

Docketed 3/19/2026

**COMMONWEALTH OF MASSACHUSETTS**

**THE TRIAL COURT**

**SUPERIOR COURT DEPARTMENT**

NORFOLK, ss.

Civil Action No. 2582CV00364

**DANY ABOUELHKIER,**  
Plaintiff,

v.

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

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**AFFIDAVIT OF SANDRA FERNANDEZ**

I, Sandra Fernandez, hereby depose and state under the pains and penalties of perjury as follows:

**I. Special Appearance and Limited Purpose**

1. I submit this Affidavit solely in support of my Motion to Vacate Void Judgment pursuant to Mass. R. Civ. P. 60(b)(4).
2. I appear strictly by special appearance and solely to contest jurisdiction.
3. This Affidavit does not constitute consent to jurisdiction and does not waive any jurisdictional objections.
4. This Affidavit does not concede party status in this action.
5. This Affidavit does not seek adjudication of the merits of any claims.

## **II. Lack of Service of Process**

6. I was never served with a summons in this action.
7. I was never served with any complaint in this action.
8. I was never served with any counterclaims in this action.
9. I was never personally served by any authorized process server.
10. I was never served by certified mail, constable, sheriff, or any authorized officer.
11. I never received any legally valid service of process pursuant to Mass. R. Civ. P. 4.
12. No return of service exists showing valid service upon me.

## **III. I Never Voluntarily Appeared as a Party**

13. I never filed a complaint in this action.
14. I never asserted claims in this action.
15. I never voluntarily joined this action as a party.
16. I never invoked the jurisdiction of this Court.
17. I never sought affirmative relief from this Court.
18. I never consented to personal jurisdiction.

## **IV. I Expressly Objected to Jurisdiction**

19. I consistently objected to jurisdiction.
20. I appeared only by special appearance.
21. My filings expressly stated that I did not consent to jurisdiction.
22. My filings expressly preserved jurisdictional objections.
23. My filings did not waive jurisdictional objections.

#### **V. February 9, 2026 Jurisdictional Objection**

- 24. On February 9, 2026, I filed a written Notice with this Court.
- 25. That Notice expressly objected to jurisdiction.
- 26. That Notice expressly preserved my jurisdictional objections.
- 27. That Notice expressly preserved my appellate rights.
- 28. That Notice did not consent to jurisdiction.
- 29. That Notice did not seek merits adjudication.

#### **VI. I Never Abandoned Any Jurisdictional Rights**

- 30. At no time did I consent to jurisdiction.
- 31. At no time did I voluntarily submit to jurisdiction.
- 32. At no time did I waive jurisdictional objections.
- 33. At no time did I invoke the Court's jurisdiction.

#### **VII. I Have Pending Appellate Proceedings**

- 34. I have appellate proceedings pending before the Massachusetts Appeals Court.
- 35. This Affidavit does not waive any appellate rights.
- 36. This Affidavit does not moot any appellate proceedings.
- 37. This Affidavit does not concede jurisdiction of this Court.

#### **VIII. This Judgment Is Void as to Me**

- 42. Because I was never served with process, this Court never obtained personal jurisdiction over me.
- 43. Because this Court never obtained personal jurisdiction over me, the judgment entered against me is void.

44. This Affidavit is submitted solely to support vacatur of that void judgment.

**IX. No Waiver and No Consent**

45. I have never sought affirmative relief from this Court in this action.

46. I have never voluntarily invoked the jurisdiction of this Court.

47. This Affidavit does not constitute consent to jurisdiction.

48. This Affidavit does not waive jurisdictional objections.

49. This Affidavit does not waive appellate rights.

50. This Affidavit is submitted solely to preserve my rights and contest a void judgment.

I declare under the pains and penalties of perjury that the foregoing is true and correct to the best of my knowledge.

Signed this 19th day of February, 2026.

**/s/ Sandra Fernandez**

Sandra Fernandez

By Special Appearance Only

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## CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2026 a copy of the foregoing was served electronically on all counsel of record.

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BY ITS ATTORNEYS,

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**SANDRA FERNÁNDEZ, *PRO SE***

**/s/ Sandra Fernandez**  
Sandra Fernandez