

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

NORFOLK, SS.

DOCKET No. 26H82CV00012

LENOX FARMS LIMITED PARTNERSHIP,

Plaintiff,

v.

SANDRA FROMMER,

Defendant.

**DEFENDANT'S REQUEST FOR DETERMINATION ON THE PAPERS, SEPARATE
ADJUDICATION OF ALL PENDING MOTIONS, AND CLARIFICATION OF THE
RECORD, WITH INCORPORATED MEMORANDUM OF LAW AND REQUEST FOR
WRITTEN FINDINGS**

INTRODUCTION

Defendant Sandra Frommer respectfully moves this Court for determination, on the papers and without hearing, of all pending motions relating to the March 17, 2026 injunction, and for issuance of a consolidated ruling limited to this action but structured as separate determinations with written findings.

This request is necessary to ensure that the Court's ruling reflects the complete procedural posture of the case, including all filings, motions, and related orders appearing on the docket, and does not rest on a narrowed or incomplete characterization of the record.

INCORPORATED MEMORANDUM OF LAW

I. DETERMINATION ON THE PAPERS IS APPROPRIATE

Massachusetts courts may resolve motions on the papers where:

- the issues are legal or procedural;
- the record consists of documentary evidence; and
- no credibility determinations are required.

Here, the issues before the Court—including jurisdiction, sufficiency of claims, statutory limitations on equitable relief, and enforcement—are fully briefed and supported by affidavits and exhibits.

No evidentiary hearing is required.

II. MULTIPLE PENDING MOTIONS REQUIRE SEPARATE ADJUDICATION

The docket reflects multiple filings submitted prior to the Court's March 17, 2026 order, including but not limited to:

- motions under Mass. R. Civ. P. 12(b);
- opposition to injunctive relief;
- motion to stay;
- motion for continuance and/or remote appearance;
- motion to coordinate related proceedings and address transferred docket

issues;

- and additional filings reflected on the docket raising procedural and record-based issues.

Each of these filings raises **distinct legal grounds**.

Under Massachusetts practice, these issues require **separate adjudication**, including:

- jurisdictional determinations (Rule 12(b)(1), (5));
- sufficiency determinations (Rule 12(b)(6));
- prior pending action (Rule 12(b)(9));
- and the propriety of equitable relief under Rule 65.

A single, undifferentiated ruling does not resolve these distinct issues.

III. THE CURRENT ORDER DOES NOT REFLECT THE FULL SCOPE OF THE RECORD

The Court's March 17, 2026 order addresses certain issues but does not reflect the full scope of Defendant's filings.

Specifically:

- Defendant's Motion to Dismiss included multiple Rule 12 grounds beyond subject matter jurisdiction;
- Defendant's Opposition raised statutory, procedural, and equitable arguments beyond jurisdiction;
- additional motions addressing continuance, coordination, and docket posture are not reflected in the order;
- and the record includes documentary evidence, including written communications from Plaintiff's management, relevant to occupancy and authorization.

In addition, the procedural posture of related proceedings, including the originating Superior Court action and its transfer into Housing Court (26H82CV00041), is not fully reflected on the face of the current docket.

Accordingly, clarification is required to ensure that the Court's ruling rests on a **complete and accurate record**.

IV. SEPARATE RULINGS AND WRITTEN FINDINGS ARE REQUIRED

Where multiple motions raise distinct issues, the Court should issue:

- separate determinations identifying whether each motion is allowed, denied, or unresolved;
- the legal grounds for each determination; and
- written findings sufficient to permit meaningful appellate review.

This is particularly necessary where:

- jurisdiction is contested;
- statutory rights are implicated;
- related proceedings exist; and
- enforcement may result in irreparable harm.

V. CLARIFICATION OF THE PROCEDURAL RECORD IS NECESSARY

Defendant respectfully requests that the Court clarify:

- which motions have been adjudicated;
- which remain pending;
- and the extent to which the Court considered the full record, including filings

reflected on the docket but not expressly addressed in the order.

This includes, without limitation:

- filings relating to transferred actions;
- coordination requests;
- and procedural issues affecting the posture of the case.

VI. IN THE ALTERNATIVE

If the Court determines that any issue cannot be resolved on the papers, Defendant respectfully requests that the Court:

- identify the specific issue requiring further proceedings; and
- limit any such proceedings accordingly.

CONCLUSION

WHEREFORE, Defendant respectfully requests that this Court:

1. Determine all pending motions on the papers;
2. Issue separate rulings as to each motion reflected on the docket;
3. Clarify the procedural record;
4. Issue written findings; and
5. Grant such further relief as justice requires.

Respectfully submitted,

Sandra Frommer
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Date: March 23, 2026

/s/ Sandra Frommer

Sandra Frommer (Pro Se)

CERTIFICATE OF SERVICE

I hereby certify that on March 23rd, 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*)
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Respectfully submitted,

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