

**1382CV00892 Diaz, Elsa vs. Ulen, Colin T et al**

- Case Type:
- Torts
- Case Status:
- Open
- File Date
- 06/14/2013
- DCM Track:
- F - Fast Track
- Initiating Action:
- Other Negligence - Personal Injury / Property Damage
- Status Date:
- 06/14/2013
- Case Judge:
- 
- Next Event:
- 

[All Information](#) [Party](#) [Event](#) [Tickler](#) [Docket](#) [Disposition](#)

**Party Information**

**Diaz, Elsa**  
- Plaintiff

**Alias**

**Party Attorney**

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**Ulen, Colin T**  
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**Orsan, Melissa M**  
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**Board of Trustees/Managers of Two Euston Street Condominium Tr**  
- Defendant

**Alias**

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**Two Euston Street Condominium Trust Association**  
- Defendant

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**The Two Euston Street Condominium Trust**  
- Defendant

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**Freedman, Brian**  
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**Twomey, Nancy J.**  
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**Webb Structural Services, Inc**  
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- Defendant

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**Mazaheri, Payman**  
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**Ercolino, Elijah**  
- Defendant

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**Dennergy, Kristine Michelle**  
- Defendant

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**Wells Fargo**  
- Other interested party

Alias

**Party Attorney**

[More Party Information](#)

**Twomey Design Associates**  
- Other interested party

Alias

**Party Attorney**

[More Party Information](#)

**Events**

<u>Date</u>	<u>Session</u>	<u>Location</u>	<u>Type</u>	<u>Event Judge</u>	<u>Result</u>
05/05/2014 02:00 PM	Civil B		Rule 12 Hearing		Held as Scheduled
05/05/2014 02:00 PM	Civil B		Rule 12 Hearing		Held as Scheduled

**Ticklers**

<u>Tickler</u>	<u>Start Date</u>	<u>Due Date</u>	<u>Days Due</u>	<u>Completed Date</u>
Service	06/14/2013	09/12/2013	90	02/19/2015
Answer	06/14/2013	10/12/2013	120	02/19/2015
Rule 12/19/20 Served By	06/14/2013	10/12/2013	120	02/19/2015
Rule 12/19/20 Filed By	06/14/2013	11/11/2013	150	02/19/2015
Rule 12/19/20 Heard By	06/14/2013	12/11/2013	180	02/19/2015
Rule 15 Served By	06/14/2013	10/12/2013	120	02/19/2015
Rule 15 Filed By	06/14/2013	11/11/2013	150	02/19/2015
Rule 15 Heard By	06/14/2013	12/11/2013	180	02/19/2015
Discovery	06/14/2013	04/10/2014	300	02/19/2015
Rule 56 Served By	06/14/2013	05/10/2014	330	02/19/2015
Rule 56 Filed By	06/14/2013	06/09/2014	360	02/19/2015
Final Pre-Trial Conference	06/14/2013	10/07/2014	480	02/19/2015
Judgment	06/14/2013	04/05/2015	660	02/19/2015

**Docket Information**

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
06/14/2013	Complaint & jury claim filed \$280.00 entry fee paid (receipt #38013)	1	
06/14/2013	Origin 1, Type B03, Track F.		
06/14/2013	Civil action cover sheet filed	2	
06/14/2013	plffs motion for appointment of special process server-motion Allowed as to all pre judgment service of process (Wilson,J)	3	
06/14/2013	Notice sent: fast track to plffs attorney		
06/14/2013	Track changed to F, Origin 1, Type B04.		
06/20/2013	Plaintiff Elsa Diaz's MOTION for appointment of special process server name DHR&Associates-Motion is Allowed (Fishman,J)(dated;6/20/13)	4	
06/21/2013	Pliff's motion for ex parte approval of memorandum of lis pendens	5	
06/21/2013	Motion (P#5.0) DENIED after ex parte hearing. The Complaint does not state a claim for use and occupation of real estate or buildings, as Plaintiff asserts, and therefore, the lis pendens statute does not apply. (Paul D. Wilson, Associate Justice) dated June 20, 2013 Notices mailed 6/21/2013		
06/30/2013	ONE TRIAL review by Clerk, Case is to remain in the Superior Court		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
09/11/2013	Amended complaint of Elsa Diaz.	6	
09/16/2013	SERVICE RETURNED (summons):at the l & u of Payman Mazaheri on 9/11/13. (recvd 9/13/13)	7	
09/16/2013	SERVICE RETURNED (summons): at the l & u of Kristine Michelle Dennergy on 9/11/13. (recvdd 9/13/13)		
09/16/2013	SERVICE RETURNED (summons): at the l & u of Anya Krasik on 9/11/13 (recvd 9/13/13)		
09/16/2013	SERVICE RETURNED (summons): at the l & u of Elijah Ercolino on 9/11/13. (recvd 9/13/13)		
09/16/2013	SERVICE RETURNED (summons): at the l & u of Tanaz Ferzandi on 9/11/13. (recvd 9/13/13)		
09/16/2013	SERVICE RETURNED (summons): at the l & u of Melissa M. Orsan on 9/11/13. (recvd 9/13/13)		
09/16/2013	SERVICE RETURNED (summons): in hand to Nancy J. Twomey dba Twomey Design Associates on 9/11/13. (recvd 9/13/13)		
09/18/2013	Plaintiff Elsa Diaz's MOTION to extend time for service of process and return date of service.	8	
09/18/2013	Request for Trial by Jury on Pliff's. Amended Complaint	9	
09/18/2013	Original of p #8.0 Plaintiff Elsa Diaz's joint MOTION to extend time for service of process and return service	10	
09/19/2013	Motion (P#8.0) ALLOWED. The service completion deadline is extended to October 21, 2013. (Kenneth J. Fishman, Regional Administrative Justice) dated September 19, 2013 Notices mailed 9/19/2013		
09/19/2013	Plaintiff's demand for trial by jury on amended complaint	11	
09/30/2013	ANSWER: ATS Construction Corporation and Andrew T. Sheehan. with jury demand. fast track notice sent to counsel	12	
10/01/2013	Defendant Elijah Ercolino and Kristine Michelle Dennergy's Emergency MOTION for extention of time to respond to the amended complaint.	13	
10/01/2013	Jury demand on Pliff's amended complaint (re'cd9/30/13)	14	
10/02/2013	Defendant Nancy J. Twomey's assented to MOTION to extend time for answering complaint through 10/11/2013 (faxed copy) (Rec'd. 10/01/2013)	15	
10/02/2013	ANSWER: Colin T Ulen and Melissa M. Orsan(Defendants) and jury claim Fast Track Notice sent to Meghan L. McNamara, Esq.	16	
10/03/2013	Defendant Anya Krasik's Notice of intent to file motion to dismiss (Rec'd. 10/2/2013)	17	
10/04/2013	Original of p#15.0 Deft Nancy J. Twomey's assented to MOTION to extend time to answer complaint	18	
10/04/2013	SERVICE RETURNED: in hand to Brenda Sheehan , Director and duly authorized agent accepting for ATS Construction Corporation(Defendant)-served 9/27/13(rec'd10/3/13)	19	
10/04/2013	SERVICE RETURNED:In hand to Daniel William Webb, president authorized agent accepting for Webb Structural Services, Inc(Defendant)-served 9/11/13(re'cd10/3/13)	20	
10/04/2013	SERVICE RETURNED: in hand to Brian Freedman Trustee accepting for The Two Euston Street Condominium Trust(Defendant)-served 9/11/13(rec'd10/3/13)	21	



<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
10/07/2013	ANSWER: of The Two Euston Street Condominium Trust(Defendant), by and through its trustees Brian Freedman, and Payman Mazaheri,individually to the Plaintiff's Amended Verified Complaint.	22	
10/10/2013	Motion (P#13.0) ALLOWED without opposition. The time for Defendants Elijah Ercolino and Kristine Michelle Dennery to respond to the Amended Complaint is extended up to and including November 1, 2013. (Patrick F. Brady, Associate Justice) dated October 9, 2013 Notices mailed 10/10/2013		
10/10/2013	Motion (P#15.0) ALLOWED as assented. The time for Defendants, Nancy J. Twomey, d/b/a Twomey Design Associates, Webb Structural Services, Inc. and Daniel William Webb, to answer plaintiff's Amended Complaint is extended up to and including October 11, 2013. (Patrick F. Brady, Associate Justice) dated October 9, 2013 Notices mailed 10/10/2013		
10/17/2013	ANSWER:and jury claim of Nancy J. Twomey(Defendant)to Amended Complaint(rec'd10/15/13)Tracking notice sent to attorney MacLellan	23	
10/17/2013	ANSWER: and jury claim of Webb Structural Services, Inc and Daniel William Webb to Amended Verified Complaint(rec'd10/15/13)-tracking notice sent to Attorney MacLellan	24	
11/06/2013	Defendant Ferzandi's MOTION to Dismiss (MRCP 12b)amended Complaint with prejudice (re'cd11/1/13)	25	
11/06/2013	Deft Ferzandi's statement of reasons in support of motion to dismiss with prejudice (rec'd11/1/13)	25.1	
11/06/2013	Affidavit of compliance with Superior Court Rule 9A.(rec'd11/1/13)	25.2	
11/06/2013	Notice of filing(rec'd11/1/13)	25.3	
11/06/2013	List of documents (Rec'd11/1/13)	25.4	
11/06/2013	Pleading,Notice of dismissal of claims against defendant Ferzandi only returned to Elsa M Diaz-Alonso, notice must be done as a partial dismissal and be signed by all parties attorneys		
11/06/2013	ANSWER: Elijah Ercolino(Defendant) and Kristine Michelle Dennery with jury claim. Fast track notice sent to counsel (recvd 11/4/13)	26	
11/07/2013	Case status changed to 'Needs review for answers' at service deadline review		
11/08/2013	ANSWER and Affirmative Defenses: ATS Construction Corporation and Andrew T. Sheehan to Plff's. Amended Verified Complaint and jury trial (Rec'd. 11/7/2013)	27	
11/08/2013	Defendant, Anya Krasik's motion to dismiss amended verified complaint	28	
11/08/2013	Memorandum of law in support of Defendant, Anya Krasik's, motion to dismiss amended verified complaint	28.1	
11/08/2013	Plaintiff's memorandum in opposition to Defendant Anya Krasik's motion to dismiss only	28.2	
11/08/2013	Affidavit of Barry S. Scheer pursuant to Superior Court Rule 9A	28.3	
11/08/2013	Notice of filing	28.4	
11/08/2013	Certificate of service	28.5	
11/08/2013	List of documents	28.6	
11/15/2013	Motion (P#25.0) ALLOWED, there being no opposition. (Patrick F. Brady, Associate Justice) dated November 13, 2013 Notices mailed 11/15/2013		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
11/15/2013	Pleading, Notice of name change returned to Meghan McNamara, Esq. Must be filed 9A Motion to amend the complaint or an assented to motion to amend the complaint to change defendant's name.		
02/22/2014	Defendants Colin T Ulen and Melissa M Orsan's Rule 12(b)(6) MOTION to Dismiss (Rec'd 2/19/2014)	29	
02/22/2014	Memorandum in support of Defendants Colin T Ulen and Melissa M Orsan's Rule 12(b)(6) Motion to Dismiss (Rec'd 2/19/2014)	29.1	
02/22/2014	Affidavit of compliance with Superior Court Rule 9A. (Rec'd 2/19/2014)	29.2	
02/22/2014	Notice of filing (Rec'd 2/19/2014)	29.3	
02/22/2014	List of papers (Rec'd 2/19/2014)	29.4	
02/28/2014	Motion (P#29.0) ALLOWED without opposition. (E. Susan Garsh, Associate Justice) dated 2/26/2014. Notices mailed 2/28/2014		
03/06/2014	Defendants Two Euston Street Condominium Trust Association, Brian Freedman and Payman Mazaheri's individually and as Trustees', MOTION to Dismiss (MRCP 12b) Amended Verified Complaint of Elsa Diaz pursuant to MRCP 12(B) AND 12(B)(6) (Rec'd. 2/27/2014)	30	
03/06/2014	Memorandum of Law in support (Rec'd. 2/27/2014)	30.1	
03/06/2014	Affidavit of compliance with Superior Court Rule 9A. (Rec'd. 2/27/2014)	30.2	
03/06/2014	Request for hearing filed by The Two Euston Street Condominium Trust Et Al (Rec'd. 2/27/2014)	30.3	
03/06/2014	Notice of Filing/Document List (Rec'd. 2/27/2014)	30.4	
03/06/2014	Plff's Emergency MOTION to strike deft's motion to dismiss or in the alternative to allow plff to file a late opposition	31	
03/18/2014	Notice sent to appear on 5/5/2014 for a hearing on Deft ANya Krasik's motion to dismiss amended verified complaint (p#28.0) before Judge Connors at 2:00pm	32	
03/20/2014	Defendant, Two Euston Street Condominium Trust, Brian Freedman and Payman Mazheri, individually and as Trustees opposition to plaintiff's emergency motion to strike defendants motion to dismiss or in the alternative to allow plaintiff to file a late opposition	33	
03/24/2014	Motion (P#31.0)After review, motion to strike is DENIED. Motion to File Opposition late is A:LLowed. (E. Susan Garsh, Associate Justice) dated March 21, 2014 Notices mailed 3/24/2014		
03/24/2014	Iff's memo in opposition to deft, Two Boston Street Condo Trust by and through its Trustee, Brian Freedman, and former Trustee Payman Mazaheri, Individually	34	
03/24/2014	Notice of Intent of Plff to File Opposition to Motion to Dismiss of Defts Nancy Twomey, Daniel Webb and Webb Structural Service, Inc.	35	
03/27/2014	Plaintiff Elsa Diaz's emergency MOTION to file opposition to motion to dismiss of deft's Ulen and Orsan (rec'd3/26/13)	36	
03/27/2014	Notice sent to appear on 5/5/2014 for a hearing on Defts Two Euston Street Condominium Trust, Brian Freedman, and Payman Mazaheri's individually and as trustees motion to dismiss plff's amended verified complaint(p#30.0)before Judge Connors at 2:00pm	37	
03/28/2014	Defendants Nancy J. Twomey D/B/A, Twomey Design Associates', Webb Structural Services, Inc. and Daniel William Webb's MOTION to Dismiss Amended Verified Complaint w/ prjudice (MRCP 12b) (Rec'd. 3/27/2014)	38	

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
03/28/2014	Defts. Nancy J. Twomey, D/B/A, Webb Structural Services, Inc. and Daniel Willilam Webb's Memorandum of Law in support of Defts'. Motion (Rec'd. 3/27/2014)	38.1	
03/28/2014	Notice of Filing (Rec'd/ 3/27/2014)	38.2	
03/28/2014	Document List (Rec'd. 3/27/2014)	38.3	
03/31/2014	Plaintiff Elsa Diaz's emergency MOTION to to file opposition to motion to dismiss of defts Nancy J Twomey dba and Webb Structural Services Inc and Daniel William Webb's (rec'd3/28/14)	39	
04/04/2014	Motion (P#39.0) ALLOWED without opposition from the Twomey and Webb defendants. (E. Susan Garsh, Associate Justice) dated April 4, 2014 Notices mailed 4/4/2014		
04/04/2014	Plff's motion and memorandum in opposition to defendants Nancy J. Twomey and Webb Structural Services Inc. and Daniel William Webb's Motion to dismiss	40	
04/07/2014	Notice sent to appear on 5/5/2014 for a hearing on Defts Nancy J Twomey dba and Daniel Webb's motion to dismiss amended verified complaint(p#38.0) before Judge Connors at 2:00pm	41	
04/07/2014	Defendants Colin T. Ulen and Melissa M. Orsan's Opposition to Plaintiff's Verified Emergency Motion (p#36.0) to file Opposition to Motion to Dismiss of Deft's Ulen and Orsan	42	
04/07/2014	Affidavit of Meghan L. McNamara, Esq.	42.1	
04/08/2014	Motion (P#36.0) After review, defendants provided opportunity both to respond to motion through normal Rule 9A process, and to extend deadline by agreement. Plaintiff did neither. The motion to file opposition is denied. (Thomas A. Connors, Associate Justice). dated April 8, 2014 Notices mailed 4/8/2014		
04/09/2014	Defendants, ATS Construction Corporation and Andrew T. Sheehan's motion for issuance of commission to take deposition in a foreign jurisdiction	43	
04/09/2014	Plaintiff's opposition to motion for issuance of commission to take deposition in a foreign jurisdiction	43.1	
04/09/2014	Notice of taking deposition	43.2	
04/09/2014	Request for hearing	43.3	
04/09/2014	Affidavit of compliance with Superior Court Rule 9A.	43.4	
04/09/2014	Notice of filing	43.5	
04/09/2014	Rule 9A (b)(2) list of documents filed	43.6	
04/28/2014	Defendants, Two Euston Street Condominium Trust, Brian Freedman and Payman Mazaheri's, indiudually and as Trustees, request for leave to file reply to plaitiff's opposition to defendants' motion to dismiss (4/22/14)	44	
04/28/2014	Defendants Elijah Ercolino and Kristine Michelle Denner's MOTION for leave to file Motion to Dismiss u/MRCP 12(B)(6) (Rec'd. 4/22/2014)	45	
04/28/2014	Defts'. Memorandum in support (Rec'd. 4/22/2014)	45.1	
04/28/2014	Plaintiff Elsa Diaz's MOTION and Memorandum in opposition to Defts'. Motion to Dismiss and/or for Judgment on the Pleadings(Rec'd. 4/22/2014)	45.2	
04/28/2014	Affidavit of compliance with Superior Court Rule 9A. (Rec'd. 4/22/2014)	45.3	

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
04/28/2014	Notice of Filing (Rec'd. 4/22/2014)	45.4	
04/28/2014	Document List (Rec'd. 4/22/2014)	45.5	
04/30/2014	Motion (P#45.0) ALLOWED pursuant to Rule 9A review, no opposition having been filed. The motion to dismiss of Defts. Ercolino and Denneru will be added to those scheduled to be heard on 5/5/2014 (Thomas A. Connors, Associate Justice) Notices mailed 4/30/2014		
04/30/2014	Defendants Elijah Ercolino and Michelle Denneru's MOTION to Dismiss and/or for Judgment on the Pleadings	46	
05/05/2014	Hearing on p.#45.0 Defts Elijah Ercolino and Kristine Denneru's Motion To Dismiss held, matter taken under advisement. (Connors, J.)		
05/05/2014	Hearing on p.p.#28.0. #30.0, and 38.0 Defendants' Motions To Dismiss held, matter taken under advisement. (Connors, J.)		
06/09/2014	Defendants ATS Construction Corporation and Andrew T. Sheehan's MOTION for Letter Rogatory for witness inthe Commonwealth of Florida(rec'd6/2/14)	47	
06/09/2014	Affidavit of compliance with Superior Court Rule 9A.(rec'd6/2/14)	47.1	
06/09/2014	Request for hearing (re;d6/2/14)	47.2	
06/09/2014	List of documents filed	47.3	
06/09/2014	Notice of filing(rec'd6/2/14)	47.4	
06/10/2014	Defendant ATS Construction Corporation and Andrew T. Sheehan's MOTION to Dismiss Plaintiff's Amended Complaint with prejudice. (rec'd 6/2/14)	48	
06/10/2014	Defendant ATS Construction Corporation and Andrew T. Sheehan's Memorandum in support of their motion to dismiss Plaintiff's Amended Complaint with Prejudice (rec'd 6/2/14)	48.1	
06/10/2014	Plaintiff Elsa Diaz's MOTION and memorandum in opposition to motion to dismiss of defendants ATS Construction Corporation and Andrew T. Sheehan and request for hearing (rec'd 6/2/14)	48.2	
06/10/2014	Defendants' Notice of filing (rec'd 6/2/14)	48.3	
06/10/2014	Rule 9A Affidavit (rec'd 6/2/14)	48.4	
06/10/2014	Request for hearing filed (rec'd 6/2/14)	48.5	
06/10/2014	Rule 9A (b)(2) list of documents (rec'd 6/2/14)	48.6	
06/20/2014	Motion (P#47.0) ALLOWED (Thomas A. Connors, Associate Justice) dated June 18, 2014 Notices mailed 6/20/2014		
06/20/2014	Letter Rogatory (Thomas A. Connors, Associate Justice) dated June 18, 2014	49	
07/07/2014	Motion (P#28.0) After review and hearing, motion ALLOWED. See Memorandum of Decision of this date. (Thomas a. Connors, Associate Justice) dated July 2, 2014 Notices mailed 7/7/2014		
07/07/2014	Motion (P#30.0) After review and hearing, motion ALLOWED. See Memorandum of Decision of this date. (Thomas a. Connors, Associate Justice) dated July 2, 2014 Notices mailed 7/7/2014		
07/07/2014	Motion (P#38.0) After review and hearing, motion ALLOWED. See Memorandum of Decision of this date. (Thomas A. Connors, Associate Justice) dated July 2, 2014 Notices mailed 7/7/2014		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
07/07/2014	Motion (P#46.0) After review and hearing this motion to dismiss is ALLOWED. See Memorandum of Decision of this date. (Thomas A. Connors, Associate Justice) dated July 3, 2014 Notices mailed 7/7/2014		
07/07/2014	Motion (P#48.0) After review, and hearing on co-defendants motions to dismiss, this motion to dismiss is ALLOWED, as the plaintiff's claims asserted against the defendants are time-barred. See Memorandum of Decision on Defendants' Motion to Dismiss of this date. (Thomas A. Connors, Associate Justice) dated July 2, 2014 Notices mailed 7/7/2014		
07/07/2014	Memorandum of Decision on Defendants' Motion to Dismiss (Thomas a. Connors, Associate Justice) dated July 2, 2014	50	
07/21/2014	Re: p#50.0 A corrected and certified Memorandum of Decision on Defendants' Motion to Dismiss (P#50.0) was sent to all pro-se parties, as well as counsel on this date		
08/06/2014	Plaintiff Elsa Diaz's notice of appeal from the Memorandum of Decision on Defendnat's motion to dismiss - Allowed. The plaintiff appeals the court's denial of Plaintiff's emergency motion to file Plaintiff's opposition to the motion to dismiss of Defendant Ulen and Orsan	51	
09/03/2014	Defendant Anya Krasik's MOTION to extend discovery deadline to Oct. 1,2104 (with incorporated memorandum)(re'cd3/31/14)	52	
09/03/2014	Affidavit of compliance with Superior Court Rule 9A.(re'cd3/31/14)	52.1	
09/03/2014	List of documents(rec'd3/31/14)	52.2	
09/03/2014	Notice of filing(rec'd3/31/14)	52.3	
01/16/2015	JUDGMENT ON MOTION TO DISMISS, Re: Defendants Colin T. Ulen and Melissa M. Orsan; It is ORDERED and ADJUDGED: That the Complaint of the Plaintiff Elsa Diaz is hereby DISMISSED against the Defendants' Colin T. Ulen and Melissa M. Orsan and that the defendants recover of the plaintiff their costs of action. (E. Susan Garsh, Associate Justice) cs	53	
01/16/2015	JUDGMENT OF MOTION TO DISMISS, Re: Defendant Tanaz Ferzandi; It is ORDERED and ADJUDGED: That the Complaint of the Plaintiff Elsa Diaz is hereby DISMISSED with prejudice against the Defendant Tanaz Ferzandi and that the defendant recover of the plaintiff her costs of action. (Patrick F. Brady, Associate Justice) cs	54	
01/16/2015	JUDGMENT ON MOTION TO DISMISS, Re; Defendants ATS Construction Corporation and Andrew T. Sheehan; It is ORDERED and ADJUDGED: That the Complaint of the Plaintiff Elsa Diaz is hereby DISMISSED against the Defendant ATS Construction Corporation and Andrew T. Sheehan and that the defendants recover of the plaintiff their costs of action. (Thomas A. Connors, Associate Justice) cs	55	
01/16/2015	JUDGMENT ON MOTION TO DISMISS, Re; Defendants Nancy J. Twomey d/b/a Twomey Design Associates, Webb Structural Services, Inc. and Daniel William Webb; It is ORDERED and ADJUDGED: That the Complaint of the Plaintiff Elsa Diaz is hereby DISMISSED against the Defendants' Nancy J. Twomey, d/b/a Twomey Design Associates, Webb Structural Services, Inc., and Daniel William Webb and that the defendants' recover of the plaintiff their costs of action. (Thomas A. Connors, Associate Justice) cs	56	
01/16/2015	JUDGMENT ON MOTION TO DISMISS, Re; Defendant Anya Krasik; It is ORDERED and ADJUDGED: That the Complaint of the Plaintiff Elsa Diaz is hereby DISMISSED against the Defendant Anya Krasik and that the defendant recover of the plaintiff her costs of action. (Thomas A. Connors, Associate Justice) cs	57	

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
01/16/2015	JUDGMENT ON MOTION TO DISMISS, Re; Defendants Two Euston Street Condominium Trust, Brian Freedman and Payman Mazaheri, Individually and as Trustees; It is ORDERED and ADJUDGED That the Complaint of the Plaintiff Elsa Diaz is hereby DISMISSED with prejudice against the Defendants Two Euston Street Condominium Trust, Brian Freedman and Payman Mazaheri, Individually and as Trustees and that the defendants' recover of the plaintiff their costs of action. (Thomas A. Connors, Associate Justice) cs	58	
01/16/2015	JUDGMENT ON MOTION TO DISMISS, Re; Defendants Elijah Ercolino and Kristine Michelle Denney; It is ORDERED and ADJUDGED: That the Complaint of the Plaintiff Elsa Diaz is hereby DISMISSED against the Defendant Elijah Ercolino and Kristine Michelle Denney and that the defendants recover of the plaintiff their costs of action. (Thomas A. Connors, Associate Justice) cs	59	
01/16/2015	JUDGMENT ON MOTION TO DISMISS, Re; Defendants ATS Construction Corporation and Andrew T. Sheehan; It is ORDERED and ADJUDGED: That the Complaint of the Plaintiff Elsa Diaz is hereby DISMISSED against the Defendant ATS Construction Corporation and Andrew T. Sheehan and that the defendants recover of the plaintiff their costs of action.(Thomas A. Connors, Associate Justice) cs	60	
02/19/2015	Plaintiff, Elsa Diaz notice of Appeal from the Court's Memorandum of Decision on Defendants' Motion to Dismiss (dated 7/7/14) and from the court's final and separate Judgment on Motion to Dismiss (dated 1/16/15). The plaintiff appeals each Separate and Final Judgment of the court, excepting Defendant Tanaz Ferzandi. Plaintiff will order transcripts. (rec'd 2/13/14)	61	
02/24/2015	Notice of filing of appeal sent to Elsa M Diaz-Alonso, Esq One State Street Suite 1500 Boston MA 02109, Meghan McNamara, Esq McNamara & Flynn 84 State Street, 6th Floor Boston MA 02109, John J Jarosak, Esq Litchfield Cavo LLP 6 Kimball Lane Suite 200 Lynnfield MA 01940, David H Corkum, Esq. and Paul T Muniz, Esq. and Craig MacLellan, Esq. Donovan Hatem LLP 53 State Street 8th Floor Boston MA 02109, Owen P McGowan, Esq. McGowan and Associates 80 Washington Street Building C20 Norwell, MA 02061-1743, Alan E Lipkin Esq. Burns & Levinson LLP 125 Summer Street Boston MA 02110, Barry S Scheer, Esq. and Lisa M Scalisi, Esq. Parker Scheer One Constitution Center Charlestown MA 02129, Corinne E Casarino, Esq. O'Malley & Harvey 155 Federal Street 12 th Floor Boston MA 02110	62	
02/24/2015	Plaintiff's Compliance with Appellate Procedural Rules 8 and 9(c) received letter stating transcripts have been ordered by Elsa Diaz.	63	
03/23/2015	Pleading, Plaintiff's request to include designated documents and exhibits in the record of appeal, returned to Elsa M Diaz-Alonso, Esq.,this is request would have to be done at the appeal court once the case has been entered.		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
09/01/2015	Appeal: notice of assembly of record sent to The Honorable Joseph Stanton, Clerk of Appeals Court; Elsa M. Diaz-Alonso, P.O. Box 55071, Boston, MA 02205; Meghan McNamara, 84 State Street, 64th Floor, Boston, MA 02109; John J. Jarosak, 6 Kimball Lane, Suite 200, Lynnefield, MA 01940; David Howard Corkum, 1201 Braddock Place, Alexandria, VA 22314; Paul Thomas Muniz, Donovan & Hatem, 53 State Street, Boston, MA 02109; Craig J. MacLellan, Potter MacLellan LLP, 113 Ripley Road, Cohasset, MA 02025; Owen P. McGowan, McGowan & Associates, 80 Washington Street C-20, Norwell, MA 02062; Alan E. Lipkind, Burns & Levinson LLP, 125 Summer Street, Boston, MA 02110; Barry S. Scheer, Parker Scheer, One Constitution Center, Boston, MA 02129; Lisa Marie Scalisi, c/o Parker Scheer, One Constitution Center, Boston, MA 02129; Corrine Casarino, O'Malley and Harvey, 155 Federal Street, Boston, MA 02110.	64	
09/25/2015	Party files designation of record on appeal  Docket no.#2015-P-1247  (rec'd 9/23/15)  Applies To: Diaz, Elsa (Plaintiff)	65	
10/21/2015	Appearance entered On this date James E Harvey, Jr., Esq. added as Private Counsel for Defendant Elijah Ercolino		
10/21/2015	Appearance entered On this date James E Harvey, Jr., Esq. added as Private Counsel for Defendant Kristine Michelle Dennerly		
05/02/2017	Rescript received from Appeals Court; judgment AFFIRMED (rec'd 5/1/17).	66	<a href="#">Image</a>
05/05/2017	JUDGMENT/ORDER after Rescript: The original judgment (#53.0) is Affirmed. Judgments affirmed. ( the Appeal was to all judgments excepting Defendant Tanaz Ferzandi cs	67	

### Case Disposition

<u>Disposition</u>	<u>Date</u>	<u>Case Judge</u>
Disposed	02/19/2015	