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COMMONWEALTH OF MASSACHUSETTS

THE TRIAL COURT

SUPERIOR COURT DEPARTMENT

NORFOLK, ss.

Civil Action No. 2182CV01044

DANY ABOUELKHIER, Pro Se
By Special Appearance and Reservation of Rights
Petitioner,

v.

MARINA BAY RESIDENCES, LLC,
Plaintiff/Respondents,

v.

CALLAHAN, INC. and CUBE 3 STUDIO, LLC,
Defendants/Respondents.

**AFFIDAVIT OF DANY ABOUELKHIER IN SUPPORT OF EMERGENCY EX PARTE
MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY
INJUNCTION**

I, **Dany Abouelkhier**, hereby depose and state as follows:

1. I am the named Petitioner in this Emergency Ex Parte Motion for Temporary Restraining Order and Preliminary Injunction, which is filed under special appearance only.
2. I make this affidavit voluntarily and based on personal knowledge, under penalty of perjury.

3. I am a named plaintiff in a related putative class action case (Norfolk Superior Court Docket No. 2382CV00389) concerning construction defects and severe housing code violations at Meriel Marina Bay.

4. That case involves the same parties and properties associated with the Respondents in the present construction defect matter involving Callahan, Inc., Cube 3 Studio LLC, and numerous subcontractors.

5. Despite multiple complaints and injury reports, including injury to a minor living in the affected building, Respondents have failed to disclose their **Insurance** policies or fulfill their duties under **Standing Order 1-09** and **Mass. R. Civ. P. 26(b)(2)**.

6. I am also the subject of retaliatory unlawful litigation in a “severed” docket (Norfolk Superior Court Docket No. 2582CV00364), which was created to isolate my unlawful counterclaims and obstruct access to proper adjudication.

8. My filings in both the putative class action and severed case have been suppressed or undocketed, and Respondents and their legal counsel have continued to coordinate procedural harm against me and my family.

9. These procedural abuses appear designed to trigger default, block intervention, block appeal and conceal alleged **Insurance** fraud and coverage.

10. I am informed and believe that **Insurance** policies triggered by our claims—especially regarding toxic conditions and construction defects—have not been disclosed in any court, including this one, in violation of legal obligations.

11. I further state that the rights of a minor child—whose filings are also being suppressed—are directly impacted by this concealment, and that failure to enjoin these violations will cause irreparable harm.

12. I make this affidavit in full support of my Emergency Motion for TRO and Preliminary Injunction, and respectfully request the Court grant immediate relief without requiring notice to Respondents, as they have previously abused process to suppress filings.

13. I affirm that this motion is filed under special appearance only, with no waiver of jurisdiction, no consent to severance, and no estoppel of pending or future federal or SJC claims:

Signed under the pains and penalties of perjury this 28th day of July, 2025.

Respectfully submitted,

Dany Abouelkhier, Pro Se
By Special Appearance and Reservation of Rights

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Date: July 28th, 2025

/s/ Dany Abouelkhier
Dany Abouelkhier

CERTIFICATE OF SERVICE

I hereby certify that on July 28th, 2025 a copy of the foregoing was served electronically/U.S. mail on all counsel of record.

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By: Dany Abouelkhier

By Special Appearance and Reservation of Rights

/s/ Dany Abouelkhier

Dany Abouelkhier