

**COMMONWEALTH OF MASSACHUSETTS
HOUSING COURT DEPARTMENT
METRO SOUTH DIVISION**

NORFOLK, SS.

DOCKET No. 26H82CV00011

LENOX FARMS LIMITED PARTNERSHIP,

Plaintiff,

v.

DANY ABOUELKHIER,

Defendant.

AFFIDAVIT OF DANY ABOUELKHIER

I, Dany Abouelkhier, state under the pains and penalties of perjury:

1. I am a Defendant in the above-captioned matter.
2. I submit this affidavit solely in opposition to Plaintiff's request for preliminary and permanent injunctive relief.
3. A statutory summary process action concerning the same residential premises is presently pending in this Court, Docket No. 24H82SP03575.
4. No final judgment for possession has entered in that action.
5. This Court has previously issued orders concerning use and occupancy pending trial within the summary process matter.
6. The issue of possession is scheduled to be adjudicated within the statutory framework established by G.L. c. 239.

7. Plaintiff therefore has an available and pending statutory remedy to adjudicate any claim to possession.

8. Any order requiring surrender of occupancy prior to final adjudication in the pending summary process action would cause substantial hardship and disruption.

9. The relief sought by Plaintiff in this separate civil action would alter the status quo currently preserved by the summary process proceeding.

10. I do not concede any characterization of legal status, including but not limited to tenancy, non-tenancy, trespass, contractual liability, or possessory right.

11. This affidavit is submitted solely to address the Rule 65 factors and shall not be construed as an admission of tenancy, possession, contractual obligation, or legal status.

I declare under the pains and penalties of perjury that the foregoing is true and correct.

March 02, 2026

/s/ Dany Abouelkhier
Dany Abouelkhier (Pro Se)

CERTIFICATE OF SERVICE

I hereby certify that on March 02, 2026 a copy of the foregoing was served electronically on all counsel of record.

Lisa M. Gouveia, Esq. (*Counsel for Plaintiff Lenox Farms Limited Partnership*)
Email: lgouveia@slglegalgroup.com

Respectfully submitted,

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/s/ Dany Abouelkhier
Dany Abouelkhier (Pro Se)