

Docketed 11/14/2025

COMMONWEALTH OF MASSACHUSETTS

THE TRIAL COURT

SUPERIOR COURT DEPARTMENT

NORFOLK, ss.

Civil Action No. 2382CV00389

K.F., a Minor, by his Legal Guardian, Sandra Fernandez,
Filed Under Special Appearance and Reservation of Rights,
Movant,

v.

MARINA BAY RESIDENCES, LLC, BOZZUTO

MANAGEMENT CO., and DELANEY BARRETT,

Defendants,

NOTICE OF APPEAL

(Filed Under Special Appearance; No Waiver of Jurisdictional Objections)

Now comes K.F., a minor, by his legal guardian Sandra Fernandez, under special appearance only and with full reservation of all rights, and hereby notices an appeal to the Massachusetts Appeals Court pursuant to Mass. R. App. P. 3 and 4.

The minor appeals from:

1. **The Court's constructive/implicit denial** of the minor's pending motions to intervene, motions for protective orders, and Rule 23 class-related filings (Paper Nos. 88–88.7, 89–116.1, 127–131, 138–139.6, 143, 147–148.3), which remain unresolved but have been effectively denied by the Court's subsequent actions;

2. **Omnibus Procedural Orders Nos. 1 and 2**, which restructure this action in a manner that excludes the minor and extinguishes his pending motions, constituting a final adjudication as to him;

3. **All orders or administrative actions** treating the minor as a non-party while simultaneously moving the litigation forward in a manner inconsistent with his pending filings and rights under Mass. R. Civ. P. 17(c), 23, and 24.

These actions constitute **final, appealable determinations** as to the minor's rights because they conclusively determine his ability to participate in the action and materially prejudice his interests.

This Notice is filed **without submitting to jurisdiction** and preserves all federal, constitutional, and statutory rights.

Respectfully submitted,

K.F., a Minor, by his Legal Guardian, Sandra Fernandez,
Filed Under Special Appearance and Reservation of Rights,
Movant,

550 Liberty St. Unit 905
Braintree, MA 02184

Tel: (617) 806-6566

Email: sandreva14@yahoo.com

Date: November 13th, 2025

By: Sandra Fernandez

On Behalf of: K.F., a Minor, as his Legal Guardian, Pro Se,
Filed Under Special Appearance Only

/s/ Sandra Fernandez

Sandra Fernandez

CERTIFICATE OF SERVICE

I hereby certify that on November 13th, 2025 a copy of the foregoing was served electronically on all counsel of record.

DEFENDANT,
MARINA BAY RESIDENCES, LLC,
BY ITS ATTORNEYS,

Daniel P. Dain, BBO# 632411
Kate Moran Carter, BBO# 663202
Dain, Torpy, Le Ray, Wiest & Garner, P.C.
ddain@daintorpy.com
kcarter@daintorpy.com

Gregory P. Sapiro (*Pro Hac Vice*)
Raj Aujla (*Pro Hac Vice*)
Maynard Nexsen P.C.
gsapiro@maynardnexsen.com
raujla@maynardnexsen.com

DEFENDANTS,
BOZZUTO MANAGEMENT CO. and DELANEY BARRETT
BY THEIR ATTORNEYS,
Ted Papadopoulos, BBO# 671506
AMPS Law, P.C.
ted@ampslaw.com.

James Bragdon (*Pro Hac Vice*)
Gallagher Evelius & Jones LLP
Sangita Kannan (*Pro Hac Vice*)
jbragdon@gejlaw.com
skannan@gejlaw.com

SUBSTITUTED PLAINTIFF,
BETH MATERNA BY HER ATTORNEY
Jonathan D. Sweet, Esq.
Keches Law Group P.C.
jsweet@kecheslaw.com

PRO SE LITIGANT
Dany Abouelkhier
danyhaw@yahoo.com

PRO SE LITIGANT

By: Sandra Fernandez, Legal Guardian of K.F., a Minor
Filed Under Special Appearance and Reservation of All Rights,
Petitioner,

/s/ Sandra Fernandez
Sandra Fernandez