Ignoring Plaintiff's documented good faith efforts** to clarify pending action items necessary for a fair trial and resolution of this case.

This behavior not only obstructs my constitutional right to due process but also fosters hostility, contention, and unnecessary stress—especially during the holiday season. Rather than engaging in constructive dialogue with the intent to resolve litigation; Mr. Shaw's actions escalate the conflict, further hindering resolution and increasing financial burdens on all parties, including homeowners subjected to pay Gardens Gilbert Community Association's Board of Directors, Focus HOA Management, LLC, Anna Schultz, Harman Cadis, and Brooke Sortor's outrageous legal fees. (See Exhibit #2 and Exhibit #3)

It is especially concerning that Defendants have refused to address their submission of a fraudulent Good Faith Certificate on December 31, 2024. This document misrepresented their

compliance with Rule 7.1(h) and concealed material facts about their refusal to engage in meaningful negotiations. (See Exhibit #1, Page 3 of 6).

Furthermore, Mr. Shaw's phone call to me on January 2, 2025—after filing the fraudulent certificate—exemplifies his ongoing manipulation and disregard for procedural integrity. This call, combined with selective email excerpts and omissions of key details, demonstrates a clear pattern of legal and procedural manipulation. These tactics have been raised to this Court multiple times but remain unaddressed.

On January 3, 2024, Plaintiff Sandra Rodriguez was compelled to send a cease-and-desist email to Mr. Augustus H. Shaw IV (See Exhibit #2 and Exhibit #3) due to his persistent and confrontational communication style, which heightened hostility and made collaboration impossible. Despite this request, Mr. Shaw selectively used the cease-and-desist communication to misrepresent the situation to the Court, sharing only part of the story and omitting critical context. The cease-and-desist request was necessitated by Mr. Shaw's refusal to engage in reasonable and meaningful dialogue, his escalation of tensions through unnecessary aggression, and his persistent disregard for Plaintiff's efforts to foster a collaborative and constructive resolution. Rather than respecting the Plaintiff's request for limited and professional communication, Mr. Shaw continued sending emails, further exacerbating the conflict and undermining the potential for any reasonable negotiation or resolution. These actions demonstrate a deliberate effort to create a hostile environment, obstruct meaningful collaboration, and distort the Plaintiff's intentions, necessitating judicial intervention.

This motion not only seeks to address these procedural violations but also to protect my constitutional and civil rights, which continue to be infringed upon through Defendants' obstructionist tactics and harassment. It is essential that the Court recognize the gravity of this misconduct and intervene to ensure the fairness and integrity of these proceedings.

II. SPECIFIC EXAMPLES OF LACK OF GOOD FAITH AND OBSTRUCTION

1. Failure to Engage in Good Faith Negotiations

- **Emails Sent on December 27, 2024:** I submitted a detailed settlement proposal offering \$6 million, which also outlined non-monetary measures aimed at addressing systemic governance issues, harassment, retaliation, and violations of my civil and constitutional rights. The proposal represented a comprehensive and good faith effort to resolve the ongoing disputes amicably and constructively. However, as has been the consistent pattern, the Defendants completely ignored the substance of my proposal. Rather than engaging in meaningful discussion or acknowledging the email, the Defendants chose to dismiss the proposal entirely, continuing their practice of avoidance and refusal to engage in good faith negotiations. This lack of response underscores the Defendants' unwillingness to resolve the matter reasonably, their persistent disregard for procedural fairness and accountability, and their failure to comply with the requirements of Rule 7.1(h) of the Arizona Rules of Civil Procedure, which mandates good faith efforts to resolve disputes before resorting to court intervention. By ignoring my detailed settlement proposal, the Defendants have not only demonstrated bad faith but have also violated the spirit and intent of the law, which emphasizes the resolution of issues through collaborative and meaningful discussions whenever possible. Their refusal to engage highlights a deliberate avoidance of their legal and ethical obligations.
- **Email Communication on January 2, 2025:** Mr. Shaw made an unsolicited phone call after filing the fraudulent certificate, despite my request for written communication. He made a total of three calls despite my follow-up communication explicitly requesting that he respond in writing first, with the option to follow up on a call to ensure all key items were addressed comprehensively. This behavior demonstrates a clear intent to circumvent transparency by avoiding a documented record of our exchanges, thereby enabling him to manipulate the

narrative of our interactions to serve his interests while disregarding principles of fairness and accountability.

2. Misrepresentation and Misleading Conduct

- **Fraudulent Good Faith Certificate Filed on December 31, 2024:** The certificate falsely claimed compliance with Rule 7.1(h) and failed to disclose their refusal to participate in meaningful negotiations. Instead, it presented a distorted narrative of phone calls and emails that lacked substantive engagement.
- **Amended Certificate Filed on January 3, 2025:** This filing repeated the same pattern of omitting key facts, including their failure to acknowledge my detailed settlement offers and the inclusion of unrelated third parties in email communications.

3. Obstruction of Justice

- **Inclusion of Unrelated Parties in Emails:** On January 3, 2025, Mr. Shaw included unrelated individuals, such as HOA board members, in email communications about this litigation. This behavior violated confidentiality principles, created unnecessary distress, and further hindered resolution. (See Exhibit #2)
- **Disregard for Appellate Jurisdiction:** Despite being formally notified of my **Notice of Appeal and Petition for Review** filed with the **Arizona Supreme Court on December 17, 2024**, the Defendants and their legal counsel, Augustus H. Shaw IV, flagrantly disregarded appellate jurisdiction. They persisted in filing motions and certificates in the Maricopa Superior Court, actions that were not only procedurally improper but also aggressive and coercive. Moreover, they attempted to pressure me into compliance by inundating me with excessive phone calls and emails, despite my explicit communication that appellate jurisdiction had been established.

These actions represent a deliberate infringement on my civil and constitutional rights, including my **right to due process**, by blatantly disregarding

jurisdictional boundaries and engaging in harassing behavior intended to undermine the integrity of the judicial process. (See **Exhibit #1, #2, and #3**).

To clarify for the Court, I received a total of **four phone calls from Mr. Shaw within less than 24 hours** and a total of **seven emails from the Defendants**, further illustrating their disregard for procedural propriety and their continued efforts to escalate the conflict rather than engage in meaningful resolution. (See Exhibit #1, #2, and #3)

III. REQUESTS FOR RELIEF

In light of the Defendants' persistent misconduct and violations, Plaintiff respectfully requests the Court to grant the following relief:

1. Deny the granting of Defendant's Amended Good Faith Certificate:

- Deny the acceptance of the Defendant's Amended Good Faith Certificate and strike it from the record for failing to meet the requirements of Rule 7.1(h) and misleading the Court.

2. Enforce Procedural Compliance:

- Appoint a neutral mediator or special master to oversee procedural compliance and ensure good faith efforts in future communications and filings.

3. Affirm Plaintiff's Rights:

- Issue an order affirming my right to fair trial procedures, protection from harassment, and the preservation of my constitutional rights to due process and equal protection.

4. Award Punitive Damages and Compensation:

- Order additional punitive damages and compensation for the egregious violations of my civil and constitutional rights, as well as the harm caused by the Defendants' and their legal counsel's, Augustus H. Shaw's actions.

5. Impose Sanctions:

- Sanction Defendants and their counsel under A.R.S. § 12-349 for bad faith litigation, procedural abuse, and harassment.
- Consider additional sanctions pursuant to *Chambers v. NASCO, Inc.*, 501 U.S. 32 (1991), for conduct prejudicial to the administration of justice.

6. Compel Full Transparency:

- Order Defendants to produce all email communications in their entirety and unredacted to ensure that the full context of their interactions is presented to the Court. This will allow the Court to evaluate the complete scope of the Defendants' communications, including any omissions or misrepresentations in their filings.
- Assess appropriate sanctions for the Defendants' actions and explicitly order Defendants and their legal counsel to cease the inclusion of unrelated parties in email correspondence. This practice violates confidentiality, disrupts the integrity of the proceedings, and exacerbates unnecessary harassment. Ensuring that such behavior is prohibited will help restore fairness and ensure that future communications remain focused on the relevant parties involved in the litigation.

7. Protect Appellate Jurisdiction:

- Acknowledge that this Court lacks jurisdiction over matters under appeal due to my Notice of Appeal and Petition for Review.
- Dismiss or strike all filings made by Defendants after December 17, 2024, as improper and void.

IV. CONCLUSION

In conclusion, the Defendants' repeated misconduct, including submitting a fraudulent **Amended Good Faith Certificate**, breaching confidentiality, obstructing justice by ignoring appellate jurisdiction, and engaging in harassment and retaliation, has undermined the integrity of these proceedings. Despite clear and documented attempts by Plaintiff to resolve the matter in

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good faith, Defendants have consistently avoided meaningful engagement and escalated the conflict. These actions violate both procedural rules and Plaintiff's civil and constitutional rights. To remedy these violations, Plaintiff respectfully requests that the Court impose sanctions on Defendants and their counsel, compel full transparency by ordering the production of all unredacted communications, prohibit the inclusion of unrelated parties in future correspondence, and dismiss any filings made after December 17, 2024, due to lack of jurisdiction. Plaintiff also requests punitive damages and compensation for the harm caused by these egregious actions. Judicial intervention is necessary to ensure fairness, protect Plaintiff's rights, and restore the integrity of these proceedings.

Respectfully Submitted on January 6, 2025

A handwritten signature in black ink, appearing to read 'Sandra Rodriguez', with a long horizontal flourish extending to the right.

Sandra Rodriguez

Sandra Rodriguez v. Gardens Gilbert Community Association, Focus HOA Management, LLC

And Associates Anna Schultz, Harmin Cadis, and Brooke Sortor

Maricopa Superior Court Case No.: CV2024-005940

Appeals Court of Arizona (District One) Case No.: 1 CA-CV 24-0803

Supreme Court of Arizona Case No.: CV 24-0286-PR

EXHIBIT 1

EXHIBIT #1



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Refusal of Written Response (Response Regarding Joint Report and Scheduling Order)

3 messages

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Thu, Jan 2, 2025 at 5:22 PM

To: Augustus Shaw <ashaw@shawlines.com>, Anna Schultz <anna6890@yahoo.com>, Brooke Sortor <Brooke@focushoa.com>, Harman Cadis <harman@focushoa.com>

Dear Mr. Shaw,

I am writing to formally document and address your continued refusal to respond to my previous email, despite my repeated and reasonable requests for written engagement. Instead, you have opted to rely exclusively on phone calls while ignoring my emailed correspondence. This approach raises serious concerns about transparency, good faith, and professional accountability, particularly given the level of scrutiny this matter has received.

Under Rule 3.4 of the Arizona Rules of Professional Conduct, attorneys are obligated to "act with fairness to the opposing party and counsel." Avoiding written communication, especially when explicitly requested, undermines this principle and creates an appearance of evasiveness. Furthermore, Rule 8.4(d) prohibits conduct that is "prejudicial to the administration of justice." The refusal to engage in transparent, written communication is perceived as conduct intended to obscure or delay resolution.

Case law, including *Smith v. U.S. Bancorp*, 591 F. Supp. 2d 948 (D. Ariz. 2008), underscores the importance of transparency and professionalism in legal communication. The deliberate avoidance of written responses, despite reasonable requests, are construed as demonstrating ill will or a lack of good faith. Additionally, this conduct may reflect an attempt to frustrate the efficient and fair handling of this case.

Considering the heightened scrutiny on this matter and the ethical standards required of legal professionals, I urge you to provide a written response to my email without further delay. Failure to do so only exacerbates concerns about fairness, impartiality, and adherence to professional conduct.

I look forward to your prompt attention to this matter and request a written response to ensure that all communications are properly documented. I must also insist that you cease ignoring my emails, as you have continued to do even today, despite the recent filing of a misleading certificate of good faith with the court.

For the record, Mr. Shaw's sole response today has been an attempt to contact me via phone, following my report of the fraudulent good faith certificate to the court. This behavior further exemplifies a pattern of avoiding transparency and disregarding my requests for written communication. Despite my repeated efforts to engage in good faith, Mr. Shaw has continued to ignore my emails and has failed to demonstrate the transparency and accountability expected in this matter.

I urge you to address these issues immediately and ensure that future communications are conducted in writing to promote transparency and good faith engagement.

Thank you in advance.

Sandra Rodriguez

On Thu, Jan 2, 2025, 1:31 PM Sandra Rodriguez <sandra.rodriguez0339@gmail.com> wrote:

Dear Mr. Shaw,

Thank you for your email and your efforts to reach out regarding the Joint Report and Scheduling Order. As you are aware, I filed a Separate Case Management Report in place of the Joint Report on December 31, 2024, which outlines several critical issues that require resolution before any substantive discussions can proceed.

This case has significantly escalated beyond a mere contractual dispute to encompass allegations of **housing discrimination, retaliation, whistleblower violations, and infringements upon civil and constitutional rights.**

EXHIBIT #1

These developments, compounded by **ethical concerns about your conduct and judicial bias at play**, necessitate a careful and comprehensive resolution to ensure my legal rights are restored.

I appreciate the opportunity to engage in constructive dialogue. However, before we can meaningfully discuss the Joint Report and Scheduling Order, I request that you address the following:

1. Status of Procedural Deficiencies

- The Defendants' **untimely Answer**, filed on **December 17, 2024**, remains unresolved. Please confirm your plans to rectify the procedural deficiencies outlined in my filing.

2. Recusal of Judge Roderick Coffey (Pending)

- I have formally filed a motion for Judge Coffey's recusal due to **procedural bias and conflicts of interest**. I have yet to receive a status update from the court. I ask that you state your position on this matter and whether you support the reassignment of the case to uphold fairness and impartiality.

3. Good Faith Settlement Offers

- I sent detailed settlement proposals on **December 21, 2023, January 4, 2024, September 25, October 2, November 20, and December 27, 2024**. To date, I have not received any meaningful engagement. Please provide a written response indicating whether your clients are open to settling this matter out of court.

4. Defendants' Alleged Bad Faith Conduct

- I have outlined significant concerns, including improper service, procedural manipulation, and undue burdens caused by your actions and those of your clients. A written explanation and your plan to address these concerns are requested.

5. Request for Default Judgment or Case Restart

- Considering the **procedural violations and constitutional concerns**, I have requested a **default judgment** or, alternatively, a **case restart with a new judge**. Please provide your position and a viable settlement offer. I also request acknowledgment that:
 - Both Judgments imposed be vacated due process violations.
 - Lien placed on my property will be removed.

Proposed Settlement Terms

The updated settlement terms are designed to reflect the harms caused, address statutory and constitutional violations, and ensure compliance with applicable federal and state law:

Monetary Compensation

1. Emotional and financial distress.
2. Property and housing losses.
3. Punitive damages.
4. Legal fees and costs.
5. Future medical and relocation costs.
6. Reputation and career damage.
7. Delay damages.

Non-Monetary Relief

I. **Judgment Vacatur**: All judgments imposed due to procedural deficiencies and due process violations will be vacated (*Mathews v. Eldridge*, 424 U.S. 319 (1976)).

II. Lien Removal:

- Rescind liens imposed in violation of **A.R.S. § 33-420**.

EXHIBIT #1

- Address liens recorded prematurely, violating the **Fourteenth Amendment**.

III. Prohibition of Retaliatory Actions: Compliance with **42 U.S.C. §§ 3601-3619** and **A.R.S. § 41-1491.14**.

IV. Governance Reforms:

To address systemic governance failures and restore fairness and transparency within the community, I propose the following reforms:

1. **Removal of Anna Schultz as GGCA Board President:**
 - Immediate removal of Anna Schultz from her position as GGCA Board President due to demonstrated bias, failure to uphold fiduciary duties, and involvement in retaliatory and discriminatory actions.
2. **Termination of Third-Party Property Management Contract:**
 - Terminate the contract with Focus HOA Management, LLC, due to ongoing mismanagement, procedural violations, and harassment. This includes the removal of their representatives, such as Harmin Cadis and Brooke Sortor, to ensure impartiality and accountability moving forward.
3. **Appointment of Neutral Third-Party Governance Oversight:**
 - Engage an independent third-party expert to audit and oversee HOA governance, ensuring compliance with A.R.S. § 10-11603 (board member fiduciary responsibilities) and other applicable laws. The oversight should include:
 4. **Reviewing board actions and financial management practices.**
 - Implementing policies to prevent future conflicts of interest, discrimination, and retaliation.
 - Training for board members and HOA staff on fiduciary duties, transparency, and anti-discrimination compliance.

V. Transparency and Accountability:

- Full disclosure of HOA financial records (**A.R.S. § 33-1805(A)**).
- Breakdown of homeowner financials including an itemized breakdown of how legal fees were paid on behalf of this legal case and other imposed against Defendants. The names of the cases can be left anonymous for confidentiality.

Legal Context

These proposals align with federal and Arizona laws, including:

- *Fair Housing Act (42 U.S.C. §§ 3601-3619)*.
- *Fourteenth Amendment (Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950))*.
- *A.R.S. § 33-420: Improper lien statute (Johnson v. Richey, 162 Ariz. 184)*.
- *A.R.S. § 10-11603: Fiduciary duties of HOA board members.*

Timeline of Settlement Efforts

1. December 21, 2023: Initial demand for \$3,500.
2. January 4, 2024: First settlement proposal.
3. September 25, 2024: Settlement offer of \$3.18M.
4. November 20, 2024: Comprehensive offer of \$4.75M.
5. December 27, 2024: Final offer of \$6M and non-monetary relief.

NEXT STEPS

Once the matters outlined above are addressed, I am willing to schedule a meeting to discuss the Joint Report and Scheduling Order in greater detail. Please provide a clear timeline for your response and a written acknowledgment of these terms to ensure we can move forward effectively.

Thank you for your prompt attention to these critical issues. Your written response will be an essential step toward

EXHIBIT #1

achieving a resolution that respects the principles of fairness, accountability, and efficiency.

To foster transparency and accountability, I have included all Defendants—Gardens Gilbert Community Association, Focus HOA Management, LLC, Harmin Cadis, Brooke Sortor, and Anna Schultz—in this correspondence. This ensures that all parties are fully informed of the concerns, settlement proposals, and allegations of bad-faith conduct. By doing so, I hope to encourage active engagement from all involved in addressing and resolving these issues collaboratively.

Please note that if I do not receive a response by **8:00 AM on Monday, January 6, 2025**, it will be deemed a refusal to negotiate, further evidence of bad faith efforts, and a dismissal of the duty to engage in good faith collaboration as required by law. Under *Rule 16 of the Arizona Rules of Civil Procedure*, parties are obligated to cooperate in scheduling and resolving matters to ensure the fair and efficient administration of justice. Additionally, *A.R.S. § 41-1491.14* mandates that all parties in disputes related to discrimination and retaliation engage in efforts to resolve such disputes in good faith.

Failure to comply with these obligations may result in further legal and procedural actions to address non-compliance.

I look forward to your timely response.

Kind regards,

Sandra Rodriguez

On Thu, Jan 2, 2025 at 12:04 PM Augustus Shaw <ashaw@shawlines.com> wrote:

Ms. Rodriguez,

I just attempted to call you at the phone number 602-688-9720 to discuss the Joint Report and Scheduling Order. I'm free all day today and tomorrow to discuss this topic. Please call 480-456-1500.

Augustus H. Shaw IV†*

Shaw & Lines, LLC

4523 E. Broadway Road

Phoenix, AZ 85040

Phone 480-456-1500

Fax 480-456-1515

e-mail ashaw@shawlines.com

web site www.shawlines.com

†Licensed in Arizona and Nebraska

*Faculty Associate - Arizona State University O'Connor College of Law

*Member, College of Community Association Lawyers

EXHIBIT #1

CONFIDENTIALITY STATEMENT: THIS E-MAIL MESSAGE AND ANY ACCOMPANYING DOCUMENTS CONTAIN INFORMATION WHICH IS ATTORNEY PRIVILEGED, CONFIDENTIAL AND INTENDED ONLY FOR THE USE OF THE ABOVE-NAMED RECIPIENT. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, PRINTING OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE OR RETURN THE E-MAIL MESSAGE TO US. THANK YOU.

THIS FIRM MAY ACT AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Fri, Jan 3, 2025 at 3:43 PM

Draft To: Augustus Shaw <ashaw@shawlines.com>, Anna Schultz <anna6890@yahoo.com>, Brooke Sortor

<Brooke@focushoa.com>, Harman Cadis <harman@focushoa.com>

Bcc: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

I am writing to document that Shaw refuses to act in good faith refusing to respond to my email; refusing to act in good faith and full transparency. He just called me again January 3, 2025 at 3:38pm.

This documentation will be publicly shared to the court. Refusing to engage in good faith transparent efforts. This continues to stress the level of scrutiny and deception involved this far.

You are also ignoring the current appeal in effect and the petition for review already filed aith the Arizona Supreme Court.

At this point, I ask you cease and desist any calls to my phone number due to the lack of ethics and integrity tied to this case.

Thank you.

Sandra Rodriguez

[Quoted text hidden]

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Fri, Jan 3, 2025 at 3:54 PM

Draft To: Augustus Shaw <ashaw@shawlines.com>, Anna Schultz <anna6890@yahoo.com>, Brooke Sortor

<Brooke@focushoa.com>, Harman Cadis <harman@focushoa.com>

Bcc: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Dear Shaw,

I am writing to formally document the ongoing misconduct and lack of good faith demonstrated by Shaw in this matter. Despite my repeated attempts to engage meaningfully through email correspondence, Shaw has persistently ignored my written communications and instead continues to inundate me with unsolicited phone calls. Most recently, I received another call on January 3, 2025, at 3:38 PM, which further exemplifies this pattern of unprofessional behavior.

This approach appears to be a deliberate tactic to overwhelm and intimidate me by bypassing transparent and documented communication channels. Shaw's refusal to engage meaningfully in email correspondence, followed by an appropriate phone call if necessary, reflects a lack of respect for the principles of good faith and accountability that are fundamental to the Arizona civil process. Instead, his actions add to the stress and confusion of this matter, exacerbating an already imbalanced power dynamic.

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This letter serves as a record of these actions and will be included in filings shared with the court. Shaw's conduct demonstrates a troubling disregard for his professional responsibilities under the Arizona Rules of Professional Conduct, including:

1. ER 1.4 (Communication) – A lawyer is required to maintain timely and meaningful communication with all parties. Shaw's refusal to engage in transparent email correspondence violates this obligation.
2. ER 4.4 (Respect for Rights of Third Persons) – His actions, which are designed to harass and overwhelm, fail to respect my rights as a self-represented litigant.
3. ER 8.4 (Misconduct) – Such conduct is prejudicial to the administration of justice and undermines the Arizona Civil Procedure and my constitutional rights.

As a self-represented Latina with limited resources, I view Shaw's behavior as discriminatory and prejudicial, undermining my right to due process and equal access to justice. His actions erode the fairness and integrity of the Arizona civil process, further disadvantaging me in a system already tilted against those with fewer resources.

Effective immediately, I demand that Shaw cease and desist all phone calls to my phone number. All future communications must be conducted in writing and must directly address the issues outlined in my previous emails. The repeated failure to provide meaningful email responses before initiating calls is unprofessional and unacceptable. As I've mentioned previously, This demand is necessary to ensure that the communication process remains documented, transparent, and respectful of the ongoing legal proceedings.

Shaw's continued failure to act in good faith not only violates ethical standards but also threatens to undermine the integrity of the Arizona judicial process. I respectfully urge the court to address this issue and to hold Shaw accountable for his conduct.

Thank you for your attention to this matter.

Sincerely,

Sandra Rodriguez

[Quoted text hidden]

Sandra Rodriguez v. Gardens Gilbert Community Association, Focus HOA Management, LLC

And Associates Anna Schultz, Harmin Cadis, and Brooke Sortor

Maricopa Superior Court Case No.: CV2024-005940

Appeals Court of Arizona (District One) Case No.: 1 CA-CV 24-0803

Supreme Court of Arizona Case No.: CV 24-0286-PR

EXHIBIT 2

EXHIBIT #2



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Continued Lack of Good Faith & Ethical Concerns (CV2024-005940) - Settlement Offer

4 messages

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Fri, Jan 3, 2025 at 4:05 PM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Anna Schultz <anna6890@yahoo.com>, kristenecelaya@gmail.com, herrerasj2009@gmail.com, southdakota94@gmail.com, Brooke Sortor <brooke@focushoa.com>, Harman Cadis <harman@focushoa.com>, coyanbidwell@gmail.com, Elizabeth Mundall <elizabeth@shawlines.com>, Diane Fincher <Diane@shawlines.com>

Dear Mr. Shaw,

I am writing to address your ongoing refusal to engage in good faith communication. Despite repeated unsolicited phone calls from you, your eventual response to my email failed to adequately address the contents of my message. This pattern of behavior—ignoring written correspondence, inundating me with calls, and providing vague and insufficient responses—demonstrates a clear lack of transparency, professionalism, and respect for the ethical obligations expected of attorneys in Arizona.

Your actions violate multiple provisions of the Arizona Rules of Professional Conduct, including:

1. ER 1.4 (Communication): You are required to maintain meaningful and timely communication. Responding only after repeated phone calls, while failing to address my concerns in detail, does not satisfy this obligation.
2. ER 4.4 (Respect for Rights of Third Persons): Your actions appear calculated to intimidate and overwhelm rather than engage in constructive dialogue, further eroding trust and professionalism.
3. ER 8.4 (Misconduct): Your conduct is prejudicial to the administration of justice and undermines the fairness and integrity of the legal process.

Additionally, your refusal to engage meaningfully, despite the filing of a Notice of Appeal and a Petition for Review with the Arizona Supreme Court, is both unprofessional and inconsistent with the procedural expectations in appellate matters. This behavior could be interpreted as a deliberate attempt to sidestep the appellate process and undermine judicial review, which is unacceptable.

Your actions are a conflict with Rule 62 of the Arizona Rules of Civil Procedure, particularly if your phone calls and incomplete responses are attempts to bypass any stays or pending actions arising from the appeal. Such conduct could warrant additional scrutiny by the court and further impact your standing.

As a self-represented Latina with limited resources, I find your conduct to be unethical, discriminatory, and prejudicial. It disregards my constitutional rights to due process and equal access to justice, while exacerbating the already significant power imbalance in this case. Your behavior undermines the principles of fairness and transparency that the Arizona civil process is designed to protect.

Once again, I demand that you cease and desist all phone calls to my number immediately due to lack of integrity and ethics. All future communications must be conducted in writing and must directly and thoroughly address the issues raised in my prior emails. Failure to comply with this request will result in additional documentation being submitted to the court to highlight your ongoing lack of good faith and professional integrity.

I trust you will recognize the seriousness of this matter and take immediate steps to correct your conduct. Please be advised that I will forward this communication to the appropriate channels as necessary to ensure accountability and adherence to ethical and procedural standards.

EXHIBIT #2

Moving forward, all communications regarding this matter must be conducted through the court system to maintain transparency and proper documentation.

Sincerely,

Sandra Rodriguez

On Fri, Jan 3, 2025, 3:54 PM Augustus Shaw <ashaw@shawlines.com> wrote:

Ms. Rodriguez,

The Association is in receipt of your below settlement offer. After careful review, the Association's Board of Directors hereby rejects your below settlement offer.

Augustus H. Shaw IV†*

Shaw & Lines, LLC

4523 E. Broadway Road

Phoenix, AZ 85040

Phone 480-456-1500

Fax 480-456-1515

e-mail ashaw@shawlines.com

web site www.shawlines.com

†Licensed in Arizona and Nebraska

*Faculty Associate - Arizona State University O'Connor College of Law

*Member, College of Community Association Lawyers

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THIS FIRM MAY ACT AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

From: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Sent: Friday, December 27, 2024 2:19:28 PM (UTC-07:00) Arizona

To: Elizabeth Mundall <elizabeth@shawlines.com>; Augustus Shaw <ashaw@shawlines.com>; Brooke Sortor <Brooke@focushoa.com>; Harman Cadis <harman@focushoa.com>; Anna Schultz <anna6890@yahoo.com>

Subject: Re: Rodriguez v. Gardens Gilbert - CV2024-005940

Dear Mr. Augustus H. Shaw IV,

EXHIBIT #2

I am writing to address several critical issues in **Sandra Rodriguez v. Gardens Gilbert Community Association et al.**, Maricopa County Superior Court Case No. CV2024-005940.

1. Conflict of Interest

A significant conflict of interest exists involving the Defendants and their legal counsel. This, combined with ongoing procedural inequities and harassing litigation tactics, has prejudiced my ability to participate fairly in this case as a self-represented litigant.

2. Stay of Proceedings Due to Appeal

As you are aware, I filed a Notice of Appeal on December 17, 2024, under Rule 8(a) of the Arizona Rules of Civil Appellate Procedure. Proper notice of this filing was served on your office, as confirmed by mailing records. This filing divests the Maricopa County Superior Court of jurisdiction over the matters under appeal. For your convenience, I have attached a copy of the Notice of Appeal for your reference.

Despite the appellate stay, your office has continued to file motions and take actions in violation of jurisdictional limitations. These actions infringe upon my procedural rights and disregard the appellate process. I request that you immediately cease further filings or actions related to matters under appellate jurisdiction.

3. Judicial Bias and Request for a New Judge

I have filed a formal motion requesting the recusal of Judge Roderick Coffey due to evident judicial bias, as outlined in Rule 2.11(A) of the Arizona Code of Judicial Conduct. This bias, coupled with procedural inequities and infringements on my civil and constitutional rights, necessitates the assignment of a new judge to ensure impartiality and fairness moving forward.

4. Submission of a Separate Report

Given the existing conflict of interest, judicial bias, and refusal to respect the appellate stay, I will be submitting my own report to the court. This report will detail the ongoing litigation abuse, procedural misconduct, and my position, ensuring compliance with applicable procedural rules and respect for jurisdictional limitations.

5. Request to Amend Civil Complaint

In light of the continued pattern of misconduct, procedural violations, and infringements on my civil and constitutional rights, I intend to file a request to amend my civil complaint. The amendment will include all new infractions taken against me up to this point, such as violations of the appellate stay, harassment, and litigation abuse.

I will also emphasize violations of the **Fourteenth Amendment** (due process and equal protection) and **Arizona Constitutional rights** to highlight the systemic inequities in my treatment as a self-represented litigant. These ongoing actions by your office and the court further demonstrate a systemic pattern of inequity and misconduct that must be addressed to safeguard the integrity of the judicial process.

Your office's repeated disregard for procedural and jurisdictional rules has left me with no choice but to take these steps to ensure my rights are protected and the record accurately reflects the scope of these infractions.

Settlement Offer

In an effort to resolve this matter without further unnecessary litigation and expense, I am willing to consider a settlement under reasonable terms. This offer is made in good faith to reach an equitable resolution and is not an admission of any weakness in my claims.

I propose the following terms to settle this dispute:

1. Removal and Squashing of Both Judgments

- The judgments entered against me in this matter are to be vacated and fully squashed.

2. Removal of the Lien on My Home

- The lien placed on my home is to be removed immediately, as it was improperly imposed as part of the ongoing pattern of harassment and financial extortion.

3. Payment of \$4.5 Million

- A monetary payment in the amount of no less than \$4.5 million to address damages caused by the ongoing pattern of misconduct, including but not limited to:

EXHIBIT #2

- Harassment and procedural violations perpetuated by the Defendants and their legal counsel.
- Failure to adhere to the appellate stay and jurisdictional boundaries under Rule 8(a) of the Arizona Rules of Civil Appellate Procedure.
- Violation of my rights under the Fourteenth Amendment (due process and equal protection) and Arizona Constitutional rights, highlighting the systemic inequities in my treatment as a self-represented litigant.
- Financial coercion and abuse through excessive sanctions, fees, and litigation tactics aimed at intimidating me and obstructing justice.
- Discriminatory practices and retaliatory actions by the Defendants and their associates, including Anna Schultz, Brooke Sortor, and Harmin Cadis, perpetuating a hostile and inequitable environment.

4. Compensation for Obstruction of Justice and Constitutional Violations

- A separate payment of **\$2 million** to compensate me and my family for the continued and escalated legal and financial extortion perpetuated by Augustus Shaw IV and the Defendants, which was calculated to obstruct justice.
- This amount reflects the severe infringements on my **due process and constitutional rights**, including Shaw's deliberate attempts to:
 - Disregard the appellate stay and procedural safeguards.
 - Engage in tactics of harassment and delay to burden me financially and emotionally.
 - Exploit procedural inequities to suppress my ability to advocate for myself effectively as a self-represented litigant.
- These actions represent a pattern of misconduct designed to intimidate, dissuade, and prevent me from accessing justice, causing profound harm to my family and me.

Failure to reach a settlement on these terms will escalate this matter into a broader **consumer rights protection issue**, incorporating additional claims of systemic abuse, discriminatory practices, and judicial inequities. All negotiations will be conducted in writing to ensure full transparency and accountability.

This offer is confidential and made pursuant to **Rule 408 of the Federal Rules of Evidence** (and the Arizona equivalent), and as such, it is inadmissible in court should this case proceed further.

I remain open to good-faith negotiations to resolve this matter amicably.

Closing

I trust this correspondence will prompt immediate action to address these issues and ensure compliance with procedural and ethical standards. Please let me know if you would like to discuss this matter further in good faith.

Sincerely,

Sandra Rodriguez

On Fri, Dec 27, 2024 at 1:25 PM Elizabeth Mundall <elizabeth@shawlines.com> wrote:

Good afternoon,

Attached please find a letter, Joint Report and scheduling Order in regard to the above referenced matter.

Thank you,

Liz Mundall

Paralegal

EXHIBIT #2

SHAW & LINES, LLC
4523 E. Broadway Road
Phoenix, Arizona 85040
Phone 480-456-1500
Fax 480-456-1515

www.shawlines.com

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Augustus Shaw <ashaw@shawlines.com>

Fri, Jan 3, 2025 at 4:40 PM

To: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Cc: Anna Schultz <anna6890@yahoo.com>, "kristenecelaya@gmail.com" <kristenecelaya@gmail.com>, "herreraj2009@gmail.com" <herreraj2009@gmail.com>, "southdakota94@gmail.com" <southdakota94@gmail.com>, Brooke Sortor <brooke@focushoa.com>, Harman Cadis <harman@focushoa.com>, "coyanbidwell@gmail.com" <coyanbidwell@gmail.com>, Elizabeth Mundall <elizabeth@shawlines.com>, Diane Fincher <Diane@shawlines.com>

Ms. Rodriguez,

Pursuant to your statement below where you state "[M]oving forward, all communications regarding this matter must be conducted through the court system to maintain transparency and proper documentation;" please note that e-mail communications to Board Members regarding this matter must no longer be sent.

Also, based on your demand, the Association will no longer receive nor respond to e-mail communications regarding any lawsuits in which you are involved.

Moreover, the Association will continue to communicate with you as required by the Arizona Rules of Civil Procedure.

Augustus H. Shaw IV†*

Shaw & Lines, LLC

4523 E. Broadway Road

Phoenix, AZ 85040

Phone 480-456-1500

Fax 480-456-1515

e-mail ashaw@shawlines.com

web site www.shawlines.com

†Licensed in Arizona and Nebraska

EXHIBIT #2

*Faculty Associate - Arizona State University O'Connor College of Law

*Member, College of Community Association Lawyers

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THIS FIRM MAY ACT AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

[Quoted text hidden]

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Fri, Jan 3, 2025 at 4:55 PM

Draft To: Augustus Shaw <ashaw@shawlines.com>

Cc: Anna Schultz <anna6890@yahoo.com>, kristenecelaya@gmail.com, herrerasj2009@gmail.com

[Quoted text hidden]

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Fri, Jan 3, 2025 at 5:03 PM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Anna Schultz <anna6890@yahoo.com>, Brooke Sortor <Brooke@focushoa.com>, Harman Cadis <harman@focushoa.com>

Dear Shaw,

I am writing to address significant issues regarding your recent email, which attempts to restrict communication, includes individuals not party to this lawsuit, and disregards my explicit cease-and-desist request. These actions raise serious concerns under federal law, Arizona state law, and established case law.

Key Legal Concerns

1. Inclusion of Unrelated Parties

Your inclusion of individuals not party to this lawsuit in communications potentially violates confidentiality principles and serves no legitimate purpose. This behavior may contravene the Arizona Rules of Professional Conduct, including:

ER 4.4 (Respect for Rights of Third Persons): Prohibits actions that have no substantial purpose other than to burden, embarrass, or harass.

Federal Rule of Civil Procedure 26(c): Allows for protective orders to prevent the disclosure of irrelevant information to unrelated parties.

Relevant case law includes *Upjohn Co. v. United States*, 449 U.S. 383 (1981), which underscores the importance of maintaining confidentiality in legal matters and limiting communications to relevant parties. Your inclusion of unrelated parties is not only inappropriate but could expose you to sanctions under Arizona Rule of Civil Procedure 37(a) for misuse of discovery and communication.

2. Unjustified Communication Restrictions

EXHIBIT #2

Your attempt to prevent me from communicating with the Association and its Board Members lacks any legal foundation. Under Arizona Rule of Civil Procedure 1, all parties are entitled to fair and transparent proceedings, which includes the ability to communicate relevant updates to stakeholders. Additionally, ER 3.4 (Fairness to Opposing Party and Counsel) prohibits tactics that obstruct access to evidence or relevant information.

Case law such as *Marrese v. American Academy of Orthopaedic Surgeons*, 470 U.S. 373 (1985), reinforces the principle that restricting procedural fairness violates due process rights.

3. Failure to Honor Cease-and-Desist Requests

Despite my explicit request to cease and desist direct communication, you continue to send unsolicited emails and calls. This behavior constitutes harassment and raises concerns under both federal and state protections:

Arizona Revised Statutes (A.R.S.) § 12-1809(A) defines harassment as conduct that serves no legitimate purpose and causes substantial emotional distress.

Fair Housing Amendments Act (FHAA), 42 U.S.C. § 3617 prohibits retaliatory conduct that interferes with rights related to housing and discrimination.

Case law such as *Curtis v. Loether*, 415 U.S. 189 (1974), establishes that harassment in legal proceedings can constitute a violation of civil rights and due process.

4. Escalation of Litigation Abuse

Your behavior, including attempting to isolate the Association from critical updates and including unrelated parties, exacerbates an existing pattern of litigation abuse. Under A.R.S. § 12-349, litigation abuse, including harassment and bad faith conduct, can result in sanctions, including attorney fees.

Relevant case law:

In re Alexander, 472 F.3d 448 (7th Cir. 2006): Bad faith litigation conduct undermines the judicial process and warrants sanctions.

Chambers v. NASCO, Inc., 501 U.S. 32 (1991): The court has inherent authority to sanction conduct that abuses the judicial process.

My Position

1. Communication with the Association:

As required by law, I will continue to keep the Association informed about this case. These communications are necessary under the Arizona Rules of Civil Procedure to ensure transparency and procedural compliance. Your demand to restrict these communications is without merit and constitutes an attempt to obstruct the Association's rights to relevant information.

2. Cease-and-Desist Reminder:

I reiterate my demand that you cease and desist all further direct communications with me unless necessary under procedural rules. Your failure to comply with this request supports my claims of harassment and retaliation.

Conclusion

Your actions reflect a pattern of bad faith conduct that undermines the integrity of these proceedings. I am documenting this behavior for the record and will present this information to the court or relevant regulatory authorities as necessary. I trust you will address these issues promptly and adjust your conduct to align with the ethical and procedural standards required of legal professionals.

Sincerely,

Sandra Rodriguez

EXHIBIT #2

[Quoted text hidden]

Sandra Rodriguez v. Gardens Gilbert Community Association, Focus HOA Management, LLC

And Associates Anna Schultz, Harmin Cadis, and Brooke Sortor

Maricopa Superior Court Case No.: CV2024-005940

Appeals Court of Arizona (District One) Case No.: 1 CA-CV 24-0803

Supreme Court of Arizona Case No.: CV 24-0286-PR

EXHIBIT 3

EXHIBIT #3



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Rodriguez v. Gardens Gilbert - CV2024-005940

5 messages

Elizabeth Mundall <elizabeth@shawlines.com>

Tue, Dec 31, 2024 at 7:11 PM

To: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Cc: Augustus Shaw <ashaw@shawlines.com>, Diane Fincher <Diane@shawlines.com>

Good afternoon,

Attached please find Defendants Joint Report, Scheduling Order, Good Faith Certificate and Response to Motion or Judge to Recuse himself that were filed with the court today.

Thank you,

Liz Mundall

Paralegal

SHAW & LINES, LLC
4523 E. Broadway Road
Phoenix, Arizona 85040
Phone 480-456-1500
Fax 480-456-1515

www.shawlines.com

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4 attachments



Response to Motion For Judge to Recuse Himself and Stay Due to Second Notice of Appeal.pdf
344K

EXHIBIT #3

 **Defendant's Proposed Scheduling Order.pdf**
367K

 **Defendants Joint Report.pdf**
1368K

 **Good Faith Certificate - Scheduling Order-with Exhibits.pdf**
1694K

Elizabeth Mundall <elizabeth@shawlines.com>
To: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
Cc: Augustus Shaw <ashaw@shawlines.com>, Diane Fincher <Diane@shawlines.com>

Fri, Jan 3, 2025 at 4:51 PM

Good afternoon,

Attached please find Defendants Amended Good Faith Certificate and Response to Motion or Dismiss Defendant's Good Faith Certificate that was filed with the court today.

[Quoted text hidden]

 **Amended Good Faith Certificate re Scheduling Order.pdf**
1229K

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
To: Elizabeth Mundall <elizabeth@shawlines.com>
Cc: Augustus Shaw <ashaw@shawlines.com>, Diane Fincher <Diane@shawlines.com>
Bcc: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Fri, Jan 3, 2025 at 5:09 PM

Dear Elizabeth, Diane, and Augustus,

This correspondence serves as a formal reiteration of my previously issued cease and desist notice dated January 5, 2025, which explicitly required all future communication to occur solely through the court system and via U.S. Postal Service, in compliance with Arizona Rules of Civil Procedure.

Your continued disregard of this notice constitutes harassment and demonstrates a lack of good faith and transparency. If such actions persist, I will have no choice but to pursue legal remedies, including but not limited to filing for injunctive relief and reporting this conduct to the State Bar of Arizona.

This is your final opportunity to comply. Please direct any future communications strictly via the required channels as outlined.

Sincerely,

Sandra Rodriguez
[Quoted text hidden]

Augustus Shaw <ashaw@shawlines.com>
To: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>, Elizabeth Mundall <elizabeth@shawlines.com>
Cc: Diane Fincher <Diane@shawlines.com>, Brooke Sortor <brooke@focushoa.com>, Harman Cadis <harman@focushoa.com>

Fri, Jan 3, 2025 at 6:02 PM

Ms. Rodriguez,

EXHIBIT #3

By continuing to e-mail my client, my staff and me, you are violating your own request to cease and desist e-mail communications.

Therefore and for the record, my client, my staff and I will no longer engage in e-mail communications with you as you have demanded.

Also, your no-email demand should be discussed with the Court at the Hearing on Monday to ensure the Court knows of your no-email communication request. I ask that you reiterate your no-email demand with the Court at the Hearing.

As you have demanded, this will be the last e-mail communication between you, my client, my staff and me.

Augustus H. Shaw IV†*

Shaw & Lines, LLC

4523 E. Broadway Road

Phoenix, AZ 85040

Phone 480-456-1500

Fax 480-456-1515

e-mail ashaw@shawlines.com

web site www.shawlines.com

†Licensed in Arizona and Nebraska

*Faculty Associate - Arizona State University O'Connor College of Law

*Member, College of Community Association Lawyers

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THIS FIRM MAY ACT AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

[Quoted text hidden]

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Fri, Jan 3, 2025 at 6:14 PM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Elizabeth Mundall <elizabeth@shawlines.com>, Diane Fincher <Diane@shawlines.com>, Brooke Sortor

<brooke@focushoa.com>, Harman Cadis <harman@focushoa.com>

Bcc: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

EXHIBIT #3

Dear Mr. Shaw,

I am writing to clarify and address your recent email, particularly your assertions regarding my alleged violation of the cease-and-desist request, and to ensure all parties are operating within the scope of applicable federal, state, and county laws.

1. Cease and Desist Communications:

Under both federal and Arizona laws, such as the *Fair Debt Collection Practices Act (FDCPA)*, cease-and-desist requests require mutual adherence. While I respect your assertion of a violation, please be advised that any communication initiated by you or your staff after such a request is also considered a breach. I will present these communications to the Court for further review if necessary.

2. Obligations Under Arizona Law:

The *Arizona Rules of Civil Procedure* encourage parties to minimize unnecessary disputes and act in good faith during litigation. Your suggestion that I discuss the no-email communication request with the Court is noted, and I am prepared to address this at the upcoming hearing. However, any further communication or actions that could be perceived as harassment or intimidation may contravene Rule 11(b) or related rules under Arizona and federal law.

3. Judicial Considerations:

Your statement regarding my obligation to reiterate the no-email request in court appears procedural, yet I respectfully note that this is not a requirement under any applicable statute. I trust the Court will independently assess the situation based on the evidence presented.

4. Final Communication:

I acknowledge your indication that this will be your last email. As such, any additional communication from you, your client, or your staff will be documented and may be brought to the Court's attention as evidence of non-compliance with your own stated intentions.

Thank you for your attention to this matter, I look forward to resolving it appropriately within the judicial framework.

Sincerely,

Sandra Rodriguez

[Quoted text hidden]