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METRO SOUTH
HOUSING COURT
2024 JUL 16 A 9:35

Tuesday, July 16, 2024

Metro South Housing Court - Canton Session
35 Shawmut Road
Canton, MA 02021

Re: Case Number 24H82SP01628

Dear Honorable Judge,

I am writing to respectfully request a 60-day extension of the eviction first-tier court date currently scheduled for July 23, 2024, at 11:00 AM, as well as an extension for the submission of our court answer or counterclaim. This request is made under the provisions of the Massachusetts Uniform Rules of Summary Process, which ensure fair process and adequate preparation for all parties involved.

This request is made due to the following compelling reasons:

1. **Unavailability of Key Leaseholder:** One of the primary leaseholders, Ahmed Naguib, has not yet been served with the eviction notice due to his absence. He is currently out of the country until September due to a severe family emergency. His house caught on fire while he was there, resulting in a devastating situation where his mother is now in critical condition in the ICU. The gravity of this emergency has made it impossible for him to return before September. His presence is crucial for a fair hearing, and without his involvement, we are unable to adequately prepare our defense.
2. **Absence of Other Key Leaseholder:** Another key leaseholder, Dany Abouelkhier, will not be available on the scheduled court date of July 23, 2024, as he will be out of the country on pre-planned business trips until the end of August. This absence will significantly impact the proceedings, as Mr. Abouelkhier holds essential information and testimonies pertinent to the case. His unavailability prevents us from mounting a comprehensive defense and ensuring that all relevant facts are presented to the court.
3. **Position for myself Without Attorney Representation:** I do not have an attorney to represent me, I haven't been able to find an attorney due to being the summer holidays and I need additional time to either find an attorney or prepare my case as a pro se litigant. The complexities of this case, combined with the unavailability of key individuals, necessitate this extension.

Additionally, this case is being heard in Norfolk Superior Court as part of a class action lawsuit where the leaseholder, Dany Abouelkhier, is the plaintiff suing the building owners and management. The class action addresses significant issues related to water penetration, structural damage, and microbial mold growth at the "Meriel Marina Bay" residences. Under Massachusetts General Laws Chapter 93A, the class action seeks remedies for unfair and deceptive practices by the owners and management. Given the nature of this lawsuit, there is a potential conflict of interest and legal question regarding the propriety of the eviction proceedings initiated against us while we are actively involved in litigation against the owners

7/23/24 - Denied after hearing.
Serving J. [unclear]

and management for issues directly related to our unit and the building. It is crucial to determine the legality of these concurrent proceedings to ensure fairness and justice.

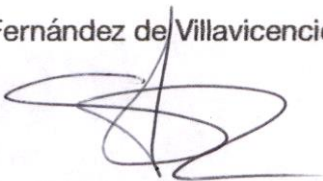
Furthermore, granting this extension will not adversely affect the building owners or the management company. The building is owned by Hines (Marina Bay Residences LLC), a \$96 billion company, and managed by Bozzuto Residences, LLC, a well-established and large management company. Given the scale and resources of both the owner and the management company, the extension of this single apartment eviction will not have a significant impact on their operations or financial stability. Unlike small landlords who may urgently need their property to be vacated, these entities have the capacity to accommodate such a delay without any substantial detriment.

Therefore, I respectfully request that the court grant a 60-day extension for all involved parties to be able to answer the court, file counterclaims, request a jury trial, and engage in discovery once the leaseholders are back and have been properly served. This extension will ensure due process is followed and that all parties have the opportunity to participate fully in the proceedings, thereby ensuring a fair and just hearing.

Additionally, I request that the court order the opposite party to provide proof of certified mail sent to all the leaseholders, as they state, since we have not received either the 30-day notice or the eviction process via certified mail.

I appreciate your understanding and consideration of this request. Please do not hesitate to contact me at 617-806-6566 or via email at Sandreva14@yahoo.com if you require any further information or documentation.

Sandra Fernández de Villavicencio Frommer

A handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke at the bottom, positioned below the typed name.