



sandra fernandez

To: Eyal Schwartz >

3/20/26

Motion to Stay

Good evening Eyal,

Thank you for your email.

I want to be very clear so there is no confusion later. I am not objecting to a temporary pause in discovery while the Court rules on the pending motion. What I am not agreeing to is the motion as drafted.

For me, those are two different things. A temporary pause in discovery is one thing. Assenting to a motion that includes a broken record of unnecessary factual characterizations is another. As drafted, the motion goes beyond a simple request to pause discovery and includes statements that are not needed for that purpose. For example, it refers to Mr. Abouelkhier as my "husband," which is false, your clients know that better than anyone, and it includes references to a non-party that are not necessary for the limited issue of whether discovery should simply be paused temporary for now. Especially given the history here, I am not comfortable assenting to language that is inaccurate and unnecessary, and that creates avoidable issues where none are needed.

At this point, having to repeatedly correct my relationship status is getting to a level of attention that even Family Court might think is getting a bit too much. I am hoping I will not have to start attaching as exhibits my family tree

that Number 25000-100000

right now if both sides are already willing to pause discovery temporarily while the Court rules. I just check online and the discovery deadline in the case management schedule is not until October 2027. To me, this seems like the kind of issue that can be handled informally without turning it into another motion unless and until there is a real reason to do so. If something changes on your clients' side or on my side down the road, we can always get on a call and talk it through, and if we still do not agree, you can re-serve the motion and we can take it from there. I honestly think this could have been handled much more simply with a quick call before you spend time drafting two motions.

I also want to take this opportunity because I think it is better to be direct about it now. I understand you are representing your clients, and I respect it. I also understand that litigation can be aggressive and that positions taken in motions are not personal, is your job. I am fully capable of separating the filings from ordinary communication between attorneys doing their job and dealing with their client case.

Specially on smaller issues, I would much prefer to have a quick phone conversation first. If the answer is no, then the answer is no. I honestly think that is much easier than spending time drafting motions on issues that may not need motions at all. For example, if your clients later want a protective order in discovery, which I assume they may, give me a call and let's talk about it. If it takes two, three, or however many conversations are needed to see whether we can reach something fair for both sides, I am open to that. I also understand that after we speak, you may need to go back to your clients. If they are not willing to agree with something we discussed, just let me know, we can also find others solutions or options. If we do reach an agreement, we can put it in writing and submit it jointly to the Court. If we do not, then we can serve the motion and ask the Court to intervene. In my opinion, that usually leads to less miscommunication, less unnecessary issues, and better results for both sides.

My point is simple: I am open to being practical where possible. I am not asking anyone to give up strategy or waive rights. I am just saying that not every procedural issue needs to become motion practice before we even try to talk it through. A small limited procedural request should stay limited to the relief actually being sought, and I am not comfortable assenting to language that goes beyond what is necessary

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My point is simple: I am open to being practical where possible. I am not asking anyone to give up strategy or waive rights. I am just saying that not every procedural issue needs to become motion practice before we even try to talk it through. A small limited procedural request should stay limited to the relief actually being sought, and I am not comfortable assenting to language that goes beyond what is necessary for that purpose.

So, to be clear, I am fine handling the discovery pause informally for now. If circumstances later change for any party, if the Court takes longer than expected to rule, or if your clients decide they want the motion re served and filed anyway, that is their choice. I am not going to argue that anyone waived anything by first trying to handle this informally and reasonably. I do, however, genuinely believe this ,did not need to become another motion and could have been resolved much more simply with a five-minute phone call, instead of you spending time drafting two motions.

But if the motion is filed in its current form, then I would oppose it, because while I agreed to a temporary pause in discovery, I did not agree to the language used in the motion itself. If you want to discuss it tomorrow, feel free to call me anytime at 617-806-6566.

Have a good night,

Sandra

Sent from my iPhone