

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

NORFOLK, SS.

DOCKET No. 26H82CV00011

LENOX FARMS LIMITED PARTNERSHIP,

Plaintiff,

v.

DANY ABOUELKHIER,

Defendant.

**DANY ABOUELKHIER'S LIMITED EMERGENCY MOTION TO CONTINUE THE
JULY 28, 2026 HEARING ON PAPER NO. 28 OR, ALTERNATIVELY, FOR
DETERMINATION ON THE WRITTEN SUBMISSIONS**

Defendant Dany Abouelkhier, appearing solely to request limited scheduling relief concerning Paper No. 28 and without waiving any threshold objection or appellate right previously and timely asserted, respectfully moves that the Court:

1. continue the July 28, 2026 hearing on Paper No. 28 to the first available date on or after August 20, 2026;
2. or, if the Court concludes that oral argument is unnecessary, determine Paper No. 28 on the existing written submissions pursuant to Mass. R. Civ. P. 78 and remove the July 28 hearing from the calendar;
3. enter a written order on this scheduling request before the July 28 hearing; and
4. provide that Dany's documented inability to attend on July 28 shall not be treated as abandonment, withdrawal, consent, waiver, or failure to pursue Paper No. 28.

Good cause exists for the requested relief:

5. Paper No. 28 is Dany's pending Motion to Dissolve Injunction. The grounds for that motion have already been submitted in writing. This filing does not add to or enlarge the merits of Paper No. 28.

6. Dany is scheduled to depart on necessary international travel on Sunday, July 26, 2026, and to return on Wednesday, August 19, 2026. His itinerary is submitted as Exhibit A to the accompanying affidavit.

7. This travel is not recreational. It is required by continuing family obligations arising from the death of Dany's Step Father, who died recently. Following the recent death of his stepfather, Dany must travel to assist his elderly mother, who has been left alone and cannot safely manage without immediate family support. His presence is necessary to arrange her ongoing care and living situation.

8. The present motion supplies the exact departure and return dates, supporting itinerary, relationship to the deceased, and nature of the family obligation. It therefore cures the factual and documentary omissions identified by the Court in denying Dany's prior continuance request.

9. The Court previously observed on the record that scheduled vacations are "important" and "really important." (June 9, 2025 Tr. at 60.) The present circumstances are materially stronger: the travel is not a vacation, but necessary travel arising from a death and fixed family obligations.

10. Plaintiff will suffer no cognizable scheduling prejudice. A paper determination avoids delay altogether. If oral argument is required, the requested continuance is to a fixed, short period ending immediately after Dany's documented return.

11. Dany is filing this request before the hearing and is affirmatively seeking an orderly disposition of Paper No. 28. His nonavailability therefore should not be converted into a finding that the motion was abandoned or not pursued.

12. This filing is limited to the scheduling and mode of submission of Paper No. 28. It is not consent to personal jurisdiction, service, or any relief outside Paper No. 28, and it preserves all objections and appellate rights to the extent previously and timely asserted.

WHEREFORE, Dany respectfully requests that the Court continue the July 28, 2026 hearing to the first available date on or after August 20, 2026; or, alternatively, determine Paper No. 28 on the existing written submissions and remove the oral hearing from the calendar; enter a written ruling before July 28; and provide that his documented absence shall not be treated as abandonment, withdrawal, consent, waiver, or failure to pursue Paper No. 28.

Respectfully submitted,

Dany Abouelkhier

Defendant, Pro Se

550 Liberty Street, Unit 905

Braintree, MA 02184

Email: danytaw@yahoo.com

Dated: July 24th, 2026

/s/ Dany Abouelkhier

Dany Abouelkhier (Pro Se)

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 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)