

Docketed 06/10/2026

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

SUPERIOR COURT DEPARTMENT
Civil Action No.: 2582CV00364

DANY ABOUELKHIER and SANDRA
FERNANDEZ, *Pro Se*

Plaintiff,

v.
MARINA BAY RESIDENCES, LLC,
BOZZUTO MANAGEMENT CO., and
DELANEY BARRETT,

Defendants.

**AFFIDAVIT OF DANIEL P. DAIN IN SUPPORT OF MARINA BAY RESIDENCES, LLC'S
MOTION TO COMPEL POST-JUDGMENT DISCOVERY**

I, Daniel P. Dain, do hereby depose and state the following:

1. I am counsel to defendant Marina Bay Residences, LLC in this case and submit this Affidavit in support of its Motion to Compel Post-Judgment Discovery from Plaintiff Dany Abouelkhier.
2. On February 17, 2026, this Court entered Judgment in favor of the Defendants on all claims, including on Marina Bay's counterclaim against Abouelkhier for breach of contract.
3. On March 2, 2026, under Mass. R. Civ. P. 69 and 30, my office served Combined Interrogatories and Document Requests in Aid of Post-Judgment Execution, as well as a Notice of Deposition in Aid of Execution, on Abouelkhier by email. A true and correct copy of the discovery and deposition notice are attached at **Tab A**.
4. Under Mass. R. Civ. P. 34(b)(2)(a), Abouelkhier's responses to the document requests and interrogatories were due on April 6 and April 21, respectively.
5. His deposition was noticed for April 29, 2026.

6. Abouelkhier did not respond to the discovery requests or appear for the deposition. Instead, on April 22, 2026, Abouelkhier emailed counsel for the Defendants stating that he had “only recently become aware” of the March 2 email transmitting the discovery requests¹ and requesting that Marina Bay indefinitely stay post-judgment discovery while he pursued efforts to vacate the Judgment. A true and accurate copy of that email is attached at **Tab B**.

7. That same day, I agreed to extend the discovery deadlines in light of a death in Abouelkhier’s family but declined to suspend discovery altogether and instead requested alternative dates in May for Abouelkhier’s compliance with his discovery obligations. A true and accurate copy of that email is attached at **Tab C**.

8. On May 1, Abouelkhier responded stating that he would follow up regarding the outstanding discovery and deposition scheduling by May 4 but failed to do so. A true and accurate copy of that email is attached at **Tab D**.

9. On May 9, I followed up again requesting dates by which Abouelkhier would provide responses and appear at our office for his deposition. A true and accurate copy of that email is attached at **Tab E**.

10. Abouelkhier did not respond.

11. As of the filing of this Motion, Abouelkhier has not answered the interrogatories, produced documents, or provided dates for his deposition.

¹ Marina Bay notes that it served the post-Judgment discovery using the same email address through which it has communicated with Mr. Abouelkhier for nearly two years in this matter and the related cases pending in the Superior Court and Appeals Court. That same email address has also been used by Abouelkhier on all of his filings in this case and the related matters.

Signed this 20th day of May 2026 under the pains and penalties of perjury by:

/s/ Daniel P. Dain
Daniel P. Dain

TAB A

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

SUPERIOR COURT DEPARTMENT
Civil Action No.: 2582CV00364

DANY ABOUELKHIER and SANDRA
FERNANDEZ, *Pro Se*

Plaintiff,

v.

MARINA BAY RESIDENCES, LLC,
BOZZUTO MANAGEMENT CO., and
DELANEY BARRETT,

Defendants.

**MARINA BAY RESIDENCES, LLC'S COMBINED
INTERROGATORIES AND DOCUMENT REQUESTS IN AID OF POST-JUDGMENT EXECUTION**

Under Mass. R. Civ. P. 69, 26, 33, and 34, and Superior Court Rule 30A, Defendant Marina Bay Residences, LLC serves the following Combined Document Requests and Interrogatories in Aid of Execution on Dany Abouelkhier. After a judgment has been entered against a party for money damages, Massachusetts Rule of Civil Procedure 69 allows the winning party to ask questions, request documents, and use other tools (collectively called “discovery”), to find out what assets or other resources the losing party has that could be used to satisfy the judgment. The following questions and requests are being sent under Rule 69 to help identify and locate any such assets in aid of enforcing the judgment.

Abouelkhier shall serve answers to the interrogatories within forty-five (45) days of service of these combined requests and shall respond to the requests for production of documents within thirty (30) days of such service. All responses and responsive documents shall be served upon Daniel Dain or Kate Moran Carter at Dain, Torpy, Le Ray, Wiest & Garner, P.C., 175

Federal Street, Suite 1500, Boston, Massachusetts 02110, in accordance with all applicable Rules and the Definitions and Instructions set forth below.

DEFINITIONS AND INSTRUCTIONS

1. All definitions under Superior Court Rule 30A(1)(c) are incorporated herein by reference, including:
 - a. **Communication.** The term “communication” means the transmittal of information (in the form of facts, opinions, ideas, inquiries, or otherwise).
 - b. **Document.** The term “document” is defined to be synonymous in meaning and equal in scope to the usage of this term in Mass. R. Civ. P. 34 (a). An earlier draft is a separate document within the meaning of this term.
 - c. **Identify (With Respect to Persons).** When referring to a natural person, to “identify” means to give, to the extent known, the person's (a) full name, (b) present or last known address, and (c) the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
 - d. **Identify (With Respect to Entities).** When referring to an entity, to “identify” means to give, to the extent known, (a) the entity's full name, including (when not apparent from the name) the nature of the entity, e.g. corporation, limited liability corporation, partnership, or professional corporation, (b) present or last known address of its headquarters or principal place of business, and (c) the state in which the entity is incorporated or otherwise created. Once an entity has been identified in accordance with this subparagraph, only the name of that entity need be listed in response to subsequent discovery requesting the identification of that entity.
 - e. **Identify (With Respect to Documents).** When referring to documents, to “identify” means to give, to the extent known: (a) the type of document; (b) the general subject matter; (c) the date of the document; (d) the author or authors, according to the document; and (e) the persons to whom, according to the document, the document (or a copy) was to have been sent.
 - f. **Parties.** The term “plaintiff” or “defendant,” as well as a party’s full or abbreviated name or a pronoun referring to a party, mean the party and, where applicable, its officers, directors, employees, partners, corporate parent, and subsidiaries. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.
 - g. **Person.** The term “person” means any natural person or any business, legal, or governmental entity.

- h. **Concerning.** The term “concerning” means referring to, describing, offering evidence of, or constituting.
 - i. **State the Basis or State all Facts.** When an interrogatory calls upon a party to “state the basis” of or “state all facts” concerning a particular claim, allegation, or defense (or uses comparable language), the party shall provide a substantial summary of the factual basis supporting the claim, allegation, or defense at the time the interrogatory is answered. The summary shall: (a) identify the essential acts or failures to act forming the substance of the claim, allegation, or defense, (b) identify the persons and entities that, through firsthand information or possession of documents, are the sources of the party's information regarding the claim, allegation, or defense, and (c) when one or more documents is the basis of the claim, allegation, or defense, such as a written contract in a contractual claim or defense, or a written misrepresentation in a misrepresentation claim, identify (or provide as part of the interrogatory answer a copy of) each such document. In stating the basis, a party may not withhold information from the interrogatory answer because it derives from attorney work product or was obtained in anticipation of litigation if the party intends to offer this information at trial.
2. The terms “**you**” and “**your**” refer to Plaintiff Dany Abouelkhier, and include, without limitation, any counsel or any other representative of plaintiff whenever the context permits.
3. The term “**Action**” means and refers to the above-captioned action, filed in the Norfolk County Superior Court, entitled *Dany Abouelkhier and Sandra Fernandez v. Marina Bay Residences, LLC et al.*, C.A. No. 2582CV00364.
4. The term “**Judgment**” means and refers to the Court’s February 17, 2026 endorsement and order on Marina Bay Residences’ Motion to Dismiss in this Action.
5. If a document or response provided in connection with these requests contains a Social Security number, you may redact or strike through the Social Security number prior to production. You must still provide the rest of the requested information or document.
6. You must respond to each request in accordance with Massachusetts Rules of Civil Procedure 26, 33, and 34 and Superior Court Rule 30A, as applicable.
7. These requests are ongoing in nature, and in the event you become aware of or acquire in your possession, custody, or control any additional responsive documents or information, you are requested promptly to produce such additional documents or information for inspection and copying.

INTERROGATORIES

1. **Residential Information.** State your current residential address and the length of time you have lived there, as well as all other residential addresses where you have lived in the past five (5) years, including the dates you lived at each address.

2. **Employment Information.** With regard to your current employment, please state the following:

- a. Your current employer's name, address, and telephone number;
- b. Your job title and duties;
- c. Your supervisor's name;
- d. The date you began your current employment;
- e. Your current gross salary or wages (per hour, week, month, or year);
- f. Your current net take-home pay;
- g. The frequency of your pay periods (weekly, bi-weekly, monthly);
- h. All benefits you receive from employment (health insurance, retirement contributions, vehicle allowance, etc.) and the value of such benefits.

3. **Unemployment Information.** If you are not currently employed, state:

- a. When you were last employed;
- b. The name and address of your last employer;
- c. Your reason for leaving that employment;
- d. Whether you are currently seeking employment;
- e. All sources of income you currently receive, including but not limited to:
 - i. Unemployment benefits;
 - ii. Disability benefits;
 - iii. Social Security benefits;
 - iv. Pension or retirement income;
 - v. Rental income;
 - vi. Investment income;
 - vii. Gifts or financial support from others;
 - viii. Any other source of income.

4. **Assets.** Identify all assets you own or control, whether tangible or intangible, providing details for each category below:

- a. Bank Accounts: List all checking, savings, brokerage, and cryptocurrency accounts. For each, include the institution name, account type, account number (last four digits), account holder(s), and current balance.
- b. Credit Cards and Other Lines of Credit: List all credit cards, charge accounts, or other lines of credit you currently hold or have held in the past five (5) years. For each, provide the issuing institution, account number (last four digits), account holder(s), current balance, and credit limit.
- c. Investments: List all stocks, bonds, mutual funds, retirement accounts, or other investment assets. Include account numbers (last four digits), account holder(s), and current value.
- d. Real Estate: Identify all real property in which you have any legal or equitable interest, including the address, type of ownership, and estimated value.
- e. Vehicles: Identify all motor vehicles, boats, motorcycles, or recreational vehicles you own or control, including make, model, year, VIN, and estimated value.
- f. Business Interests: Identify any business entity in which you have ownership or financial interest, including the name, address, nature of the business, and percentage of ownership.
- g. Other Assets: Identify any other tangible or intangible property with a value greater than \$1,000 not already listed, including but not limited to artwork, collectibles (coins, stamps, antiques), furs, foreign currencies, jewelry, electronics and computers, firearms, tools and equipment, or any other valuable items.

And for each item or category of items state:

- i. A description of the item(s);
- ii. The current location of the item;
- iii. The estimated fair market value of the item;
- iv. Whether the item is subject to any lien or security interest, and if so, the lienholder's name and the amount owed.

5. **Monthly Expenses.** State your total monthly expenses, itemizing:

- a. Housing (e.g., rent or mortgage payment);
- b. Utilities (e.g., electric, gas, water, trash, sewer, etc.);
- c. Food and groceries;

- d. Transportation (e.g., car payment, gas, insurance, maintenance, etc.);
- e. Insurance (e.g., health, life, disability, etc.);
- f. Medical and dental expenses;
- g. Child care;
- h. Child support or alimony paid;
- i. Clothing;
- j. Entertainment and recreation;
- k. Phone, internet, and cable and/or streaming services;
- l. Loans and credit card payments;
- m. Any other expenses.

6. **Expected Future Payments.** State whether you anticipate receiving any funds, property, or assets in the future from any source, including but not limited to:

- a. Inheritances;
- b. Lawsuit settlements or judgments;
- c. Tax refunds;
- d. Bonuses or commissions;
- e. Gifts;
- f. Sale of property;
- g. Retirement distributions;
- h. Insurance proceeds;
- i. Any other source.

And for each anticipated receipt state:

- i. The source;
- ii. The estimated amount or value; and
- iii. When you expect to receive it.

7. **Asset Transfer Information.** Since January 1, 2025, identify and provide a complete accounting of all transfers, sales, or other ways you have given away or disposed of any assets, except for normal household or personal expenses (e.g., rent, groceries, utilities, etc.). For each transfer, provide:

- a. The date of the transfer;
- b. A description of the asset;
- c. The fair market value of the asset at the time of the transfer;
- d. The recipient of the transfer and their relationship to you, if any;
- e. The purpose or consideration for the transfer; and
- f. Any documents or records reflecting the transfer, including agreements, receipts, bank statements, or other supporting evidence.

8. **Litigation Information.** Aside from this Action, state whether you are currently involved in, or have pending, any litigation, claims, or potential claims, including cases you have filed or in which you are a defendant. For each, provide the following information:

- a. The type of claim or lawsuit, including but not limited to:
 - i. Contract claims;
 - ii. Personal injury claims;
 - iii. Employment claims;
 - iv. Insurance claims;
 - v. Warranty claims;
 - vi. Inheritance or trust distributions;
 - vii. Any other type of claim or lawsuit.
- b. And for each claim or lawsuit, provide:
 - i. The nature of the claim or lawsuit;
 - ii. The identity of all parties involved (plaintiffs and defendants);
 - iii. The court and case number;
 - iv. The estimated value of the claim or lawsuit;
 - v. Whether you have retained an attorney; and

- vi. The current status of the claim or lawsuit (e.g., pending, settled, judgment entered).

9. State whether any person or entity is holding money or property on your behalf, and if so, identify who is holding it and their contact information, what is being held, and where it is located.

10. If you contend that you are unable to pay the Judgment in full, state:

- a. Why you are unable to pay the Judgment;
- b. The amount you could pay immediately;
- c. What payment arrangement you propose to satisfy the Judgment; and
- d. All facts supporting your contention that you are unable to pay the Judgment.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. Produce copies of your federal and state income tax returns (including all schedules, attachments, and W-2 and/or 1099 forms) for the past five (5) years.

2. Produce copies of all pay stubs, earning statements, or other documents showing your income from employment for the past twelve (12) months.

3. Produce copies of all documents concerning any disability, workers' compensation, Social Security, unemployment, or other government benefits you receive, including but not limited to award letters, benefit statements, and direct deposit records.

4. Produce copies of all bank statements for all accounts identified in response to Interrogatory No. 4(a) for the past twelve (12) months.

5. Produce copies of all credit card statements for all credit cards identified in your response to Interrogatory No. 4(b) for the past twelve (12) months.

6. Produce copies of all documents reflecting any lines of credit, charge accounts, credit agreements, or other sources of borrowing identified in your response to Interrogatory No. 4(b) for the past twelve (12) months.

7. Produce all documents, including statements, agreements, trade confirmations, tax forms, and other records, evidencing or relating to all stocks, bonds, mutual funds, retirement accounts, or other investment assets identified in your response to Interrogatory No. 4(c).

8. Produce all documents reflecting ownership of any real property identified in your response to Interrogatory No. 4(d).

9. Produce all certificates of title or registration for any vehicles identified in your response to Interrogatory No. 4(e).

10. Produce all documents reflecting ownership interests in any business entity identified in your response to Interrogatory No. 4(f).

11. All documents reflecting any debts owed to you by any person or entity.

12. All documents reflecting assets with a value exceeding \$1,000 not otherwise identified above.

13. Produce copies of all documents concerning any pending or anticipated inheritance you may receive.

14. Produce copies of all insurance policies you own or in which you have an interest, including but not limited to:

- a. Homeowner's or renter's insurance;
- b. Automobile insurance;
- c. Umbrella liability insurance;
- d. Disability insurance;
- e. Health insurance;
- f. Life insurance.

15. Produce all documents and communications relating to any pending or threatened litigation, claims, or administrative proceedings in which you are or have been a party, claimant, or respondent, including but not limited to complaints, petitions, answers, pleadings, correspondence, settlement agreements, or any other documents reflecting rights to payment or potential recovery.

16. If you contend that you are unable to pay the Judgment in full, produce copies of all documents that support that claim or that support any proposed payment arrangement.

Respectfully submitted by:

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

/s/ Daniel P. Dain

Daniel P. Dain, BBO# 632411
Kate Moran Carter, BBO# 663202
Sarah J. McHale, BBO# 715473
Dain, Torpy, Le Ray, Wiest & Garner, P.C.
175 Federal Street, Suite 1500
Boston, MA 02110
ddain@daintorpy.com
kcarter@daintorpy.com
smchale@daintorpy.com
P: (617) 542-4800
F: (617) 542-4808

- and -

/s/ Gregory P. Sapire

Gregory P. Sapire (*Pro Hac Vice*)
Raj Aujla (*Pro Hac Vice*)
Maynard Nexsen P.C.
2500 Bee Caves Rd., Bldg. 1, Ste. 150
Austin, TX 78746
gsapire@maynardnexsen.com
raujla@maynardnexsen.com
P: (512) 969-6540
F: (512) 359-7996

Dated: March 2, 2026

CERTIFICATE OF SERVICE

I, Daniel P. Dain, do hereby certify that on this 2nd day of March, 2026 I served a copy of
the foregoing document by email upon:

Dany Abouelkhier
danytaw@yahoo.com
Pro Se

Sandra Fernandez
sandrev14@yahoo.com
Pro Se

Ted Papadopoulos, Esq.
AMPS Law, P.C.
ted@ampslaw.com

and

James Bragdon, Esq.
Sangeetha Kannan, Esq.
Gallagher Evelius & Jones LLP
jbragdon@gallagherllp.com
skannan@gallagherllp.com
Counsel for Bozzuto Management Co. and Delaney Barrett

/s/ Daniel P. Dain

Daniel P. Dain

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT

NORFOLK, ss

SUPERIOR COURT DEPARTMENT
Civil Action No.: 2582CV00364

DANY ABOUELKHIER and SANDRA
FERNANDEZ, *Pro Se*

Plaintiff,

v.

MARINA BAY RESIDENCES, LLC,
BOZZUTO MANAGEMENT CO., and
DELANEY BARRETT,

Defendants.

NOTICE OF DEPOSITION OF DANY ABOUELKHIER IN AID OF EXECUTION

Please take notice that, under Rules 69 and 30 of the Massachusetts Rules of Civil Procedure, Dany Abouelkhier is required to appear for a deposition upon oral examination by counsel for Marina Bay Residences, LLC as follows:

Date: April 29, 2026

Time: 10:00 AM

Location: The offices of Dain Torpy, 175 Federal Street, Suite 1500, Boston, MA 02110

This deposition is being taken in aid of execution of the Superior Court's February 17 Judgment in favor of Marina Bay Residences on all claims and counterclaims. You will be placed under oath before a notary public or other officer authorized to administer oaths. The deposition will continue from day to day until completed.

Respectfully submitted by:

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

/s/ Daniel P. Dain

Daniel P. Dain, BBO# 632411
Kate Moran Carter, BBO# 663202
Sarah J. McHale, BBO# 715473
Dain, Torpy, Le Ray, Wiest & Garner, P.C.
175 Federal Street, Suite 1500
Boston, MA 02110
ddain@daintorpy.com
kcarter@daintorpy.com
smchale@daintorpy.com
P: (617) 542-4800
F: (617) 542-4808

- and -

/s/ Gregory P. Sapire

Gregory P. Sapire (*Pro Hac Vice*)
Raj Aujla (*Pro Hac Vice*)
Maynard Nexsen P.C.
2500 Bee Caves Rd., Bldg. 1, Ste. 150
Austin, TX 78746
gsapire@maynardnexsen.com
raujla@maynardnexsen.com
P: (512) 969-6540
F: (512) 359-7996

Dated: March 2, 2026

CERTIFICATE OF SERVICE

I, Daniel P. Dain, do hereby certify that on this 2nd day of March, 2026 I served a copy of the foregoing document by email upon:

Dany Abouelkhier
danytaw@yahoo.com
Pro Se

Sandra Fernandez
sandrev14@yahoo.com
Pro Se

Ted Papadopoulos, Esq.
AMPS Law, P.C.
ted@ampslaw.com

and

James Bragdon, Esq.
Sangeetha Kannan, Esq.
Gallagher Evelius & Jones LLP
jbragdon@gallagherllp.com
skannan@gallagherllp.com
Counsel for Bozzuto Management Co. and Delaney Barrett

/s/ Daniel P. Dain
Daniel P. Dain

TAB B

From: [Dany Abouelkhier](#)
To: [Rachel Fistori](#)
Cc: [Daniel P. Dain](#); [Kate Carter](#); [Sarah McHale](#); [gsapire@maynardnexus.com](#); [Rai Auila](#); [Davis Clark](#); [Max Mendel](#); [sandra fernandez](#); [Ted Papadopoulos](#); [James D. Bragdon](#); [Sangeetha Kannan](#)
Subject: Re: Dany Abouelkhier vs. Marina Bay Residences, LLC et al // 2582CV00364
Date: Wednesday, April 22, 2026 1:56:56 AM

External Email:

Good evening,

I have only recently become aware of your March 2, 2026 correspondence and the materials served with it, and I have not had an opportunity to review them in detail.

At present, I am dealing with a death in my family and related international travel, which has limited my ability to address these matters.

In addition, there are pending proceedings and related appellate matters concerning the procedural posture of this action, including the severance that gave rise to this docket.

Under these circumstances, I am not in a position to address the matters raised in your correspondence at this time.

I would ask that the noticed deposition and the served materials be held in abeyance for the time being while these issues are addressed.

Nothing in this communication should be construed as a waiver of any rights, objections, or positions.

I will provide an update as appropriate.

Best regards,
Dany Abouelkhier

On Mar 2, 2026, at 2:38 PM, Rachel Fistori <rfistori@daintorpy.com> wrote:

Mr. Abouelkhier:

Please see the attached in connection with the above-referenced matter. Thank you.

Best,

Rachel Fistori
<[image001.jpg](#)>

Dain, Torpy, Le Ray, Wiest & Garner, P.C.
175 Federal Street, Suite 1500
Boston, MA 02110
Direct: 617-542-4886
Firm: 617-542-4800
Fax: 617-542-4808
rfistori@daintorpy.com
www.daintorpy.com

<Notice of Deposition in Aid of Execution (D. Abouelkhier).pdf>
<MBR Combined Post-Judgment Ints and Doc Requests.pdf>

TAB C

From: Daniel P. Dain
To: Dany Abouelkhier; Rachel Fistori
Cc: Kate Carter; Sarah McHale; gsapire@maynardnexsen.com; Raj Aujla; Davis Clark; Max Mendel; sandra fernandez; Ted Papadopoulos; James D. Bragdon; Sangeetha Kannan; Daniel P. Dain
Subject: RE: Dany Abouelkhier vs. Marina Bay Residences, LLC et al // 2582CV00364
Date: Wednesday, April 22, 2026 11:22:09 PM

Mr. Abouelkhier:

I am very sorry to hear about the death in your family.

To change the date of the hearing, you will need to file a motion with the court. I can only speak for Marina Bay Residences and not for the other defendants, but if you file such a motion, you can tell the court that MBR will not oppose it.

As for the discovery served on you, such discovery does not get stayed during an appeal. You have a legal obligation to produce the documents that MBR requested, to answer the interrogatories, and to appear for a deposition. MBR is sympathetic regarding the death in the family, so is amenable to rescheduling the due dates if you provide us with reasonable alternative dates for your compliance with these obligations in May after your return from abroad.

Best, Dan

DANIEL P. DAIN



Dain, Torpy, Le Ray, Wiest & Garner, P.C.

175 Federal Street, Suite 1500

Boston, MA 02110

Direct: 617-542-4850

Firm: 617-542-4800

ddain@daintorpy.com

www.daintorpy.com



From: Dany Abouelkhier <danytaw@yahoo.com>

Sent: Wednesday, April 22, 2026 1:57 AM

To: Rachel Fistori <rfistori@daintorpy.com>

Cc: Daniel P. Dain <ddain@daintorpy.com>; Kate Carter <kcarter@daintorpy.com>; Sarah McHale <smchale@daintorpy.com>; gsapire@maynardnexsen.com; Raj Aujla <RAujla@maynardnexsen.com>; Davis Clark <DClark@maynardnexsen.com>; Max Mendel <mmendel@maynardnexsen.com>; sandra fernandez <sandrea14@yahoo.com>; Ted Papadopoulos <ted@amplaw.com>; James D. Bragdon <jbragdon@gallagherllp.com>; Sangeetha

Kannan <skannan@gallagherllp.com>

Subject: Re: Dany Abouelkhier vs. Marina Bay Residences, LLC et al // 2582CV00364

External Email

Good evening,

I have only recently become aware of your March 2, 2026 correspondence and the materials served with it, and I have not had an opportunity to review them in detail.

At present, I am dealing with a death in my family and related international travel, which has limited my ability to address these matters.

In addition, there are pending proceedings and related appellate matters concerning the procedural posture of this action, including the severance that gave rise to this docket.

Under these circumstances, I am not in a position to address the matters raised in your correspondence at this time.

I would ask that the noticed deposition and the served materials be held in abeyance for the time being while these issues are addressed.

Nothing in this communication should be construed as a waiver of any rights, objections, or positions.

I will provide an update as appropriate.

Best regards,
Dany Abouelkhier

On Mar 2, 2026, at 2:38 PM, Rachel Fistori <rfistori@daintorpy.com> wrote:

Mr. Abouelkhier:

Please see the attached in connection with the above-referenced matter. Thank you.

Best,

Rachel Fistori
<image001.jpg>

Dain, Torpy, Le Ray, Wiest & Garner, P.C.
175 Federal Street, Suite 1500
Boston, MA 02110

Direct: 617-542-4886
Firm: 617-542-4800
Fax: 617-542-4808
rfistori@daintorpy.com
www.daintorpy.com

<Notice of Deposition in Aid of Execution (D. Abouelkhier).pdf>

<MBR Combined Post-Judgment Ints and Doc Requests.pdf>

TAB D

From: [Dany Abouelkhier](#)
To: [Daniel P. Dain](#)
Cc: [Rachel Fistori](#); [Kate Carter](#); [Sarah McHale](#); [gsapire@maynardnexsen.com](#); [Raj Auila](#); [Davis Clark](#); [Max Mendel](#); [sandra fernandez](#); [Ted Papadopoulos](#); [James D. Bragdon](#); [Sangeetha Kannan](#); [Daniel P. Dain](#)
Subject: Re: Dany Abouelkhier vs. Marina Bay Residences, LLC et al // 2582CV00364
Date: Friday, May 1, 2026 2:04:43 PM

External Email:

Counsel,

Regarding the noticed deposition and related discovery, I will follow up on Monday.

Best regards,
Dany Abouelkhier

On Apr 22, 2026, at 11:22 PM, Daniel P. Dain <ddain@daintorpy.com> wrote:

Mr. Abouelkhier:

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As for the discovery served on you, such discovery does not get stayed during an appeal. You have a legal obligation to produce the documents that MBR requested, to answer the interrogatories, and to appear for a deposition. MBR is sympathetic regarding the death in the family, so is amenable to rescheduling the due dates if you provide us with reasonable alternative dates for your compliance with these obligations in May after your return from abroad.

Best, Dan

DANIEL P. DAIN

<image001.jpg>

Dain, Torpy, Le Ray, Wiest & Garner, P.C.

175 Federal Street, Suite 1500
Boston, MA 02110
Direct: 617-542-4850
Firm: 617-542-4800

ddain@daintorpy.com

www.daintorpy.com

<image002.jpg>

From: Dany Abouelkhier <danytao@yahoo.com>

Sent: Wednesday, April 22, 2026 1:57 AM

To: Rachel Fistori <rfistori@daintorpy.com>

Cc: Daniel P. Dain <ddain@daintorpy.com>; Kate Carter <kcarter@daintorpy.com>; Sarah McHale <smchale@daintorpy.com>; gsapire@maynardnexsen.com; Raj Aujla <RAujla@maynardnexsen.com>; Davis Clark <DClark@maynardnexsen.com>; Max Mendel <mmendel@maynardnexsen.com>; sandra fernandez <sandrea14@yahoo.com>; Ted Papadopoulos <ted@ampslaw.com>; James D. Bragdon <jbragdon@gallagherllp.com>; Sangeetha Kannan <skannan@gallagherllp.com>

Subject: Re: Dany Abouelkhier vs. Marina Bay Residences, LLC et al // 2582CV00364

External Email

Good evening,

I have only recently become aware of your March 2, 2026 correspondence and the materials served with it, and I have not had an opportunity to review them in detail.

At present, I am dealing with a death in my family and related international travel, which has limited my ability to address these matters.

In addition, there are pending proceedings and related appellate matters concerning the procedural posture of this action, including the severance that gave rise to this docket.

Under these circumstances, I am not in a position to address the matters raised in your correspondence at this time.

I would ask that the noticed deposition and the served materials be held in abeyance for the time being while these issues are addressed.

Nothing in this communication should be construed as a waiver of any rights, objections, or positions.

I will provide an update as appropriate.

Best regards,
Dany Abouelkhier

On Mar 2, 2026, at 2:38 PM, Rachel Fistori <rfistori@daintorpy.com>
wrote:

Mr. Abouelkhier:

Please see the attached in connection with the above-referenced matter.
Thank you.

Best,

Rachel Fistori
<image001.jpg>

Dain, Torpy, Le Ray, Wiest & Garner, P.C.
175 Federal Street, Suite 1500
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Direct: 617-542-4886
Firm: 617-542-4800
Fax: 617-542-4808
rfistori@daintorpy.com
www.daintorpy.com

<Notice of Deposition in Aid of Execution (D. Abouelkhier).pdf>
<MBR Combined Post-Judgment Ints and Doc Requests.pdf>

TAB E

From: [Daniel P. Dain](#)
To: [Dany Abouelkhier](#)
Cc: [Rachel Fistori](#); [Kate Carter](#); [Sarah McHale](#); [gsapire@maynardnexsen.com](#); [Raj Aujla](#); [Davis Clark](#); [Daniel P. Dain](#); [Max Mendel](#); [sandra fernandez](#); [Ted Papadopoulos](#); [James D. Bragdon](#); [Sangeetha Kannan](#)
Subject: RE: Dany Abouelkhier vs. Marina Bay Residences, LLC et al // 2582CV00364
Date: Saturday, May 9, 2026 4:22:24 PM

Dany,

Please get us dates this month when we can expect responses to our request for documents and answers to our interrogatories, as well as a date for your deposition.

DANIEL P. DAIN



DAIN | TORPY

Dain, Torpy, Le Ray, Wiest & Garner, P.C.

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Boston, MA 02110

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From: Dany Abouelkhier <danytao@yahoo.com>

Sent: Friday, May 1, 2026 2:03 PM

To: Daniel P. Dain <ddain@daintorpy.com>

Cc: Rachel Fistori <rfistori@daintorpy.com>; Kate Carter <kcarter@daintorpy.com>; Sarah McHale <smchale@daintorpy.com>; gsapire@maynardnexsen.com; Raj Aujla <RAujla@maynardnexsen.com>; Davis Clark <DClark@maynardnexsen.com>; Max Mendel <mmendel@maynardnexsen.com>; sandra fernandez <sandeva14@yahoo.com>; Ted Papadopoulos <ted@ampslaw.com>; James D. Bragdon <jbragdon@gallagherllp.com>; Sangeetha Kannan <skannan@gallagherllp.com>; Daniel P. Dain <ddain@daintorpy.com>

Subject: Re: Dany Abouelkhier vs. Marina Bay Residences, LLC et al // 2582CV00364

External Email:

Counsel,

Regarding the noticed deposition and related discovery, I will follow up on Monday.

Best regards,

Dany Abouelkhier

On Apr 22, 2026, at 11:22 PM, Daniel P. Dain <ddain@daintorpy.com> wrote:

Mr. Abouelkhier:

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Rachel Fistori
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