

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

SUPERIOR COURT
DOCKET # 2577CV01253

K. F., a minor, by his mother,	)
SANDRA FERNANDEZ DE VILLAVICENCIO,	)
and SANDRA FERNANDEZ DE VILLAVICENCIO,	)
individually	)
	)
<i>Plaintiffs,</i>	)
	)
v.	)
	)
CUBE 3 STUDIO LLC,	)
	)
<i>Defendant</i>	)

**DEFENDANT CUBE 3 STUDIO LLC'S
PARTIAL MOTION FOR JUDGMENT ON THE PLEADINGS**

Defendant Cube 3 Studio LLC ("Cube 3") respectfully moves for partial judgment on the pleadings pursuant to Mass. R. Civ. P. 12(c). Even when all factual allegations in the Complaint are accepted as true, the Complaint does not establish a basis sufficient to constitute any cause of action in Counts IV, V or VI.

WHEREFORE, Defendant Cube 3 requests that this Court:

1. Grant its Motion for Judgment on the Pleadings and enter judgment as a matter of law in its favor on Counts IV, V, and IV of the Complaint;
2. Grant such further relief as this Court deems just and appropriate.

CUBE 3 REQUESTS A HEARING ON THIS MOTION.

Date: January 20, 2026

Respectfully submitted,
The Defendant,
Cube 3 Studio LLC
By its Attorneys,

/s/ Michael P. Schaefer
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CERTIFICATE OF SERVICE

I hereby certify that on January 20, 2026, I served a true and accurate copy of the foregoing document upon the named plaintiffs via email and first-class mail as follows:

Sandra Fernandez De Villavicencio, *Individually*
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/s/ Michael Schaefer
Michael Schaefer