

V.
NEW YORK BARIATRIC GROUP (NYBG)
Defendant

July 24th, 2026

Plaintiff Entry 177.00 – Plaintiff’s Final and Conclusive Motion for Default for Failure to Plead by P.B. § 10-8 Time to Plead Rules Against Defendant Invoking Effectuation of Entry 136.00 Through Immediate Reversal of Chief Clerk Confirmed Plain Error Denial Entry 136.10 for Restoration of P.B. § 17-32(b) Closing of Pleadings Continuation

The self-represented Plaintiff Matthew Elliott respectfully submits Entry 177.00 following the Court’s Denial Order Entry 170.10, which improperly and unjustly denied the Plaintiff’s July 6th, 2026 Motion for Default-Failure to Plead by P.B. 10-8 (Time To Plead), Entry 170.00, without addressing any governing rule, fixed pleading date, procedural consequence, or enforcing remediation presented therein. Entry 170.00 established through the plain language and sequential operation of Practice Book § 10-6 (Pleadings Allowed and Their Order); § 10-8; § 10-18 (Penalty for Failing To Plead); § 17-31 (Procedure Where Party Is in Default); and § 17-32 (Where Defendant Is in Default for Failure To Plead) that the Defendant failed to plead within the prescribed time and stood in default on March 3rd, 2026, that the Plaintiff directly invoked the resulting P.B. §§ 10-18, 17-31, and 17-32 procedure through Entry 136.00, and that Entry 136.00 became legally owed for granting upon completion of the original seven-day period on March 10th, 2026.

Section I.

Entry 170.10 Burdens the Plaintiff to Repeat the Exact Same Default Remediation

1. Entry 166.10 stated: “There is a Motion to Strike and Objection pending that have not been claimed to the short calendar”, and Entry 170.10 unjustly copied that sentence while inserting only the word “still” before its characterization of the Motion to Strike and Objection as pending: “There is still a Motion to Strike and Objection pending that have not been claimed to the short calendar”. The Defendant’s Motion to Strike, Entry 137.00, however, was not and can

never act as pending within the governing Chapter 10 sequence because it was void ab initio, having been filed eight days after expiration of the Defendant's P.B. § 10-8 pleading time and after the Plaintiff had already plainly invoked the resulting P.B. § 17-32 under § 17-31 default procedure within Entry 136.00. The Defendant has rightfully never reclaimed, pursued, defended, argued, or sought adjudication upon Entry 137.00, as the Defendant has remained affirmatively inactive throughout this action's Chapter 10 pleading process since its March 2026 violation towards § 10-8. Entry 170.10 therefore repeated the Court's improper attribution of pending procedural status to a void ab initio filing while addressing none of the default remediation context presented through Entry 170.00.

2. The governing procedural status has always remained the Defendant's failure to plead within the time prescribed by P.B. § 10-8, the resulting default under P.B. §§ 10-18 and 17-31, and the Plaintiff's inherent invocation of P.B. § 17-31 through the direct filing of Entry 136.00 pursuant to P.B. § 17-32. Entry 136.00 under technical rules did not specifically require granting before the Court's inherent P.B. § 17-31 default attribution could exist upon the case. Its March 3rd, 2026 filing invoked the clerk procedure required under P.B. § 17-32(a) to effectuate the default that had already resulted. The Ansonia-Milford Chief Clerk James Quinn's April 1st, 2026 Entry 136.10 plain-error denial obstructed that required effectuation after nearly three weeks of unjust inaction, and the error was confirmed in person within the Milford Courthouse on April 6th, 2026. Despite the Plaintiff's repeated presentations across the ensuing Superior Court and appellate-supervisory routes of AC254605 and SC250385 also denied unjustly under Entries 151.00 and 163.00, not once has a judicial authority across the Connecticut Courts genuinely interacted with or performed the requested remediation despite its enforcement of codified rules within the 2026 Connecticut Practice Book.

3. This Entry therefore purposefully repeats the identical default remediation enforcements because the Court again failed to apply the governing procedure, as no party dispute has ever existed. The Defendant additionally did not attempt to file a P.B. § 10-46 (The Answer; General and Special Denial) answer pleading to cure its P.B. § 17-31 default status pursuant to P.B. § 17-32(b)'s allowance of default set aside procedures and has never submitted filings disputing the governing dates, rules, or procedural sequence, including throughout the conservative retrofitted April 1st through April 16th, 2026 period that would have remained available had the Chief

Clerk's Entry 136.10 properly granted Entry 136.00 on April 1st after nearly three weeks of inaction. Although that construction theoretically would have afforded the Defendant an unjust extension of the § 17-32(b) answer cure beyond the original March procedure, no answer pleading was filed within that contemporaneous logic nor filed to date, affirming the Defendant's concession of liability under the Plaintiff's January 30th, 2026 Amended Complaint, Entry 128.00.

4. This Entry has instead been compelled by the Court's unethical failure to remediate the Chief Clerk's Entry 136.10 plain-error denial while parallelly failing to address any of the codified provisions requiring that remediation. The intervening weeks between July 6th, 2026 to today's date of July 24th, 2026 have supplied zero procedural development capable of voiding the completed March 2026 default sequence. They have only extended the plain-error denial toward nearly four months, continued to prevent the Plaintiff from certifying closure of pleadings and thereby proceeding toward a jury hearing in damages, and maintained the deprivation of the express § 17-32(b) rule towards both parties: the Plaintiff has remained unable to continue the default disposition under JD-CV-11, and the Defendant was logistically stripped of the previous corresponding opportunity to file an answer pleading pursuant to P.B. § 10-46 towards the Plaintiff's Amended Complaint to obtain the clerk's automatic setting aside of § 17-31 default. Accordingly, as already presented within Entry 170.00, and affirmatively repeated herein because Entry 170.10 addressed none of the governing rules, fixed dates, or requested remediation presented therein, Entry 177.00 again places the completed default procedure before the Court for immediate effectuation and correction of the Chief Clerk's self-confirmed plain-error denial within Entry 136.10.

Section II.

P.B. § 17-32(a) Requires Ministerial

Effectuation and No Discretionary Default Determination Exists

5. Standing affirmatively pursuant to P.B. § 17-32(a), Entry 136.00 did not depend upon a discretionary determination concerning whether default existed, as the Defendant's P.B. § 10-8 violation and the resulting application of P.B. § 10-18 establishing P.B. § 17-31 default had

already occurred, nor does this remedial filing, Entry 177.00, require discretion by the Court to immediately reverse the Chief Clerk's plain-error denial within Entry 136.10. By March 10th, 2026, the Chief Clerk's sole functionality under P.B. § 17-32(a) was ministerial effectuation of the default procedure directly invoked by the Plaintiff.

6. The seven-day period prescribed by P.B. § 17-32(a) constituted only the mandatory period during which the Chief Clerk was required to withhold action upon Entry 136.00 before granting it. It never constituted an extension of the Defendant's already-expired P.B. § 10-8 pleading time, an additional grace period, a continuation of the P.B. § 10-6 pleading order beyond its fixed deadline, or any opportunity through which the Defendant could defeat the resulting P.B. § 17-31 default procedure after the Plaintiff had already invoked its effectuation by filing Entry 136.00. Nor could that seven-day restriction upon the timing of clerk action somehow remove the corresponding requirement that the Chief Clerk grant Entry 136.00 once the restriction expired. Had the plain error occurred upon the original March 10th, 2026 granting date, or even on March 11th, 2026, an immediate logistical processing error could conceivably have explained its occurrence. That possibility ceased to possess any rational application entirely after the Plaintiff was then burdened by three weeks of unexplained deprivation of the basic disposition process, particularly where P.B. § 17-32(a) codifies the earliest granting date yet unjustly imposes no inherent deadline requiring the Clerk's Office to act accordingly. Chief Clerk James Quinn personally requested the Plaintiff on March 11th, 2026 to "give us [Clerk staff] until the end of day", yet neither Chief Clerk Quinn nor any other Clerk staff member supplied any explanation when later inquired by the Plaintiff throughout the ensuing three weeks for why a paramount ministerial disposition action remained unperformed.

7. By April 1st, 2026, after the Plaintiff had contacted the Chief Court Administrator's Office to present concerns regarding the Ansonia-Milford Clerk's Office's apparent operational inability to administer the codified procedure, no logistical, procedural, or ethically defensible explanation remained for why a rule written in elementary and outcome-determinative language had taken nearly three weeks to be improperly denied, despite possessing no lawful capacity to possibly ever be improperly denied, or in a different scenario, improperly granted. That delay was affirmatively unjust and deprived both parties within this case of the standard procedure expressly supplied through P.B. § 17-32. Although the Plaintiff appreciated the Chief Clerk's

confirmation through staff member Bridgette of the plain error on April 6th, 2026, neither the Chief Clerk nor judicial authority subsequently identified or directed any realistic route for its immediate reversal, preventing the self-represented Plaintiff's remediation towards the plain-error denial within Entry 136.10 for months straight.

8. Accordingly, the Defendant's March 10th, 2026 Motion to Strike, Entry 137.00, filed eight days after expiration of its P.B. § 10-8 pleading time and seven days after the Plaintiff invoked the resulting default procedure through Entry 136.00, possessed no procedural capacity to defeat, suspend, replace, or retroactively cure the existing P.B. § 17-31 default, nor create discretion within the Chief Clerk's ministerial functionality under P.B. § 17-32(a). The Chief Clerk's plain-error denial within Entry 136.10 therefore did not constitute an unfavorable exercise of permissible discretion, as no discretionary determination existed to exercise. Entry 136.10 instead performed the opposite of the ministerial effectuation required under P.B. § 17-32(a) by attributing controlling procedural effect to a "Pending Motion to Strike filed by the Defendant" that was filed only upon expiration of the seven-day clerk waiting period, rather than within the Defendant's already-expired time to plead under P.B. § 10-8. No party has corroborated that attribution, the Defendant never pursued or defended Entry 137.00 as timely within the governing pleading order, and no provision of the Connecticut Practice Book authorized the Chief Clerk to utilize that untimely filing to defeat the P.B. § 17-31 default procedure previously invoked through Entry 136.00.

9. Entry 177.00 accordingly requires immediate remedial granting to enforce the P.B. § 17-32 procedure invoked through Entry 136.00 and legally owed for granting by March 10th, 2026. Nearly four months of nonremediation cannot invent discretion towards P.B. § 17-32(a), fabricate a pending procedural status upon Entry 137.00 within the P.B. § 10-6 pleading order, or eliminate the Defendant's P.B. § 17-31 default for failure to plead status resulting from its P.B. § 10-8 violation. The Court's present remedial functionality remains the immediate effectuation of Entry 136.00 and correction of the Chief Clerk's self-confirmed plain-error denial within Entry 136.10.

Section III.

Immediate Reversal Remains the Controlling Remediation,

Entries 166.10 and 170.10 Repeated Selective Procedural

Deprivation Already Dismantled Through Plaintiff Entry 170.00

10. The Plaintiff must once again apply the same two harmonious P.B. § 10-8 default remediation prongs, the first of which has controlled since the Chief Clerk self-confirmed the plain error within Entry 136.10 on April 6th, 2026. Connecticut General Statutes § 51-52 (General duties of clerks) and its citation to 7 Conn. 141 expressly recognize that, “in correcting a mistake, clerk acts in a ministerial capacity”. Immediate reversal of Entry 136.10 therefore has never required appellate authorization, reconsideration of a discretionary judgment, or reinvocation of the P.B. § 17-32(a) procedure. It requires correction of a confirmed ministerial mistake and effectuation of Entry 136.00 according to the procedural posture that already existed when it became legally owed for granting on March 10th, 2026.

11. The reversibility of Entry 136.10 is further established through *State v. Ruocco*, 322 Conn. 796, 803 (2016), which supplies the remedial ceiling applicable here. *Ruocco* recognizes plain-error reversal of a criminal conviction where an omitted jury instruction is evaluated through the broader effect upon the fairness, integrity, and public confidence afforded to judicial proceedings, despite the jury-instruction omission issue not possessing the same black-and-white procedural command supplied here by P.B. § 17-32(a). That express Rule prescribed the required default procedure once the Defendant’s time to plead by P.B. § 10-8 and the seven-day clerk waiting period had expired, leaving no discretionary basis for the Chief Clerk to deny Entry 136.00 through Entry 136.10. If plain error permits reversal of a criminal conviction through an abstract jury-instruction analysis addressed in **Ruocco**, it affirmatively requires reversal of a ministerial clerk plain error denial entered in direct violation of its express Practice Book procedure.

12. The Plaintiff has already cited *Ruocco* numerous times through each of the Superior Court, Appellate Court, and Supreme Court routes invoked to obtain that reversal, yet the Chief

Clerk's self-confirmed plain error has unjustly remained unremediated for nearly four months without reversal through remand, supervisory instruction, or any identified legal basis for its continued effect. The realistic capacity of Entry 136.00 to produce full-complaint liability disposition and resulting final judgment affirms Entry 136.10 as inherently reversible, because reversal of a criminal conviction already represents the remedial outcome recognized through Ruocco. That dispositional capacity instead confirms why Entry 136.10 constituted an outcome-affecting plain error requiring immediate correction, particularly where P.B. § 17-32(a) supplies a direct procedural command that the abstract jury-instruction analysis in Ruocco did not.

13. The second remedial prong arises in parallel even under the inapplicable and erroneous logic attempted to be affirmed by the Court through Entries 166.10 and 170.10. The Plaintiff was subjected to the thirty-day pleading requirement prescribed by P.B. § 10-8 when required to file his Amended Complaint pursuant to the Court's January 15th, 2026 Entry 124.00, and he complied on January 30th, 2026 well before the Court-imposed February 13th, 2026 deadline. Yet neither Entry 166.10 nor Entry 170.10 equally attempted to recognize the Defendant's already-expired P.B. § 10-8 time to plead, gave effect to the affirmative P.B. §§ 10-18, 17-31, and 17-32 procedure, or provided any alternative deadline through which the Defendant would be required to continue the action under P.B. § 10-8 towards P.B. § 10-6. The Court instead misattributed Entry 137.00 as theoretically operative because the void ab initio Motion to Strike was simply filed at any point as it appears within the P.B. § 10-6 pleading order, while thereby omitting that P.B. § 10-8 controls when that pleading must occur and that the Defendant filed Entry 137.00 eight days after expiration of its time to plead.

14. Entry 170.00 already dismantled the same premise presented through Entry 166.10 by establishing that the Defendant rightfully never attempted to obtain, pursue, reclaim, argue, defend, or seek any judicial ruling upon Entry 137.00, while never filing a P.B. § 10-46 answer pleading previously required to set aside default under P.B. § 17-32(b). Court order denial Entry 170.10 nevertheless textually duplicated Entry 166.10, with the added phrase that there was "still" a Motion to Strike that had not been claimed to the short calendar, while again supplying no rule through which that continued inactivity could defeat reversal remediation towards the owed default procedure. Entry 177.00 therefore presents the same remediation still necessary eighteen days later because the Court's second application still did not resolve the

procedural impossibility identified within Entry 170.00 and instead preserved it without any deadline, continuation route, or consequence applicable to the Defendant.

15. P.B. § 14-3(a) (Dismissal for Lack of Diligence) still remains pertinent as an additional confirmation of that internal impossibility; if Entries 166.10 and 170.10 could somehow distort Entry 137.00 into a theoretically live pleading posture, the Court would still be mistreating the inactivate Defendant's unprosecuted Motion to Strike as capable of indefinitely suspending the entire action while the Defendant has rightfully not attempted to prosecute that route, reclaim the Motion, sought an argument hearing placement, obtained a judicial ruling thereon, or filed an answer to continue the pleadings under P.B. § 10-6. That erroneous provision logic would therefore supply a four-month extension/continuance of the Defendant's P.B. § 10-8 time to plead and would also permit an abandoned and void-ab-initio filing to operate as an indefinite barrier against the default procedure invoked before that filing existed.

16. The contemporaneous mechanics of a Defendant short calendar reclaim scenario as of this July 24th, 2026 filing independently demonstrates that impossibility. Even a reclaim entry submitted by the Defendant no later than Tuesday, July 28th, 2026, before the posting of the next applicable short calendar, would theoretically place Motion to Strike, Entry 137.00, upon the Monday, August 10th, 2026 short calendar solely for a "ready" marking and subsequent argument scheduling. August 18th, 2026 would therefore represent the theoretical earliest date upon which Entry 137.00 could receive an argument hearing date from the Court, nearly four months after April 27th, 2026, when the Defendant rightfully did not attempt to mark the void ab initio Motion to Strike Entry ready and thereafter supplied no reclaim, request for argument, assertion that the Motion remained operative, or indication that judicial notice, scheduling, or supervision was desired.

17. The Defendant by its appeared counsel Attorney Michael J. Keane Jr. has received every corresponding Court notice and the Plaintiff's direct service throughout that period, making its continued inactivity knowing and willful rather than attributable to any lack of notice opportunities. That deliberate nonprosecution constitutes established concession of the P.B. § 17-31 default liability consequence against the Plaintiff's Amended Complaint in full and independently has defeated any continued mistreatment of Entry 137.00 as a procedural barrier

to effectuation of Entry 136.00 under P.B. § 17-32(a). Any theoretically earliest August 18th, 2026 argument hearing would function as a nearly four-month retroactive continuance of the Defendant's pleading activity that was never requested by the Defendant, granted by the Court, or consented to by the Plaintiff. Court denial Entries 166.10 and 170.10 cannot ethically, procedurally, or realistically convert that void ab initio filing and accumulated inactivity into a lawful continuance under the Rules of Practice, particularly where doing so has already continuously deprived the Plaintiff of the owed P.B. § 17-32 default procedures invoked on March 3rd, 2026.

18. The resulting inequity is direct but does not require enlargement beyond the present remedial issue. The Plaintiff has remained subject to Court-imposed deadlines, short calendar waiting periods, pleading requirements, service responsibilities, and the consequences attached to noncompliance, while the Defendant has remained under an already-invoked default procedure without being subjected to its self-accepted codified consequence following its time to plead violation of P.B. § 10-8. The Plaintiff respectfully presents that unequal procedural treatment as further confirmation that immediate reversal of Entry 136.10 and effectuation of Entry 136.00 still remain the controlling remediation required to restore the ordinary and impartial operation of the 2026 Connecticut Practice Book.

Section IV.

Entry 175.10 Unjustly Mischaracterized Confirmed Plain Error as Disagreement and Cited Appellate Routes Already Invoked for Supervisory Remand and Correction by Plaintiff

19. Entry 175.10 introduced an additional procedural contradiction by mischaracterizing the Plaintiff's continued request for remediation as mere disagreement with a Court order and directing any dispute concerning a dispositive ruling toward appellate review. That characterization did not apply to Entry 136.10. The Plaintiff has not requested reconsideration of a discretionary judgment, relitigation of a contested legal issue, or appellate substitution of one reasonable judicial interpretation for another. The Chief Clerk specifically confirmed on April 6th, 2026 that Entry 136.10 constituted error requiring reversal, and the remaining issue has

therefore affirmatively stood as correction of a ministerial plain error that obstructed the nondiscretionary P.B. § 17-32(a) procedure.

20. Although a proper granting or denial of a P.B. § 17-32(a) motion does not technically constitute a standard appealable final disposition for either party, the Rule supplies a time-based procedural determination governed by whether a party violated P.B. § 10-8 and whether the corresponding seven-day answer period expired without the pleading required to prevent entry of default. Where no qualifying P.B. § 10-8 violation occurred, a procedurally unsupported invocation of P.B. § 17-32(a) would be denied. Where the time to plead expired and the prescribed answer period passed without cure, the Rule required granting of the default procedure. Neither determination independently produces the typical final judgment ordinarily subjected to appellate review, because granting instead permits continuation through pleading closure, a hearing in damages, and resulting judgment under P.B. § 17-32(b). Therefore, the Plaintiff's remediation-oriented filings throughout AC254605, SC250385, and SC250395 consequently were obviously never ordinary appeals seeking review of a properly granted or properly denied P.B. § 17-32(a) motion. They specifically sought Appellate Court and Supreme Court supervision requiring remand, corrective instruction, or enforcement directing the Chief Clerk or Superior Court judicial authority to reverse Entry 136.10 and effectuate Entry 136.00 according to the procedural posture already established. The Plaintiff presented that the Chief Clerk's plain error prevented the required P.B. § 17-32(a) entry from occurring and thereby obstructed the subsequent P.B. § 17-32(b) continuation necessary for closure of the pleadings, a jury hearing in damages, and final disposition.

21. The Appellate Court's conservative dismissal of AC254605 on jurisdictional grounds and the Supreme Court's unethical and unexplained denial and subsequent motion dismissal through SC250385 and SC250395 did not affirm Entry 136.10, determine that the Defendant complied with P.B. § 10-8, distort P.B. § 17-32(a) into a discretionary procedure, or invent any legal basis authorizing the Chief Clerk's denial. Those outcomes specifically represented the appellate tribunals' failure to supervise the Superior Court's correction of the confirmed plain error through remand, supervisory instruction, or identification of the lawful remedial route. Entry 175.10 therefore did not identify an available disposition by directing the issue toward appellate

filing after those exact supervisory routes had already been invoked and had supplied no correction of the plain error remaining within the Superior Court.

22. That contradiction further demonstrates that Entry 174.00 and Entry 175.00 were not properly reviewed by the Court according to the direct procedural posture actually presented. In realistic best light, Entry 174.00 primarily requested a status conference capable of addressing immediate reversal of the confirmed plain error within Entry 136.10, effectuation of Entry 136.00, and the resulting P.B. § 17-32(b) pleading closure and damages procedure that had remained obstructed for months. Parallely, Entry 175.00 constituted the Plaintiff's immediate Caseflow Request response to the legally erroneous denial entered through Entry 165.10 and represented the necessity of the same status conference requested through Entry 174.00, with default remediation and the separate mandamus-denial issue maintained as harmonious grounds requiring remedial handling and oral judicial management. Although the underlying mandamus application is not substantively relied upon within the present default remediation contextually, its erroneous-in-law denial further confirms that the logic imposed by the Court has repeatedly failed to coherently address the distinct Rules of Practice, procedural functions, and statutory relief actually invoked by the Plaintiff. Because this Entry's underlying default issue remains a self-confirmed ministerial plain error rather than any appealable discretionary adjudication, and because no appellate tribunal attempted to issue any ruling depriving the Chief Clerk or Superior Court judicial authority of their capacity to correct that error, immediate reversal and effectuation of Entry 136.00 via this Entry remains the only lawful and coherent action. Entry 175.10 therefore cannot unjustly distort the nondiscretionary enforcement of P.B. § 17-32(a) into some indefinite appellate-oriented disagreement, particularly where the Plaintiff's appellate filings were invoked and referenced for weeks and months straight solely to compel the remand and internal correction that the Superior Court has continued to fail to enforce.

Section V.

Continued Nonremediation Has Exhausted Every Internal Remedial Route

Leaving March 3rd, 2026 Default Consequence Procedure Undisturbed

23. The repeated denials and nonremedial dispositions encompassing the original Chief Clerk plain error denial within Entry 136.10; the Appellate Court's jurisdictional dismissal of AC49857 reflected through Entry 151.00; Superior Court denial Entries 153.10, 156.10, 166.10, and 170.10; the Supreme Court's unexplained denial of SC250385 and subsequent unexplained dismissal of SC250395; and the later contradictory disposition within Entry 175.10 did not lawfully cure, reverse, open, or extinguish the Defendant's resulting March 3rd, 2026 default under P.B. § 17-31, arising from its expired time to plead under P.B. § 10-8 and the consequence expressly supplied by P.B. § 10-18. Those dispositions instead repeatedly prevented correction of Entry 136.10, effectuation of Entry 136.00, and the resulting P.B. § 17-32(b) continuation without identifying any lawful procedural route through which the preserved default consequence had ceased to exist, thereby affirming the Plaintiff's sole remaining path to immediately continue this action under the codified P.B. § 17-32(b) rule section toward closure of the pleadings and a jury hearing in damages upon default.

24. The Defendant technically could not receive the ordinary P.B. § 17-32(b) answer-based set-aside opportunity in its standard procedural form because the Chief Clerk failed to timely grant Entry 136.00 on March 10th, 2026 and instead delayed action for approximately three additional weeks before entering the April 1st, 2026 plain error denial through Entry 136.10. That interruption was mutually unjust in neutral light because it deprived the Plaintiff of the direct default continuation prescribed by P.B. § 17-32 while simultaneously preventing the standard contemporaneous notice, instruction, and procedural posture through which the Defendant by its counsel could have attempted to set aside the default by filing an answer pleading entry pursuant to P.B. § 10-46. The resulting plain error may therefore have initially created theoretical ambiguity concerning the Defendant's ability or intention to invoke the P.B. § 17-32(b) procedure, but the Defendant thereafter eliminated any ambiguity through its own inactivity during the ensuing nearly four-month period.

25. The Defendant's subsequent conduct eliminated that theoretical ambiguity in affirmative fashion. Through its appeared counsel Attorney Michael J. Keane Jr., the Defendant rightfully never filed an answer, sought to set aside the default, requested leave to plead, requested clarification of any supposed cure opportunity, asserted that Entry 136.10 prevented invocation of P.B. § 17-32(b), or otherwise attempted to preserve any right adverse to the default

consequence. Its selective litigation activity instead remained directed toward Chapter 13 discovery violations and continued prevention of the Plaintiff's exercise of federal HIPAA, Connecticut General Statutes, and Regulations of Connecticut State Agencies patient-right-to-access protections through vexatious and frivolous filings centered upon that same access prevention and internal per se defamation of non-complicit medical professionals; however, no filing ever attempted to continue the pleadings, cure the Defendant's P.B. § 10-8 time-to-plead violation, contest the governing default consequence, or obtain adjudication under P.B. § 10-8's judicial-ruling-thereon language towards Entry 137.00. The record therefore preserves no competing procedural position created by the parties and instead confirms that the Defendant's prolonged and knowing inactivity affirmatively conceded and established P.B. § 17-31 default liability across the Plaintiff's Amended Complaint in full, with only the Court's continued nonremediation unjustly preventing that accepted consequence from proceeding through P.B. § 17-32(b).

26. Because Entry 136.10 has remained uncorrected, the Plaintiff has been prevented from filing the four-month-overdue Certificate of Closed Pleadings, JD-CV-11, and its inclusive claim for a jury hearing in damages upon the Defendant's established default liability across the Plaintiff's January 30th, 2026 Amended Complaint, Entry 124.00. The Court has thereby unjustly prevented the sole ordinary continuation created by the Defendant's P.B. § 10-8 time-based failure to plead while supplying no lawful pleading route under P.B. § 10-6, no P.B. § 10-8 deadline applicable to the inactive Defendant in a theoretical selective rule-voiding scenario, and no legal procedure capable of permitting the action to reach disposition due to the void ab initio and non-pending Entry 137.00. Continued prevention of the default procedure shall not erase the affirmative P.B. § 17-31 default, return the action to a prior pleading stage, restore the Defendant's expired time to plead, create another P.B. § 17-32(b) cure opportunity, or retroactively convert Entry 137.00 into a timely and operative pleading. It only deprives the Plaintiff of practical effectuation of the Rules of Practice consequences invoked and preserved since March 3rd, 2026. The accumulated denials therefore cannot be treated as creating a lawful contrary posture merely because the same plain error has remained uncorrected through repeated internal and appellate routes. Entry 177.00 consequently does not initiate a unique default procedure, invoke a new P.B. § 17-32(a) clerk wait period, request a discretionary determination, or provide the Defendant with a subsequent P.B. § 10-46 answer pleading set-aside opportunity.

It constitutes the Plaintiff's final and conclusive internal enforcement seeking immediate reversal and correction of Entry 136.10, effectuation of Entry 136.00 according to the posture in which granting became legally owed by March 10th, 2026, and restoration of the P.B. § 17-32(b) Certificate of Closed Pleadings continuation whose operation has been unjustly prevented ever since.

Section VI.

Immediate Supervisory Remediation Is Required to Preserve Enforceability of Codified Party Rights Rules as Plaintiff Will Independently Enforce P.B. § 17-32(b) Continuation

27. The remaining issue carries neutral supervisory significance extending beyond the identity, resources, representation status, or substantive claims of either party within this action. Every party appearing before the Superior Court must be able to rely upon the codified Rules of Practice as enforceable procedures rather than discretionary suggestions whose effect may be selectively suspended without citation to contrary authority. When a party timely invokes a prescribed rule consequence, satisfies the conditions established by that Rule, and an adverse party does not attempt to avoid that consequence, the resulting procedure must remain capable of enforcement regardless of whether the invoking party is self-represented, represented by counsel, institutionally supported, financially resourced, or otherwise situated. In the neutral public interest of all Superior Court parties, counsel, and courts required to rely upon the enforceable and impartial operation of the Rules of Practice, the Plaintiff intends to separately and collectively inform the Office of the Chief Court Administrator, the Office of the Attorney General, and the Office of the Governor concerning the documented procedural deprivations and denigration of the 2026 Connecticut Practice Book reflected within Elliott v. NYBG. That supervisory notification will preserve the broader institutional concern presented by this record independently from the immediate default remediation and disposition sought within Entry 177.00.

28. The present record within Elliott v. NYBG establishes the institutional consequence produced when that neutral requirement is not maintained. The Defendant's P.B. § 10-8 time to

plead expired; P.B. § 10-18 supplied the resulting default consequence; P.B. § 17-31 established the Defendant's liability posture; Entry 136.00 immediately invoked the P.B. § 17-32(a) procedure, and ministerial granting by the Chief Clerk became legally owed on March 10th, 2026. The Chief Clerk's subsequent plain error denial after three weeks of erroneous delay, followed by nearly four months of nonremediation across the Superior Court, Appellate Court, and Supreme Court filing routes invoked by the Plaintiff, has prevented those harmonious provisions from producing their codified result without any Court authority identifying a lawful rule, order, deadline, or competing party position theoretically capable of displacing them.

29. The resulting supervisory concern is therefore not solely confined to whether the Plaintiff receives the favorable procedural outcome legally owed, as it concerns whether any Superior Court party may rely upon express deadlines, pleading sequences, default consequences, and disposition procedures without being required to waste months establishing that the Rules of Practice still exist and possess operative effect. A codified procedure cannot remain neutral if compliance binds one party while the consequence attached to another party's noncompliance is withheld without lawful explanation; nor can repeated erroneous denials of correction transform an internally confirmed Chief Clerk plain error into a valid contrary procedure merely through accumulated institutional failure to remediate it. Entry 177.00 accordingly requests the immediate reversal and correction of Entry 136.10, immediate effectuation and granting of Entry 136.00 according to the procedural posture existing by March 10th, 2026, and contemporaneous judicial affirmation of the Plaintiff's immediate right to continue through P.B. § 17-32(b) by filing the Certificate of Closed Pleadings, JD-CV-11, together with its inclusive claim for a jury hearing in damages upon the Defendant's established default liability across the January 30th, 2026 Amended Complaint, Entry 124.00. That requested affirmation specifically does not concede that further leave, discretionary authorization, or subsequent default motion filing is required. It instead requests that the Court finally recognize and effectuate the procedural continuation already created by the Rules of Practice and preserved through the Plaintiff's March 3rd, 2026 Entry 136.00.

30. Affirmatively, regardless of whether the Court now properly grants Entry 177.00 to reverse and remediate Entry 136.10 and effectuate Entry 136.00, or denies it unjustly and leaves the internally confirmed plain error unremediated, the Plaintiff shall proceed by filing the

Certificate of Closed Pleadings, JD-CV-11, and its corresponding claim for a jury hearing in damages under P.B. § 17-32(b). That independently enforced filing continuation shall not lawfully be construed, characterized, or later invoked against the Plaintiff as frivolous activity, nonadherence to Court order(s), improper pleading activity, unauthorized continuation, sanctionable conduct, or any erroneous basis adverse to the Plaintiff's prosecution of this civil action. It will constitute the Plaintiff's direct self-enforcement of the procedural rights and statutory provisions already invoked and preserved within this case after every internal remedial route failed to produce correction, while the Defendant by its appeared counsel has willfully remained inactive toward continuation of the pleadings under P.B. § 10-6 and has therefore accepted the resulting default liability consequence.

31. The Plaintiff therefore shall not be required to submit another motion, await an undefined deadline, reinvoke P.B. § 17-32(a), provide a retroactive P.B. § 10-46 answer default set-aside opportunity absent from the governing P.B. § 17-32(b) Rule, or remain indefinitely prevented from reaching disposition because the Court has not corrected its own self-confirmed plain error. Immediate reversal of Entry 136.10 and effectuation of Entry 136.00 remain the sole lawful and neutral remediation; the Plaintiff's forthcoming filing of the Certificate of Closed Pleadings, JD-CV-11, pursuant to P.B. § 17-32(b), will proceed regardless; the 2026 Connecticut Practice Book rules cannot be selectively voided through continued nonremediation, and the Plaintiff cannot and shall not be unjustly further deprived of the closure of pleadings and jury hearing in damages procedure required to reach disposition against the inactive Defendant and its appeared counsel.

WHEREFORE, the Plaintiff respectfully and affirmatively presents that this nondiscretionary remedial Motion for Default for Failure to Plead by P.B. § 10-8 against the Defendant New York Bariatric Surgery Group, PLLC, must be granted through immediate reversal and correction of the Ansonia-Milford Chief Clerk's plain-error denial within Entry 136.10, immediate effectuation and granting of the Plaintiff's Motion Entry 136.00 filed on March 3rd, 2026 according to the procedural posture legally owed by March 10th, 2026, and affirmation of the Plaintiff's P.B. § 17-32(b) continuation rights toward closure of the pleadings and a jury hearing in damages upon the Defendant's established default liability.

Certification of Service

I, Matthew Anthony Elliott, certify that a copy of the above was or will immediately be delivered electronically on July 24th, 2026 to all counsel and self-represented parties of record and that written consent for electronic delivery was received from all counsel exempt from e-filing and self-represented parties of record who were or will immediately be electronically served:

Michael J. Keane, Jr. (435286)

Defendant Counsel

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Phone: 203-316-0483

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Respectfully submitted,

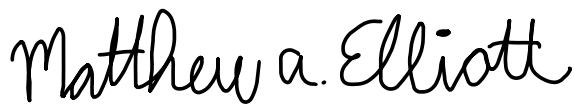
— Matthew Anthony Elliott, Self-Represented Plaintiff

Phone: 203-383-0079

Email: matthewelliottsj@gmail.com

Date: July 24th, 2026

Address: 15 Avalon Drive, Unit 1121, Milford, CT 06460



/s/ MATTHEW ANTHONY ELLIOTT