

V.
NEW YORK BARIATRIC GROUP (NYBG)
Defendant

August 4th, 2026

Plaintiff Entry 184.00 - Emergency Motion for Immediate Hearing, Preservation of Internal Records, and Review by the Office of the Chief Court Administrator Concerning Apparent Internal Misconduct and Selective Nonadjudication of Consecutive Practice Book § 13-14 Compliance Motions

The self-represented Plaintiff Matthew Elliott respectfully moves for an immediate hearing, preservation of the complete internal review and docket-processing record, and direct transmission of this filing to the Office of the Chief Court Administrator following the Plaintiff's August 4th, 2026 discovery that his Practice Book § 13-14 compliance motion and corresponding contingent Request for Argument were left without adjudication, while the immediately succeeding Practice Book § 13-14 compliance motion received a detailed order granting compliance and expressly providing a subsequent default or nonsuit enforcement route.

The complete evidentiary record attached as Exhibits I through VI establishes the governing Rules of Practice, the consecutive same-calendar placement and resulting differential treatment, the prior distortion and unexplained denial of the Plaintiff's Form 204 compliance procedure, the proper "Take Papers" marking of Entry 176.00, and the continued absence of action upon Entries 176.00 and 181.00. Those exhibits provide direct documentary evidence of selective nonadjudication and apparent internal misconduct requiring immediate institutional escalation, preservation, independent review, and public hearing examination.

1. On August 3rd, 2026, the Plaintiff's Entry 176.00 appeared upon Ansonia-Milford Short Calendar 11 as sequence number 016 at 9:30 a.m. Entry 176.00 was classified as a nonarguable "Motion for Order-PB 13-14 IntProd" and had been timely marked "Take Papers" by the Plaintiff on July 28th, 2026. Immediately following the Plaintiff's case, Blankley, Jamie v. Travelers, A/K/A The Standard Fire Insurance Company, Docket No. AAN-CV26-6067042-S, appeared

upon the same August 3rd, 2026 Short Calendar 11 as sequence number 017 at 9:30 a.m. Its Entry 106.00 was likewise classified as a nonarguable “Motion for Order-PB 13-14 IntProd.”

2. The two motions therefore appeared consecutively upon the same calendar, at the same time, within the same Practice Book § 13-14 interrogatory-and-production compliance category, while the resulting Blankley Order No. 438579 was attributed to “WALTER MICHAEL SPADER JR.” The Plaintiff does not represent that the precise discovery forms served in Blankley, Jamie v. Travelers, A/K/A The Standard Fire Insurance Company, Docket No. AAN-CV26-6067042-S, can be conclusively identified from its publicly available Entry 106.00 alone. However, that action is identified as a motor-vehicle case, its motion sought compliance with interrogatories and requests for production, and Practice Book § 13-10(h) includes Form 205 among the standardized production forms concerning which no objection may be filed. If the Defendant Travelers served Form 205 upon the Plaintiff Blankley, as the action type and described discovery reasonably support, then Entry 106.00 invoked the direct corresponding nonobjectable production mechanism to the Plaintiff Matthew Elliott’s Form 204 requests within this action. No objection to such standardized discovery appears upon the publicly available Blankley docket, and the Court applied the ordinary § 13-14 compliance sequence by ordering production and expressly preserving a subsequent default or nonsuit route. At minimum, the consecutive calendar placement, case classification, motion description, and resulting order support by a preponderance the inference that the two filings invoked materially corresponding Chapter 13 compliance procedures requiring neutral application of §§ 13-10(h), 13-10(k), and 13-14, rather than the selective displacement of those provisions previously imposed upon the Plaintiff’s Form 204 requests.

3. On August 3rd, 2026, Entry 106.00 in Blankley was granted. The resulting Entry 106.10 ordered compliance by August 20th, 2026 and expressly provided that, if compliance was not received by that date, the moving party could file an additional motion for default or nonsuit referencing the order. It further stated that a default or nonsuit could be granted upon the appearance of that additional motion on the short calendar if no notice of compliance had been filed.

4. In direct contrast, the Plaintiff's immediately preceding Entry 176.00 received no adjudication, order, explanation, mark-off, denial, continuation, or other stated disposition as of the filing of this Motion. Entry 181.00 had been filed before the August 3rd, 2026 calendar adjudication and expressly requested oral argument only if Entry 176.00 was not affirmatively granted upon the papers. Entry 181.00 therefore supplied the requested oral route through which the compliance consequence could be addressed if direct remediation was not entered upon Entry 176.00. Neither route occurred. Entry 176.00 was not granted or otherwise remediated upon the papers, while Entry 181.00 did not result in an argument hearing, scheduling notice, ruling, or explanation. The Plaintiff's paper compliance route and corresponding requested oral route were both withheld, while the immediately succeeding Practice Book § 13-14 motion received the complete compliance consequence and prospective default or nonsuit enforcement procedure supplied by the governing Rules of Practice.

5. Practice Book § 13-10(h) expressly provides that "[n]o objection may be filed" concerning requests for production set forth in Form 204. The Defendant's Entry 141.00 therefore never constituted a procedurally valid objection capable of suspending production, defeating compliance, or triggering the separate conference-and-affidavit procedure within Practice Book § 13-10(i). The issue is not whether the Defendant filed a later or additional objection to Entry 176.00. No objection was legally available against the Plaintiff's underlying Form 204 requests in the first instance.

6. Entry 176.00 was not an unsupported or first-time discovery demand. It reinvoked the Plaintiff's April 13th, 2026 Entry 143.00 after the Court repeatedly prevented direct compliance relief through Entries 143.10, 143.20, 143.30, and 143.40 by treating the Defendant's barred Entry 141.00 objections as though they could invoke Practice Book § 13-10(i). That treatment inverted the governing sequence because § 13-10(h) prohibited the objections themselves, leaving no valid objection capable of requiring a conference or affidavit under the immediately succeeding subsection. The Plaintiff nevertheless filed Entry 162.00 on June 15th, 2026 to satisfy the Court-imposed affidavit requirement without waiving the controlling operation of § 13-10(h). Entry 162.00 expressly explained why § 13-10(i) could not lawfully replace or overcome the Form 204 objection prohibition while simultaneously supplying the affidavit demanded through the prior orders.

7. Entry 143.50 thereafter denied Entry 143.00 without explanation, did not find Entry 162.00 deficient, did not address Practice Book § 13-10(h), and did not identify any remaining legal or procedural basis adverse to compliance. The complete prior sequence therefore reflects that the Plaintiff was compelled to satisfy an inapplicable procedure imposed through treatment of a barred objection and was still denied the compliance order after doing so. Practice Book § 13-10(k) expressly permits the serving party to move under § 13-14 for a failure to respond, while § 13-14 authorizes an order of compliance and subsequent default or nonsuit relief. The immediately succeeding Blankley order applied that ordinary sequence directly. By contrast, the Plaintiff's Form 204 compliance route was first displaced through a legally unavailable objection procedure, denied without explanation after the Plaintiff satisfied the imposed affidavit burden, and then left without adjudication when reinvoked through Entry 176.00, together with the nonresponse to Entry 181.00.

8. The selective nonadjudication is especially severe because Entry 179.00 represents that, while reviewing Entry 176.00 before its August 3rd, 2026 short-calendar date, the Court physically printed recent pleadings in an effort to decipher the motion and determine which filings might relate to it. Even if that account is accepted upon its stated terms, it does not explain why review of Entry 176.00 could somehow have led to examination of the already-denied Entry 177.00 and the nonadjudicative Entry 178.00, nor how examination of physically printed pages resulted in discovery of white four-point textual language that would not ordinarily become legible through physical printing alone and instead appears to require electronic extraction or comparable document processing. The language within Entry 177.00 had been purposefully placed as a one-time audit of possible undisclosed artificial-intelligence usage or other improper electronic review of adjudicative filings, based upon the procedural history of this action and the public interest in protecting other parties and cases from legally erroneous or undisclosed review mechanisms. Its partial appearance within Entry 178.00 resulted from accidental carryover from the Entry 177.00 document template. Entry 179.00 therefore claims a review process sufficient to locate and escalate that language into an extraordinary Order to Show Cause threatening monetary sanctions, striking of filings, future filing restrictions, and other relief upon four days' notice, while Entry 176.00 itself and its contingent Entry 181.00 Request for Argument were left without remediation when the immediately succeeding Practice Book § 13-14 motion received a detailed compliance order. The Plaintiff does not presently claim that the exact review method, electronic tool, internal actor, or sequence described through

Entry 179.00 has been conclusively established; the unexplained inconsistency between the stated review narrative and the resulting docket treatment is itself a principal basis requiring the complete internal audit requested herein.

9. The resulting disparity does not presently constitute disagreement with the stated reasoning of an adverse judicial ruling because no ruling or reasoning was entered upon Entry 176.00. The objective record instead establishes that two consecutive Practice Book § 13-14 compliance motions reached the same calendar and attributed judicial authority, after which one received immediate compliance and prospective default or nonsuit enforcement while the Plaintiff's motion and corresponding Request for Argument were left without adjudication.

10. From the neutral standpoint of the public case-detail record, the resulting sequence presents direct partiality and internal misconduct toward the Rules of Practice, the harmonious Connecticut General Statutes and federal Health Insurance Portability and Accountability Act patient-right provisions repeatedly presented by the Plaintiff, the applicable Regulations of Connecticut State Agencies, and the additional General Statutes provisions governing the rights and procedures invoked within this action. The record now prevents *Elliott v. New York Bariatric Group* from being treated as a legally sufficient, neutral, or institutionally reliable adjudicative record without a complete internal audit, identification of the internal routes through which filings and dispositions have been processed, and implementation of independent internal routes toward lawful disposition. It further requires external escalation to the Office of the Chief Court Administrator and, as applicable to their respective oversight, public-integrity, civil-rights, and State administration functions, the Office of the Attorney General and Office of the Governor.

11. The Plaintiff does not presently attribute this conduct, omission, liability, or apparent internal misconduct personally to the Honorable Walter Michael Spader Jr. solely because his name appears upon the August 3rd, 2026 calendar and immediately succeeding Blankley Order No. 438579. Unless and until the Honorable Judge Spader personally confirms upon the record and under oath that the adjudication of Blankley Entry 106.00, the nonadjudication of *Elliott* Entry 176.00, and the nonresponse to *Elliott* Entry 181.00 were his own reviewed, authorized, and intended actions or non-actions, the Plaintiff will not present blame or personal liability against him and will not move for his judicial disqualification upon this record alone. That

restraint is necessary because the earlier compliance-order sequence within *Elliott v. New York Bariatric Group* has included orders attributed to multiple judicial authorities, including the Honorable Barbara N. Bellis, the Honorable Sean P. McGuinness, and the Honorable Walter Michael Spader Jr. Judicial attribution upon the public docket does not independently disclose who reviewed the filings, selected or withheld a disposition, drafted an order, approved its language, routed the matter, authorized its entry, or entered the resulting docket information.

12. The Plaintiff therefore requests identification of every clerk, caseflow employee, judicial staff member, judicial authority, contractor, system, application, automated process, artificial-intelligence tool, or other person or mechanism that reviewed, accessed, routed, summarized, drafted, edited, approved, withheld, authorized, or entered any disposition concerning Elliott Entries 176.00 and 181.00 and Blankley Entries 106.00 and 106.10. The Plaintiff further requests immediate preservation of all electronic-access logs, printing records, download histories, text-extraction records, software activity, document histories, internal communications, queue assignments, caseflow communications, order drafts, revision histories, proposed dispositions, approval records, authorization records, docket-entry histories, and communications concerning Elliott Entries 176.00, 179.00, and 181.00 and Blankley Entries 106.00 and 106.10.

13. This preservation and disclosure are especially urgent because the Plaintiff has been compelled to appear upon only four days' notice for the August 4th, 2026 Entry 179.00 sanctions hearing, while the Court simultaneously left without adjudication the very compliance motion that Entry 179.00 claimed had prompted its advance review. The institution cannot fairly subject the Plaintiff's one-time document-review audit to emergency sanctions scrutiny while the public record does not identify or explain a same-calendar disparity materially reinforcing the underlying concern that filings are receiving selective or undisclosed internal treatment.

14. The selective nonadjudication of Entries 176.00 and 181.00 must be addressed as the first substantive subject of the August 4th, 2026 hearing unless direct remediation is entered sua sponte beforehand. The governing result is already supplied through Practice Book §§ 13-10(h), 13-10(k), and 13-14(b)(1), together with the federal Health Insurance Portability and Accountability Act, 45 C.F.R. § 164.524, Connecticut General Statutes §§ 19a-490b and 20-7c, Regulations of Connecticut State Agencies § 19a-14-40, and the related patient-right provisions

presented throughout Entries 143.00, 162.00, 176.00, and 181.00. If the Court nevertheless refuses to enter the compliance order already required through those provisions, it must identify upon the oral record the specific legal, factual, procedural, and internal-routing basis for withholding that consequence while the immediately succeeding Blankley action received the corresponding Practice Book § 13-14 compliance and prospective default or nonsuit sequence.

15. As of the filing of this Motion, the Plaintiff will not imply or attribute any internal misconduct, improper agreement, advance coordination, selective processing, or responsibility for the compared outcomes to the Defendant New York Bariatric Surgery Group, PLLC, or its appeared counsel Attorney Michael J. Keane Jr. of Garfunkel Wild P.C. unless and until a complete internal audit and disclosure process through the Office of the Chief Court Administrator establishes a factual basis for such attribution. This express non-attribution prevents unfair misidentification, conclusory statements, or denigration of the Defendant or appeared counsel before the internal review, routing, drafting, authorization, and adjudicative record is fully confirmed. The Plaintiff confines the present Motion to the objective docket sequence, the unexplained same-calendar disparity, the absence of adjudication upon Entries 176.00 and 181.00, and the immediate need for independent preservation and review.

16. Contemporaneously with the filing and service of this Motion, the Plaintiff will transmit the complete filing and attached Exhibits I through VI directly to the Office of the Chief Court Administrator for immediate contemporaneous notice, preservation of the corresponding internal and electronic records, and prompt independent administrative review following the August 4th, 2026 hearing. The transmission requests review of the hearing record, internal routing, judicial attribution, selective nonadjudication, document-access history, disposition process, and any separate administrative hearing or corrective route available through that Office's authority.

17. The Plaintiff further preserves parallel external escalation during August 2026 to the Office of the Attorney General and Office of the Governor concerning the institutional administration, public integrity, civil-rights consequences, and State-level oversight implications of the record presented through this Motion and the broader case-detail history. Such transmission will not predetermine the precise authority, jurisdiction, or disposition available

through those offices, but will provide direct notice of a Superior Court record that can no longer be treated as legally sufficient without full internal audit and independent institutional review.

18. Any action undertaken by the Plaintiff during August 2026 to inform the public, attorneys, law firms, other court parties, journalists, news reporters, or news channels concerning this public case record shall not be distorted or misconstrued as a tactic, procedural weapon, or weaponization of any lawful preservation, reporting, petitioning, public-information, or case-related activity undertaken within or outside this action. The Plaintiff has proceeded for nearly thirteen months from the July 2025 origins of the underlying events without once escalating this action into the public view, despite repeatedly utilizing ordinary private correction, agency, discovery, motion, clarification, caseflow, appellate, and court-supervisory routes. Any attempt to punish, restrict, or recharacterize the Plaintiff's later lawful presentation of the public record would itself constitute a further deprivation of the standard ethical and lawful right to present and report upon one's case after the institutional correction routes repeatedly invoked within the action failed to supply neutral enforcement or remediation.

WHEREFORE, the Plaintiff Matthew Elliott moves for an immediate hearing upon this Motion and for direct remediation, by sua sponte order before or during the August 4th, 2026 hearing, of the selective nonadjudication of Entries 176.00 and 181.00. Such remediation requires entry of the compliance order already supplied through Practice Book §§ 13-10(h), 13-10(k), and 13-14(b)(1), including a date certain for the Defendant's complete compliance with the Plaintiff's February 9th, 2026 Form 204 Requests for Production and the corresponding production of protected health information and patient records governed by the Health Insurance Portability and Accountability Act, 45 C.F.R. § 164.524, Connecticut General Statutes §§ 19a-490b and 20-7c, Regulations of Connecticut State Agencies § 19a-14-40, and the related provisions repeatedly presented within Entries 143.00, 162.00, 176.00, and 181.00. This relief is not sought as a discretionary accommodation or renewed invitation for ordinary adjudication, but as immediate correction of the Court's selective withholding of the compliance consequence already supplied by the governing Rules of Practice and codified patient-right provisions.

Please see the attached Exhibits below. The Plaintiff further moves for immediate preservation of the complete internal and electronic record identified herein; identification of

every person, judicial authority, employee, contractor, system, application, automated process, artificial-intelligence tool, and other electronic or human mechanism involved in the review, routing, drafting, approval, withholding, authorization, or entry of the compared matters; direct transmission of this Motion and its exhibits to the Office of the Chief Court Administrator; prompt independent administrative review following the August 4th, 2026 hearing; identification of the procedure through which that review and any separate administrative hearing or corrective disposition must proceed; and all further remedial orders necessary to protect the integrity, neutrality, and public transparency of these proceedings.

ATTACHED EXHIBITS

The attached Exhibits I through VI are incorporated into this Motion and provide the complete documentary basis for the selective nonadjudication, prior compliance-order history, governing Chapter 13 procedure, requested preservation, immediate escalation to the Office of the Chief Court Administrator, and public hearing review presented herein:

- **Exhibit I:**
 - Applicable 2026 Connecticut Practice Book provisions governing answers and objections to interrogatories;
 - Requests for production;
 - The Form 204 and Form 205 objection prohibitions;
 - Motions for orders of compliance;
 - Available compliance, default, and nonsuit relief under Practice Book §§ 13-7, 13-8, 13-9, 13-10, and 13-14.
- **Exhibit II:**
 - Blankley, Jamie v. Travelers, A/K/A The Standard Fire Insurance Company, Docket No. AAN-CV26-6067042-S;
 - Entry 106.00 Motion for Order of Compliance under Practice Book § 13-14;

- August 3rd, 2026 Entry 106.10 order granting compliance by August 20th, 2026;
- Express subsequent default or nonsuit procedure supplied by Entry 106.10.
- **Exhibit III:**
 - August 3rd, 2026 Ansonia-Milford Short Calendar 11;
 - Elliott, Matthew A. v. New York Bariatric Group appearing as sequence number 016;
 - Blankley, Jamie v. Travelers, A/K/A The Standard Fire Insurance Company appearing as the immediately succeeding sequence number 017;
 - Both matters appearing at 9:30 a.m. as nonarguable Practice Book § 13-14 interrogatory-and-production compliance motions.
- **Exhibit IV:**
 - Plaintiff's August 3rd, 2026 Short Calendar Markings History;
 - Confirmation that Entry 176.00 was timely and properly marked "Take Papers" on July 28th, 2026
- **Exhibit V:**
 - Elliott, Matthew A. v. New York Bariatric Group docket history;
 - Entry 143.00 Motion for Order of Compliance;
 - Entries 143.10, 143.20, 143.30, 143.40, and 143.50 comprising the prior compliance-order sequence;
 - Entry 162.00 Affidavit of Attempt to Resolve Discovery Objection and Form 204 nonwaiver;
 - The Court's application of the Practice Book § 13-10(i) conference-and-affidavit procedure despite § 13-10(h)'s express prohibition against objections to Form 204;
 - The Plaintiff's satisfaction of the imposed procedure without waiver;

- Entry 143.50's unexplained denial thereafter;
- The August 4th, 2026 docket status showing Entries 176.00 and 181.00 without adjudication or stated result.
- **Exhibit VI:**
 - Plaintiff Entry 176.00 Remedial Motion for Order of Compliance;
 - Incorporated Entry 143.00 Motion for Order of Compliance;
 - Entry 162.00 Affidavit of Attempt to Resolve Discovery Objection and Form 204 nonwaiver;
 - Entry 181.00 Request for Argument with supplemental post-mandamus addendum.

Certification of Service

I, Matthew Anthony Elliott, certify that a copy of the above was or will immediately be delivered electronically on August 4th, 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

350 Bedford Street

Suite 406A

Stamford, CT, 06901

Phone: 203-316-0483

Email: mjkeane@garfunkelwild.com

Respectfully submitted,

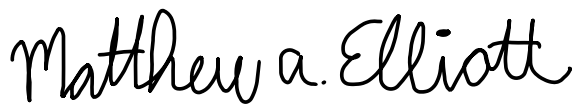
— Matthew Anthony Elliott, Self-Represented Plaintiff

Phone: 203-383-0079

Email: matthewelliottsj@gmail.com

Date: August 4th, 2026

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



/s/ MATTHEW ANTHONY ELLIOTT

EXHIBIT I.

effect Jan. 1, 2002; amended June 30, 2008, to take effect Jan. 1, 2009; amended June 14, 2013, to take effect Jan. 1, 2014; amended June 24, 2016, to take effect Jan. 1, 2017; amended June 23, 2017, to take effect Jan. 1, 2018; amended June 11, 2021, to take effect Jan. 1, 2022.)

Sec. 13-7. —Answers to Interrogatories

(a) Any such interrogatories shall be answered under oath by the party to whom directed and such answers shall not be filed with the court but shall be served within sixty days after the date of certification of service, in accordance with Sections 10-12 through 10-17, of the interrogatories or, if applicable, the notice of interrogatories on the answering party, or within such shorter or longer time as the judicial authority may allow, unless:

(1) Counsel file with the court a written stipulation extending the time within which answers or objections may be served; or

(2) Upon motion, the judicial authority allows a longer time; or

(3) Objections to the interrogatories and the reasons therefor are filed and served within the sixty day period.

(b) All answers to interrogatories shall: (1) repeat immediately before each answer the interrogatory being answered; and (2) be signed by the person making them.

(c) A party objecting to one or more interrogatories shall file an objection in accordance with Section 13-8.

(d) Objection by a party to certain of the interrogatories directed to such party shall not relieve that party of the obligation to answer the interrogatories to which he or she has not objected within the sixty day period.

(e) The party serving interrogatories or the notice of interrogatories may move for an order under Section 13-14 with respect to any failure to answer.

(P.B. 1978-1997, Sec. 224.) (Amended June 28, 1999, to take effect Jan. 1, 2000; amended June 20, 2011, to take effect Jan. 1, 2012; amended June 12, 2015, to take effect Jan. 1, 2016; amended June 24, 2016, to take effect Jan. 1, 2017.)

Sec. 13-8. —Objections to Interrogatories

(a) The party objecting to any interrogatory shall: (1) set forth each interrogatory; (2) specifically state the reasons for the objection; and (3) state whether any responsive information is being withheld on the basis of the stated objection. Objections shall be governed by the provisions of Sections 13-2 through 13-5, signed by the attorney or self-represented party making them, and filed with the court pursuant to Section 13-7. No objection may be filed with respect to interrogatories which have been set forth in Forms 201, 202,

203, 208, 210, 212, 213, 214, 218, 220 and/or 221 of the rules of practice for use in connection with Section 13-6.

(b) To the extent a party withholds responsive information based on an assertion of a claim of privilege or work product protection, the party must file an objection in compliance with the provisions of subsection (a) of this section and comply with the provisions set forth in subsection (d) of Section 13-3.

(c) No objections to interrogatories shall be placed on the short calendar list until an affidavit by either counsel is filed certifying that bona fide attempts have been made to resolve the differences concerning the subject matter of the objection and that counsel have been unable to reach an agreement. The affidavit shall set forth the date of the objection, the name of the party who filed the objection and the name of the party to whom the objection was addressed. The affidavit shall also recite the date, time and place of any conference held to resolve the differences and the names of all persons participating therein or, if no conference has been held, the reasons for the failure to hold such a conference. If any objection to an interrogatory is overruled, the objecting party shall answer the interrogatory, and serve the answer within twenty days after the judicial authority ruling unless otherwise ordered by the judicial authority.

(d) An interrogatory otherwise proper is not objectionable merely because it involves more than one fact or relates to the application of law to facts.

(P.B. 1978-1997, Sec. 225.) (Amended Aug. 24, 2001, to take effect Jan. 1, 2002; amended June 20, 2011, to take effect Jan. 1, 2012; amended June 14, 2013, to take effect Jan. 1, 2014; amended June 24, 2016, to take effect Jan. 1, 2017; amended June 23, 2017, to take effect Jan. 1, 2018; amended June 10, 2022, to take effect Jan. 1, 2023.)

Sec. 13-9. Requests for Production, Inspection and Examination; In General

(a) In any civil action, in any probate appeal, or in any administrative appeal where the judicial authority finds it reasonably probable that evidence outside the record will be required, any party may serve in accordance with Sections 10-12 through 10-17 upon any other party a request to afford the party submitting the request the opportunity to inspect, copy, photograph or otherwise reproduce designated documents or to inspect and copy, test or sample any tangible things in the possession, custody or control of the party upon whom the request is served or to permit entry upon designated land or other property for the purpose of inspection, measuring, surveying, photographing, testing or sampling the property

or any designated object or operation thereon. Such requests will be governed by the provisions of Sections 13-2 through 13-5. In all personal injury actions alleging liability based on the operation or ownership of a motor vehicle or alleging liability based on the ownership, maintenance or control of real property, or in actions claiming a loss of consortium or uninsured/underinsured motorist coverage benefits, the requests for production shall be limited to those set forth in Forms 204, 205, 206, 209, 211, 215 and/or 216 of the rules of practice, unless, upon motion, the judicial authority determines that such requests for production are inappropriate or inadequate in the particular action. These forms are set forth in the Appendix of Forms in this volume.

(b) In all actions alleging medical negligence, production requests shall be limited to: (1) those set forth in Forms 219, 222, and 223 of the rules of practice and contained in the Appendix of Forms in this volume and (2) twenty additional production requests as of right, which may not contain subparts. The party to whom the additional twenty as of right requests are directed may file specific, individual objections to each additional as of right production request. A party may move for permission to file additional discovery, which the judicial authority shall permit if it determines that such requests for production filed to date are inappropriate or inadequate in the particular action.

(c) The standard requests for production are intended to address discovery needs in most cases in which their use is mandated, but they do not preclude any party from moving for permission to serve such additional discovery as may be necessary in any particular case.

(d) Requests for production may be served upon any party without leave of court at any time after the return day. In lieu of serving the requests for production set forth in Forms 204, 205, 206, 209, 211, 215, 216, 219, 222 and/or 223 of the rules of practice on a party who is represented by counsel, the moving party may serve on such party a notice of requests for production, which shall not include the actual requests, but shall instead set forth the number of the Practice Book form containing such requests and the name of the party to whom the requests are directed.

(e) The request shall clearly designate the items to be inspected either individually or by category. The request or, if applicable, the notice of requests for production shall specify a reasonable time, place and manner of making the inspection. Unless the judicial authority orders otherwise, the frequency of use of requests for production in all actions except those for which requests for

production have been set forth in **Forms 204, 205, 206, 209, 211, 215, 216, 219, 222, and/or 223** of the rules of practice is not limited.

(f) If information has been electronically stored, and if a request for production does not specify a form for producing a type of electronically stored information, the responding party shall produce the information in a form in which it is ordinarily maintained or in a form that is reasonably usable. A party need not produce the same electronically stored information in more than one form.

(g) The party serving such request or notice of requests for production shall not file it with the court.

(h) Unless leave of court is granted, the instructions to Forms 204 through 206 of the rules of practice are to be used for all nonstandard requests for production.

(i) A party seeking the production of a written authorization in compliance with the Health Insurance Portability and Accountability Act to inspect and make copies of protected health information, or a written authorization in compliance with the Public Health Service Act to inspect and make copies of alcohol and drug records that are protected by that act, shall file a motion pursuant to Section 13-11A. A motion need not be filed to obtain such authorization in actions to which Forms 204, 205, 216, 219, 222, and 223 of the rules of practice apply.

(P.B. 1978-1997, Sec. 227.) (Amended June 28, 1999, to take effect Jan. 1, 2000; amended Aug. 24, 2001, to take effect Jan. 1, 2002; amended June 20, 2005, to take effect Jan. 1, 2006; amended June 20, 2011, to take effect Jan. 1, 2012; amended June 14, 2013, to take effect Jan. 1, 2014; amended June 24, 2016, to take effect Jan. 1, 2017; amended June 23, 2017, to take effect Jan. 1, 2018; amended June 11, 2021, to take effect Jan. 1, 2022.)

Sec. 13-10. —Responses to Requests for Production; Objections

(a) The party to whom the request is directed or such party's attorney shall serve a written response, which may be in electronic format, within sixty days after the date of certification of service, in accordance with Sections 10-12 through 10-17, of the request or, if applicable, the notice of requests for production on the responding party or within such shorter or longer time as the judicial authority may allow, unless: (1) counsel and/or self-represented parties file with the court a written stipulation extending the time within which responses may be served; or (2) upon motion, the court allows a longer time; or (3) objections to the requests for production and the reasons therefor are filed and served within the sixty day period.

(b) All responses: (1) shall repeat immediately before the response the request for production being responded to; and (2) shall state with respect to each item or category that inspection and related activities will be permitted as requested, unless the request or any part thereof is objected to.

(c) Where a request calling for submission of copies of documents is not objected to, the party responding to the request shall produce those copies with the response served upon all parties.

(d) Objection by a party to certain parts of a request shall not relieve that party of the obligation to respond to those portions to which that party has not objected within the sixty day period.

(e) A party objecting to one or more of the requests for production shall file an objection in accordance with subsection (f) of this section.

(f) A party who objects to any request or portion of a request shall: (1) set forth the request objected to; (2) specifically state the reasons for the objection; and (3) state whether any responsive materials are being withheld on the basis of the stated objection. Objections shall be governed by the provisions of Sections 13-2 through 13-5, signed by the attorney or self-represented party making them and filed with the court.

(g) To the extent a party withholds any responsive material based on an assertion of a claim of privilege or work product protection, the party must file an objection in compliance with the provisions of subsection (f) of this section and comply with the provisions set forth in subsection (d) of Section 13-3.

(h) No objection may be filed with respect to requests for production set forth in Forms 204, 205, 206, 209, 211, 215, 216, 219, 222 and/or 223 of the rules of practice for use in connection with Section 13-9.

(i) No objection to any request for production shall be placed on the short calendar list until an affidavit by counsel or self-represented parties is filed certifying that they have made good faith attempts to resolve the objection and that counsel and/or self-represented parties have been unable to reach an agreement. The affidavit shall set forth: (1) the date of the objection; (2) the name of the party who filed the objection and to whom the objection was addressed; (3) the date, time and place of any conference held to resolve the differences; and (4) the names of all conference participants. If no conference has been held, the affidavit shall also set forth the reasons for the failure to hold such a conference.

(j) If an objection to any part of a request for production is overruled, the objecting party shall

comply with the request at a time set by the judicial authority.

(k) The party serving the request or the notice of request for production may move for an order under Section 13-14 with respect to any failure to respond by the party to whom the request or notice is addressed.

(P.B. 1978-1997, Sec. 227.) (Amended June 28, 1999, to take effect Jan. 1, 2000; amended Aug. 24, 2001, to take effect Jan. 1, 2002; amended June 30, 2008, to take effect Jan. 1, 2009; amended June 20, 2011, to take effect Jan. 1, 2012; amended June 14, 2013, to take effect Jan. 1, 2014; amended June 12, 2015, to take effect Jan. 1, 2016; amended June 24, 2016, to take effect Jan. 1, 2017; amended June 23, 2017, to take effect Jan. 1, 2018; amended June 10, 2022, to take effect Jan. 1, 2023.)

Sec. 13-11. —Physical or Mental Examination

(a) In any civil action, in any probate appeal, or in any administrative appeal where the judicial authority finds it reasonably probable that evidence outside the record will be required, in which the mental or physical condition of a party, or of a person in the custody of or under the legal control of a party, is material to the prosecution or defense of said action, the judicial authority may order the party to submit to a physical or mental examination by a physician or to produce for examination the person in the party's custody or legal control.

(b) In the case of an action to recover damages for personal injuries, any party adverse to the plaintiff may file and serve in accordance with Sections 10-12 through 10-17 a request that the plaintiff submit to a physical or mental examination at the expense of the requesting party. That request shall specify the time, place, manner, conditions and scope of the examination and the person or persons by whom it is to be made. Any such request shall be complied with by the plaintiff unless, within ten days from the filing of the request, the plaintiff files in writing an objection thereto specifying to which portions of said request objection is made and the reasons for said objection. The objection shall be placed on the short calendar list upon the filing thereof. The judicial authority may make such order as is just in connection with the request. No plaintiff shall be compelled to undergo a physical or mental examination by any physician to whom he or she objects in writing.

(c) In any other case, such order may be made only on motion for good cause shown to be heard at short calendar. The motion shall specify the time, place, manner, conditions and scope of the examination and the person or persons by whom it is to be made.

THIS 13-10(h) MEANS 13-10 (i) IS:

230

PROCEDURALLY VOID BY LAW :)

authority for substitution either of a bond with surety substantially in compliance with General Statutes §§ 52-307 and 52-308 or of other sufficient security.

(P.B. 1978-1997, Sec. 230A.) (Amended June 20, 2011, to take effect Jan. 1, 2012.)

Sec. 13-14. Order for Compliance; Failure To Answer or Comply with Order

(a) If any party has failed to answer interrogatories or to answer them fairly, or has intentionally answered them falsely or in a manner calculated to mislead, or has failed to respond to requests for production or for disclosure of the existence and contents of an insurance policy or the limits thereof, or has failed to submit to a physical or mental examination, or has failed to comply with a discovery order made pursuant to Section 13-13, or has failed to comply with the provisions of Section 13-15, or has failed to appear and testify at a deposition duly noticed pursuant to this chapter, or has failed otherwise substantially to comply with any other discovery order made pursuant to Sections 13-6 through 13-11, the judicial authority may, on motion, make such order proportional to the noncompliance as the ends of justice require.

(b) Such orders may include the following:

(1) An order of compliance;

(2) The award to the discovering party of the costs of the motion, including a reasonable attorney's fee;

(3) The entry of an order that the matters regarding which the discovery was sought or other designated facts shall be taken to be established for the purposes of the action in accordance with the claim of the party obtaining the order;

(4) The entry of an order prohibiting the party who has failed to comply from introducing designated matters in evidence;

(5) An order of dismissal, nonsuit or default.

(c) The failure to comply as described in this section may not be excused on the ground that the discovery is objectionable unless written objection as authorized by Sections 13-6 through 13-11 has been filed.

(d) The failure to comply as described in this section shall be excused and the judicial authority may not impose sanctions on a party for failure to provide information, including electronically stored information, lost as the result of the routine, good-faith operation of a system or process in the absence of a showing of intentional actions designed to avoid known preservation obligations.

(P.B. 1978-1997, Sec. 227.) (Amended June 28, 1999, to take effect Jan. 1, 2000; amended Aug. 24, 2001, to take effect Jan. 1, 2002; amended June 30, 2008, to take effect Jan. 1, 2009; amended June 20, 2011, to take effect Jan. 1, 2012; amended June 14, 2013, to take effect Jan. 1, 2014;

amended June 12, 2015, to take effect Jan. 1, 2016; amended June 24, 2016, to take effect Jan. 1, 2017; amended June 23, 2017, to take effect Jan. 1, 2018, amended June 11, 2021, to take effect Jan. 1, 2022.)

Sec. 13-15. Continuing Duty To Disclose

If, subsequent to compliance with any request or order for discovery, including partial compliance subject to an objection or made notwithstanding an objection, and prior to or during trial, a party discovers additional or new material or information previously requested and ordered subject to discovery or inspection or discovers that the prior compliance was totally or partially incorrect or, though correct when made, is no longer true and the circumstances are such that a failure to amend the compliance is in substance a knowing concealment, that party shall promptly notify the other party, or the other party's attorney, and file and serve in accordance with Sections 10-12 through 10-17 a supplemental or corrected compliance.

(P.B. 1978-1997, Sec. 232.) (Amended June 23, 2017, to take effect Jan. 1, 2018.)

Sec. 13-16. Orders by Judge

Any order provided in this chapter to be made by the court may be made by a judge thereof when the court is not actually in session.

(P.B. 1978-1997, Sec. 233.)

Sec. 13-17. Disclosure before Court or Committee

Disclosures by garnishees and all other disclosures in civil actions not under Sections 13-2 through 13-16 may be made to the judicial authority or before a committee, as the judicial authority may determine.

(P.B. 1978-1997, Sec. 234.)

Sec. 13-18. Disclosures in Equity

Disclosures made in answer to complaints in the nature of bills of discovery in equity may be made either by sworn answers or before a committee, as the judicial authority may determine. When either party in any action has obtained from the other party a disclosure on oath, respecting the matters alleged in any pleading, the disclosure shall not be deemed conclusive, but may be contradicted as any other testimony. (See General Statutes § 52-200.)

(P.B. 1978-1997, Sec. 235.)

Sec. 13-19. Disclosure of Defense

In any action to foreclose or to discharge any mortgage or lien or to quiet title, or in any action upon any written contract, in which there is an appearance by an attorney for any defendant, the

EXHIBIT II.

DOC. NO. AAN CV 26-6067042-S : SUPERIOR COURT

JAMIE BLANKLEY : J. D. OF ANSONIA/MILFORD

VS. : AT MILFORD

TRAVELERS A/KA THE STANDARD : JUNE 8, 2026
FIRE INSURANCE COMPANY

**MOTION FOR ORDER OF COMPLIANCE FOR FAILURE TO ANSWER
INTERROGATORIES AND REQUESTS FOR PRODUCTION**

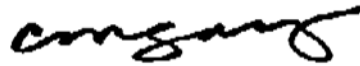
Pursuant to Connecticut Practice Book §13-14, the defendant respectfully moves for an order from the court compelling the plaintiff to comply with defendant's discovery requests by a date certain or risk nonsuit.

The following is submitted for the court's review:

1. The defendant served discovery requests upon the plaintiff through her counsel on February 18, 2026.
2. The plaintiff has not responded to date.

WHEREFORE, in accordance with the foregoing, the defendant respectfully requests an order from the court compelling the plaintiff to provide responses to the discovery requests.

The Defendant,
Travelers a/k/a The Standard Fire
Insurance Company



By _____

Thomas M. Noniewicz
Law Offices of Cynthia M. Garraty
P.O. BOX 2903
Hartford CT 06104-2903
(203) 407-6000
Juris No.: 102370

CERTIFICATION

THIS IS TO CERTIFY THAT a copy of the foregoing has been mailed, postage prepaid via US mail, or electronically delivered pursuant to P.B. Section 10-14 as amended January 1, 1999, this 8th day of June, 2026, to:

Attorney Richard C. Buturia
Berchem Moses PC
75 Broad Street
Milford Ct 06460
Email: rcbuturia@berchemmoses.com



Cynthia M. Garraty
Commissioner of the Superior Court

DOCKET NO: AANCV266067042S

SUPERIOR COURT

ORDER 438579

BLANKLEY, JAMIE
V.
TRAVELERS, A/K/A THE STANDARD
FIRE INSURANCE COMPA

JUDICIAL DISTRICT OF ANSONIA/
MILFORD
AT MILFORD

8/3/2026

ORDER

ORDER REGARDING:

06/08/2026 106.00 MOTION FOR ORDER OF COMPLIANCE – PB SEC 13-14 (INTERR/PROD – 13-6/13-9)

The foregoing, having been considered by the Court, is hereby:

ORDER: GRANTED

Compliance is ordered by 8/20/2026. If the moving party has not received compliance by that date, it may file an additional motion for default/nonsuit attesting to that fact and referencing this order. Upon the appearance of that additional motion on the short calendar, and absent the filing of a notice of compliance by the time of such appearance, a default/nonsuit may be granted.

Judicial Notice (JDNO) was sent regarding this order.

438579

Judge: WALTER MICHAEL SPADER JR

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.



State of Connecticut Judicial Branch Superior Court E-Filing


[E-Services Home](#)
[E-Services Inbox \(80\)](#)
[Superior Court E-Filing](#)
[Civil/Family](#)
[Housing](#)
[Small Claims](#)
[E-File a New Case](#)
[E-File on an Existing Case](#)
[By Docket Number](#)
[By Party Name](#)
[List My Cases](#)
[Court Events](#)
[By Date](#)
[By Docket Number](#)
[Short Calendars](#)
[Markings Entry](#)
[Markings History](#)
[My Short Calendars](#)
[By Court Location](#)
[Calendar Notices](#)
[My Shopping Cart \(0\)](#)
[My E-Filed Items](#)
[My Access Requests](#)
[Legal Notices](#)
[Pending](#)
[Foreclosure Sales](#)
[Search By Property Address](#)

We are experiencing issues completing credit card transactions for filers using Safari browsers. At this time, if you are an attorney or firm using Safari as your browser, please either use a different browser or pay by check. Self-represented parties should also use a browser other than Safari if possible or should file any cases or motions which require a fee on paper with the Court Clerk. Thank you for your patience.

Logged-In User: **Matthew A Elliott (mattelliott)** E-Mail: **mattewelliotts@gmail.com** [Logout](#)

AAN-CV26-6067042-S **BLANKLEY, JAMIE v. TRAVELERS, A/K/A THE STANDARD FIRE INSURANCE COMPA**

Prefix: AM1

Case Type: V01

File Date: 01/21/2026

Return Date: 02/17/2026

[Case Detail](#)
[Notices](#)
[History](#)
[Exhibits](#)
[Scheduled Court Dates](#)
[Self-rep Help Manual](#)

[To receive an email when there is activity on this case, click here.](#)

You mattelliott do not currently have electronic access to this case. If you are a party to this case, and want to electronically (by computer) file or look at documents or mark your short calendar matters, you must request electronic access. Choose "Request Electronic Access" and select "Go."

Select Case Activity:

Information updated as of: 08/04/2026

Case Information

Case Type: V01 - Vehicular - Motor Vehicles - Driver and/or Passenger(s) vs. Driver(s)
Court Location: Milford JD
List Type: No List Type
Trial List Claim:
Last Action Date: 08/03/2026 (The "last action date" is the date the information was entered in the system)

Disposition Information

Disposition Date:
Disposition:
Judge or Magistrate:

Party & Appearance Information

Party	No Fee Party	Party Category	Party Type
P-01 JAMIE BLANKLEY		Plaintiff	Person
Attorney: BERCHEM MOSES PC (022801) File Date: 01/21/2026 75 BROAD STREET MILFORD, CT 06460			
D-01 TRAVELERS, A/K/A THE STANDARD FIRE INSURANCE COMPANY		Defendant	Firm or Corporation
Attorney: GARRATY CYNTHIA M. LAW OFFICES (102370) File Date: 02/17/2026 P.O. BOX 2903 HARTFORD, CT 06104			

Viewing Documents on Civil, Housing and Small Claims Cases:

If there is an in front of the docket number at the top of this page, then the file is electronic (paperless).

- Documents, court orders and judicial notices in electronic (paperless) civil, housing and small claims cases with a return date on or after January 1, 2014 are available publicly over the internet.* For more information on what you can view in all cases, view the [Electronic Access to Court Documents Quick Card](#).
- For civil cases filed prior to 2014, court orders and judicial notices that are electronic are available publicly over the internet. Orders can be viewed by selecting the link to the order from the list below. Notices can be viewed by clicking the **Notices** tab above and selecting the link.*
- Documents, court orders and judicial notices in an electronic (paperless) file can be viewed at any judicial district courthouse during normal business hours.*
- Pleadings or other documents that are not electronic (paperless) can be viewed only during normal business hours at the Clerk's Office in the Judicial District where the case is located.*
- An Affidavit of Debt is not available publicly over the internet on small claims cases filed before October 16, 2017.*

*Any documents protected by law Or by court order that are Not open to the public cannot be viewed by the public online And can only be viewed in person at the clerk's office where the file is located by those authorized by law or court order to see them.

Motions / Pleadings / Documents / Case Status				
Entry No	File Date	Filed By	Description	Arguable
	01/21/2026	P	SUMMONS	
	01/21/2026	P	COMPLAINT	
	02/17/2026	D	APPEARANCE Appearance	
	07/20/2026		CLAIM/RECLAIM Claim/Reclaim	
100.30	01/21/2026	P	RETURN OF SERVICE	No
101.00	02/17/2026	D	MOTION FOR EXTENSION OF TIME <i>RESULT: Granted 3/2/2026 HON BARBARA BELLIS</i>	No
101.10	03/02/2026	C	ORDER <i>RESULT: Granted 3/2/2026 HON BARBARA BELLIS</i>	No
102.00	04/16/2026	P	MOTION FOR EXTENSION OF TIME RE DISCOVERY MOTION OR REQUEST PB CH13 <i>RESULT: Granted 5/4/2026 HON BARBARA BELLIS</i>	No
102.10	05/04/2026	C	ORDER <i>RESULT: Granted 5/4/2026 HON BARBARA BELLIS</i>	No
103.00	04/27/2026	D	ANSWER AND SPECIAL DEFENSE	No
104.00	04/27/2026	D	CLAIM FOR JURY OF 6	No
105.00	05/07/2026	P	SCHEDULING ORDER BY AGREEMENT C50,T02,T03,T11,T12,T61,V01,V04, V09 CASES <i>RESULT: Order 5/7/2026 HON BARBARA BELLIS</i>	No
105.10	05/07/2026	C	ORDER <i>RESULT: Order 5/7/2026 HON BARBARA BELLIS</i>	No
106.00	06/08/2026	D	MOTION FOR ORDER OF COMPLIANCE – PB SEC 13-14 (INTERR/PROD – 13-6/13-9) <i>RESULT: Granted 8/3/2026 HON WALTER SPADER</i>	No
106.10	08/03/2026	C	ORDER NEW <i>RESULT: Granted 8/3/2026 HON WALTER SPADER</i>	No

Scheduled Court Dates as of 08/03/2026				
AAN-CV26-6067042-S - BLANKLEY, JAMIE v. TRAVELERS, A/K/A THE STANDARD FIRE INSURANCE COMPA				
#	Date	Time	Event Description	Status
1	08/02/2027	2:30PM	Remote Trial Management Conference	Proceeding
2	08/18/2027	9:30AM	Jury Selection / Trial	Proceeding

Judicial ADR events may be heard in a court that is different from the court where the case is filed. To check location information about an ADR event, select the **Notices** tab on the top of the case detail page.

Matters that appear on the Short Calendar are shown as scheduled court events on this page. The date displayed on this page is the date of the calendar.

The status of a Short Calendar matter is not displayed because it is determined by markings made by the parties as required by the calendar notices and the [civil](#) standing orders. Markings made electronically can be viewed by those who have electronic access through the Markings History link on the Civil/Family Menu in E-Services. Markings made by telephone can only be obtained through the clerk's office. If more than one motion is on a single short calendar, the calendar will be listed once on this page. You can see more information on matters appearing on Short Calendars by going to the [Civil/Family Case Look-Up](#) page and [Short Calendars By Juris Number](#) or [By Court Location](#) .

Periodic changes to terminology that do not affect the status of the case may be made. This list does not constitute or replace official notice of scheduled court events.

Disclaimer: For civil and family cases statewide, case information is displayed and is available for inquiry on this website for a period of time, one year to a maximum period of ten years, after the disposition date. To the extent that Connecticut Practice Book Sections 7-10 and 7-11 provide for a shorter period of time, this information will be displayed for the shorter period.

EXHIBIT III.

AAN - SHORT CALENDAR 11 - JUDGE JAMES SPADER (AM1), August 03, 2026 (AAN SC 11)	
Court Date:	
Court Address:	Superior Court Judicial District of Ansonia-Milford 14 West River St Milford CT 06460
IMPORTANT	
Attorneys and law firms must submit markings electronically through E-Services unless they have obtained an exemption. Attorneys with an exemption must submit markings by calling 203-283-8263. Self-represented (pro se) parties who are enrolled in E-Services may submit markings electronically through E-Services or by telephone by calling 203-283-8263. SEE OTHER SIDE FOR MARKING INSTRUCTIONS. Go to https://www.jud.ct.gov/external/super/E-Services/efile/SRP_Enroll_Activate_and_RequestAccess_Quickcard.pdf for information on enrollment in E-Services for self-represented parties. Pursuant to Practice Book Section 3-8 (b), an attorney can file a Limited Appearance (http://www.jud.ct.gov/webforms/forms/CL121.pdf) for a specific event or proceeding in any civil, family, family support magistrate, housing or small claims matter statewide. For more information, please visit the Judicial Branch website at www.jud.ct.gov	
Additional Information	
Additional information is available on the Judicial Branch website at http://www.jud.ct.gov/external/super/StandOrders and forms are available on the Judicial Branch website at http://www.jud.ct.gov/webforms/. Note: Under the federal Violence Against Women Act of 2005, cases for relief from physical abuse, foreign protective orders, and motions that would be likely to publicly reveal the identity or location of a protected party may not be displayed and may be available only at the courts.	
Notice Text	
<u>WHY AM I GETTING THIS NOTICE?</u> This notice tells you that a motion(s) or objection(s) in your case is on the short calendar. <u>WHAT SHOULD I DO WHEN I GET THIS NOTICE?</u> You should determine whether you want the court to decide your motion or objection. If the motion or objection is one that you filed, you may mark it. If the motion or objection has gone off the short calendar without being marked, either party may mark it. If you want the court to decide a motion or objection: If you would like argument on a motion or objection that is listed as ARG (arguable, which means there is a right to argument) you must mark it Ready.	<u>DO I HAVE TO COME TO COURT ON THE CALENDAR DATE?</u> (continued) a fact-finder, or an objection to one of these motions, even if the motion or objection has not been marked Ready. Motions that are marked Take Papers will be reviewed without argument and will receive a separate notice with the Court's order (do not come to court). Motions that are marked Off, or not marked, will not be decided by the court on the calendar date (do not come to court). <u>HOW DO I MARK A MOTION?</u> You must call the court at 203-283-8263 between 9:00 a.m. Tuesday and 4:00 p.m. Thursday, the week before the court date shown on the other side of this notice. (If there is a state holiday on a Thursday the week before

	9:30 AM - NA 124.00 OBJECTION TO MOTION Plaintiffs: Self Rep Defendants: BRENNER SALTZMAN & WALLMAN LLP
012 AAN-CV-25-6062733-S	DARROW, LORRAINE v. FOGLER, ESQ, LINDA M. 9:30 AM - NA 124.00 MOTION FOR PERM TO FILE SUMM JUDG MOT PB 17-44 Plaintiffs: Self Rep Defendants: BOYLE SHAUGHNESSY LAW PC
013 AAN-CV-25-6065733-S	MONTINI, MARC Et Al v. COPPOLA, SALVATORE 9:30 AM - NA 118.00 MOT SUBSTITUTE PARTY Plaintiffs: ESTY & BUCKMIR LLC Defendants: THOMAS G COTTER
014 AAN-CV-25-6061435-S	ORTIZ, ISAAH v. PENSKE TRUCK LEASING CO., LIMITED PARTNERSHIP (CON 9:30 AM - NA 131.00 MOTION TO IMPLEAD Plaintiffs: COLLIER & MANNING TRIAL LAWYERS LLC Defendants: RYAN RYAN DELUCA LLP, FLB LAW
015 AAN-CV-26-6067536-S	COOPER, JENNIFER v. BORDELEAU, JACK Et Al 9:30 AM - NA 126.00 OBJECTION TO MOTION 9:30 AM - NA 131.00 OBJECTION TO MOTION 9:30 AM - NA 132.00 Mot for Order-PB 13-14 IntProd 9:30 AM - NA 133.00 Mot for Order-PB 13-14 IntProd Plaintiffs: KARAYIANNIS & DENKOVICH PC Defendants: GARRATY CYNTHIA M. LAW OFFICES, MAZZA VITO LAW OFFICES OF, WILSON ELSEER MOSKOWITZ EDELMAN & DICKER
016 AAN-CV-25-6066141-S	ELLIOTT, MATTHEW A v. NEW YORK BARIATRIC GROUP (NYBG) 9:30 AM - NA 176.00 Mot for Order-PB 13-14 IntProd Plaintiffs: Self Rep Defendants: MICHAEL J KEANE
017 AAN-CV-26-6067042-S	BLANKLEY, JAMIE v. TRAVELERS, A/K/A THE STANDARD FIRE INSURANCE COMPA 9:30 AM - NA 106.00 Mot for Order-PB 13-14 IntProd Plaintiffs: BERCHEM MOSES PC Defendants: GARRATY CYNTHIA M. LAW OFFICES
018 AAN-CV-26-6070643-S	REAGAN, NICHOLAS v. CAFE @ 350 LLC 9:30 AM - NA 107.00 MOT EXTEND TIME-DISCOVERY Plaintiffs: THE FLOOD LAW FIRM LLC Defendants: NEUBERT PEPE & MONTEITH P.C.
019 AAN-CV-25-6062045-S	MAHMOOD, AKEEL v. SANCHEZ, ROMULA Et Al 9:30 AM - NA 122.00 OBJECTION TO NONSUIT Plaintiffs: WEBER & RUBANO LLC Defendants: CONWAY STOUGHTON LLC
020 AAN-CV-25-6064545-S	WOLFE, CHRISTOPHER v. ROSCHMANN STEEL & GLASS CONSTRUCTION, INC. 9:30 AM - NA 117.00 MOT EXTEND TIME-DISCOVERY Plaintiffs: LYNCH TREMBICKI & BOYNTON Defendants: BLANK ROME LLP
021 AAN-CV-26-6068047-S	KOWALSKY, JOHN J. v. CLAXTON, NORMAN J. 9:30 AM - NA 114.00 MOTION FOR EXTENSION OF TIME TO PLEAD 9:30 AM - NA 115.00 MOT EXTEND TIME-DISCOVERY

EXHIBIT IV.

New Search

Court Date: 08/03/2026

Case Name	Docket Number	Location	Court Date	Cal.-Seq. No.	Entry No.	Motion/Objection				
ELLIOTT, MATTHEW A v. NEW YORK BARIATRIC GROUP (NYBG)	AAN-CV-25-6066141-S	Milford JD	Aug 03, 2026	11-016	176.00	MOTION FOR ORDER OF COMPLIANCE – PB SEC 13-14 (INTERR/PROD – 13-6/13-9) (Plaintiff)				
<table border="1"> <thead> <tr> <th>Marking</th> <th>Marking Date / Marked By</th> </tr> </thead> <tbody> <tr> <td>Take Papers</td> <td>Jul 28, 2026 11:00:42 AM by MATTHEW A ELLIOTT (mattelliott)</td> </tr> </tbody> </table>							Marking	Marking Date / Marked By	Take Papers	Jul 28, 2026 11:00:42 AM by MATTHEW A ELLIOTT (mattelliott)
Marking	Marking Date / Marked By									
Take Papers	Jul 28, 2026 11:00:42 AM by MATTHEW A ELLIOTT (mattelliott)									

EXHIBIT V.



State of Connecticut Judicial Branch Superior Court E-Filing



E-Services Home

E-Services Inbox (80)

Superior Court E-Filing
Civil/Family
Housing
Small Claims

E-File a New Case

E-File on an Existing Case
By Docket Number
By Party Name
List My Cases

Court Events
By Date
By Docket Number

Short Calendars
Markings Entry
Markings History
My Short Calendars
By Court Location
Calendar Notices

My Shopping Cart (0)
My E-Filed Items
My Access Requests

Legal Notices

Pending Foreclosure Sales

Search By Property Address

We are experiencing issues completing credit card transactions for filers using Safari browsers. At this time, if you are an attorney or firm using Safari as your browser, please either use a different browser or pay by check. Self-represented parties should also use a browser other than Safari if possible or should file any cases or motions which require a fee on paper with the Court Clerk. Thank you for your patience.

Logged-In User: **Matthew A Elliott (mattelliott)** E-Mail: **matthewelliotts@gmail.com** Logout

AAN-CV25-6066141-S ELLIOTT, MATTHEW A v. NEW YORK BARIATRIC GROUP (NYBG)

Prefix: AM1 Case Type: T90 File Date: 10/29/2025 Return Date: 12/02/2025

Case Detail Notices History Exhibits Scheduled Court Dates Self-rep Help Manual

[To receive an email when there is activity on this case, click here.](#)

Select Case Activity:

Information updated as of: 08/04/2026

Case Information	
Case Type:	T90 - Torts - All other
Court Location:	Milford JD
List Type:	No List Type
Trial List Claim:	
Last Action Date:	08/04/2026 (The "last action date" is the date the information was entered in the system)

Disposition Information	
Disposition Date:	
Disposition:	
Judge or Magistrate:	

Party & Appearance Information			
Party	No Fee Party	Party Category	Party Type
P-01 MATTHEW A ELLIOTT		Plaintiff	Person
Self-Rep: 1121 File Date: 10/29/2025 15 AVALON DRIVE MILFORD, CT 06460			
D-01 NEW YORK BARIATRIC GROUP (NYBG)		Defendant	Firm or Corporation
Attorney: MICHAEL J KEANE (435286) File Date: 12/10/2025 350 BEDFORD STREET SUITE 406A STAMFORD, CT 06901			

Viewing Documents on Civil, Housing and Small Claims Cases:

If there is an  in front of the docket number at the top of this page, then the file is electronic (paperless).

- Documents, court orders and judicial notices in electronic (paperless) civil, housing and small claims cases with a return date on or after January 1, 2014 are available publicly over the internet.* For more information on what you can view in all cases, view the [Electronic Access to Court Documents Quick Card](#).
- For civil cases filed prior to 2014, court orders and judicial notices that are electronic are available publicly over the internet. Orders can be viewed by selecting the link to the order from the list below. Notices can be viewed by clicking the **Notices** tab above and selecting the link.*

			RESULT: Order 2/17/2026 HON BARBARA BELLIS	
129.10	02/17/2026	C	ORDER  RESULT: Order 2/17/2026 HON BARBARA BELLIS	No
130.00	02/05/2026	P	REQUEST FOR ARGUMENT - NON-ARG MATTER (JD-CV-128)  Plaintiff Entry No 130.00 -Request for Argument of Entry No 129.00 Motion for Order (P.B. Sec. 2-45)	No
131.00	02/11/2026	P	MOTION FOR INJUNCTION  Revised Motion for Injunction of Defendant Production of Withheld Protected Health Information Items RESULT: Order 3/2/2026 HON BARBARA BELLIS	Yes
131.10	03/02/2026	C	ORDER  RESULT: Order 3/2/2026 HON BARBARA BELLIS	No
132.00	02/11/2026	P	CASEFLOW REQUEST (JD-CV-116)  Mutual Request for Video Conference alongside scheduled February 24th 2026 Case Status Conference RESULT: Order 2/13/2026 HON BARBARA BELLIS	No
132.10	02/13/2026	C	ORDER  RESULT: Order 2/13/2026 HON BARBARA BELLIS	No
133.00	02/17/2026	D	OBJECTION TO MOTION 	No
134.00	02/25/2026	P	MOTION FOR CLARIFICATION-COURT ORDER  Motion for Clarification and Request for Findings of Law pertaining to Court-Order Entry No. 129.10	No
135.00	03/02/2026	C	ORDER  RESULT: Order 3/2/2026 HON BARBARA BELLIS	No
136.00	03/03/2026	P	MOTION FOR DEFAULT-FAILURE TO PLEAD  Motion for Default for Failure to Plead Against Defendant pursuant to Practice Book Section 17-32(a) RESULT: Denied 4/1/2026 BY THE CLERK	No
136.10	04/01/2026	C	ORDER  RESULT: Denied 4/1/2026 BY THE CLERK	No
137.00	03/10/2026	D	MOTION TO STRIKE 	Yes
138.00	03/10/2026	D	MEMORANDUM OF LAW IN OPPOSITION TO MOTION TO STRIKE PB 10-40 	No
139.00	04/01/2026	P	MOTION TO WAIVE ENTRY FEE AND PAY COSTS OF SERVICE  RESULT: Granted 4/6/2026 HON KEVIN RUSSO	No
140.00	04/09/2026	P	MEMORANDUM OF LAW IN OPPOSITION TO MOTION TO STRIKE PB 10-40  Plaintiff Entry No. 140.00 - Memorandum of Law in Opposition to Defendant's Motion to Strike	No
141.00	04/10/2026	D	OBJECTION TO INTERROGATORIES/PRODUCTION PB 13-8 and 13-10 	No
142.00	04/13/2026	P	NOTICE OF INTENTION TO APPEAL  Intention to Appeal Clerk Improper Denial of Motion for Default for Failure to Plead by Entry 136.10	No
143.00	04/13/2026	P	MOTION FOR ORDER OF COMPLIANCE – PB SEC 13-14 (INTERR/PROD – 13-6/13-9)  Motion for Order of Compliance of Plaintiff Request for Productions Form 204 - Pursuant to P.B.13-14 RESULT: Denied 6/15/2026 HON WALTER SPADER	No
143.10	04/27/2026	C	ORDER  RESULT: Off 4/27/2026 HON BARBARA BELLIS	No
143.20	05/11/2026	C	ORDER  RESULT: Denied 5/26/2026 HON SEAN MCGUINNESS	No

143.30	05/26/2026	C	ORDER	No
<i>RESULT: Off 5/26/2026 HON BARBARA BELLIS</i>				
143.40	05/26/2026	C	ORDER	No
<i>RESULT: Denied 5/26/2026 HON SEAN MCGUINNESS</i>				
143.50	06/15/2026	C	ORDER	No
<i>RESULT: Denied 6/15/2026 HON WALTER SPADER</i>				
144.00	04/16/2026	P	APPEAL TO APPELLATE COURT	No
145.00	04/20/2026	P	MOTION FOR STAY Motion to Stay Defendant Motion to Strike Pending AC 49857 Rule of Reversibility of Entry No. 136.00	No
146.00	04/24/2026	P	NOTICE OF SERVICE OF REQUEST FOR ADMISSION PB 13-22 Plaintiff Requests for Admission Notice Pursuant to P.B. 13-22(b)	No
147.00	04/27/2026	D	OBJECTION TO MOTION <i>RESULT: Order 5/11/2026 HON BARBARA BELLIS</i>	No
147.10	05/11/2026	C	ORDER <i>RESULT: Order 5/11/2026 HON BARBARA BELLIS</i>	No
148.00	05/04/2026	P	REQUEST Request for Interpretation and/or Remediation to Entry No.143- Motion for Order of Compliance PB 13-14	No
149.00	05/12/2026	P	CASEFLOW REQUEST (JD-CV-116) Request for Remediation of Entry143.00 Due to PB§13-10(h) Barring of Form 204 Objection Conferences <i>RESULT: Denied 5/12/2026 HON BARBARA BELLIS</i>	No
149.10	05/12/2026	C	ORDER <i>RESULT: Denied 5/12/2026 HON BARBARA BELLIS</i>	No
150.00	05/12/2026	P	MOTION FOR CLARIFICATION-COURT ORDER Motion for Clarification of Court Order Entry 149.10 to Entry 149.00 Plaintiff Caseflow Request <i>RESULT: Denied 5/26/2026 HON BARBARA BELLIS</i>	No
150.10	05/26/2026	C	ORDER <i>RESULT: Denied 5/26/2026 HON BARBARA BELLIS</i>	No
151.00	05/13/2026	C	APPELLATE COURT DECISION APPEAL DISMISSED <i>RESULT: BY THE COURT</i>	No
152.00	05/15/2026	P	EXHIBITS Plaintiff Exhibits #58 to #66, filed for Mutual Public Transparency&separately in Exhibits e-file tab	No
153.00	05/15/2026	P	MOTION FOR DEFAULT-FAILURE TO PLEAD Remedial PB §17-32(a) Default Motion Re AC49857 Dismissal of Chief Clerk Plain Error Entry 136.10 <i>RESULT: Denied 5/15/2026 HON BARBARA BELLIS</i>	No
153.10	05/15/2026	C	ORDER <i>RESULT: Denied 5/15/2026 HON BARBARA BELLIS</i>	No
154.00	05/19/2026	P	REQUEST FOR ARGUMENT - NON-ARG MATTER (JD-CV-128) Contingent Request for Arg Hearing re Entry 143.00 Compliance Motion, SC-11 #019, May 26th, 2026	No
155.00	05/19/2026	P	REQUEST FOR ARGUMENT - NON-ARG MATTER (JD-CV-128) Contingent Request for Arg Hearing re Entry 150.00 Clarification Motion, SC-11 #019, May 26th, 2026	No
156.00	05/19/2026	P	MOTION FOR DEFAULT (NON-DISCOVERY) RemedialDefault For Failure To PleadMotion Of Entry136 Via Judicial Remedy Of 136.10 Re Entry153.10 <i>RESULT: Denied 6/1/2026 HON BARBARA BELLIS</i>	No

156.10	06/01/2026	C	ORDER  <i>RESULT: Denied 6/1/2026 HON BARBARA BELLIS</i>	No
157.00	05/26/2026	P	MOTION FOR DETERMINATION OF SUFFICIENCY OF RESPONSES TO REQ FOR ADMISSION PB 13-23  PB13-23(b) Motion for SufficiencyNoncompliance of Defendant Vexatious Denials & ObjectionDistortions <i>RESULT: Order 6/8/2026 HON BARBARA BELLIS</i>	No
157.10	06/08/2026	C	ORDER  <i>RESULT: Order 6/8/2026 HON BARBARA BELLIS</i>	No
158.00	06/01/2026	P	MOTION FOR CLARIFICATION-COURT ORDER  Motion forClarification May 26th 2026 Orders 143.30 & 143.40 re Plaintiff PB13-14 Compliance 143.00	No
159.00	06/01/2026	P	MOTION FOR CLARIFICATION-COURT ORDER  Declaratory MotionforClarification May26th2026 Entry 150.10 Denial re Entries 149.00, 149.10, 150.00	No
160.00	06/05/2026	P	NOTICE OF INTENTION TO APPEAL  NoticeOfIntentToAppeal 156.10 Denial Re 156.00Remedial Default / 136.10 Plain Error Via CGS §52-265a	No
161.00	06/08/2026	P	APPELLATE COURT MATERIAL  Appl. for Certification pursuant to CGS 52-265a	No
162.00	06/15/2026	P	AFFIDAVIT OF ATTEMPT TO RESOLVE DISCOVERY OBJECTION  PLAINTIFF AFFIDAVIT RE ENTRY143.20, PB13-10(h) FORM204 NONWAIVER, PB13-14 COMPLIANCE MOTION RE ORDER	No
163.00	06/15/2026	C	APPELLATE COURT MATERIAL  Denial of Appl. for Cert. to Appeal	No
164.00	06/22/2026	D	OBJECTION TO MOTION 	No
165.00	06/23/2026	P	APPLICATION FOR ORDER OF MANDAMUS  HIPAAPrivate Right of Mandamus Post-Exhausted Actions Re NYBG Zoom PHI Items After 1 YearWithholding <i>RESULT: Denied 7/20/2026 HON WALTER SPADER</i>	Yes
165.10	07/20/2026	C	ORDER  <i>RESULT: Denied 7/20/2026 HON WALTER SPADER</i>	No
166.00	06/23/2026	P	CASEFLOW REQUEST (JD-CV-116)  Casflow Request Addendum for Judicial AuthorityConfirmation of Default & Closing-of-Pleadings Path <i>RESULT: Denied 6/29/2026 HON WALTER SPADER</i>	No
166.10	06/29/2026	C	ORDER  <i>RESULT: Denied 6/29/2026 HON WALTER SPADER</i>	No
167.00	06/23/2026	P	MOTION FOR IMMEDIATE HEARING  MotionforStatusConference Re Casflow, PB 17-32 Default, HIPAA PHI,Entity Retainer&DispositionRoutes <i>RESULT: Denied 6/29/2026 HON WALTER SPADER</i>	No
167.10	06/29/2026	C	ORDER  <i>RESULT: Denied 6/29/2026 HON WALTER SPADER</i>	No
168.00	07/06/2026	P	CASEFLOW REQUEST (JD-CV-116)  Request for Urgent Status Conference Re Court Order Denial Entries166.10 & 167.10 Due to P.B. 17-32 <i>RESULT: Denied 7/6/2026 HON WALTER SPADER</i>	No
168.10	07/06/2026	C	ORDER  <i>RESULT: Denied 7/6/2026 HON WALTER SPADER</i>	No
169.00	07/06/2026	P	MOTION FOR IMMEDIATE HEARING  Renewed Status Conference Motion PB 17-32 Default Remediation/HIPAA PHI/Counsel Retainer Concealment <i>RESULT: Denied 7/6/2026 HON WALTER SPADER</i>	No

169.10	07/06/2026	C	ORDER  <i>RESULT: Denied 7/6/2026 HON WALTER SPADER</i>	No
170.00	07/06/2026	P	MOTION FOR DEFAULT-FAILURE TO PLEAD  Default for Failure to Plead by PB 10-8 Time /Remediation to 17-32 ClerkPlain ErrorEntry No. 136.10 <i>RESULT: Denied 7/6/2026 HON WALTER SPADER</i>	No
170.10	07/06/2026	C	ORDER  <i>RESULT: Denied 7/6/2026 HON WALTER SPADER</i>	No
171.00	07/06/2026	P	REQUEST FOR ARGUMENT - NON-ARG MATTER (JD-CV-128)  Request forArgHearing Re Defendant Vexatious Sanctions Relief Request Entry No. 164.00 & Obstruction <i>RESULT: Off 7/6/2026 HON WALTER SPADER</i>	No
171.10	07/06/2026	C	ORDER  <i>RESULT: Off 7/6/2026 HON WALTER SPADER</i>	No
172.00	07/15/2026	P	EXHIBITS  Plaintiff Exhibits #67 to #75, filed forMutual Public Transparency&separately in Exhibits e-file tab	No
173.00	07/16/2026	P	OFFER OF COMPROMISE  Offer of Compromise by Plaintiff Under Conn. Gen. Stat. § 52-192a for the Sum Certain of \$12,500,000	No
174.00	07/20/2026	P	CASEFLOW REQUEST (JD-CV-116)  ConclusiveCaseflow Request re Entries 166.10/170.10,Entry 136.00 Remediation&Owed P.B.§17-31 Default	No
175.00	07/21/2026	P	CASEFLOW REQUEST (JD-CV-116)   Request Re Entry 165.10 Improper Denial of Mandamus TowardsCodified HIPAA Patient Access Remediation <i>RESULT: Order 7/21/2026 HON WALTER SPADER</i>	No
175.10	07/21/2026	C	ORDER   <i>RESULT: Order 7/21/2026 HON WALTER SPADER</i>	No
176.00	07/21/2026	P	MOTION FOR ORDER OF COMPLIANCE – PB SEC 13-14 (INTERR/PROD – 13-6/13-9)   Remedial PB § 13-14 Compliance Motion To Entry 143.00 After 165.10 Mandamus Denial To PHI Production	No
177.00	07/24/2026	P	MOTION FOR DEFAULT-FAILURE TO PLEAD   Remediation to Entry 136.00 FailureToPlead by PB §10-8 Timing Re ChiefClerk Plain Error Entry 136.10 <i>RESULT: Denied 7/27/2026 HON WALTER SPADER</i>	No
177.10	07/27/2026	C	ORDER   <i>RESULT: Denied 7/27/2026 HON WALTER SPADER</i>	No
178.00	07/24/2026	P	NOTICE   7-Day ExtensionNotice Re Offer Of Compromise Entry173.00 Counsel's ReceiptDelivery& Disqualification	No
179.00	07/31/2026	C	ORDER   <i>RESULT: Off 7/31/2026 HON WALTER SPADER</i>	No
180.00	08/03/2026	P	NOTICE   Attorney Keane's July 31st Representation of Defendant's Rejection of Plaintiff Offer of Compromise	No
181.00	08/03/2026	P	REQUEST FOR ARGUMENT - NON-ARG MATTER (JD-CV-128)   Contingent Req for ArgumentHearing To PB 13-14 Compliance Entry 176 Re Court Entries 143.50 & 165.10	No
182.00	08/03/2026	P	MOTION TO MODIFY SCHEDULING ORDER   Modify Scheduling Order to ExtendWritten Discovery& Depositions,Settlement Conference,Advance Trial	No

DOCKET NO: AANCV256066141S

SUPERIOR COURT

ORDER 421277

ELLIOTT, MATTHEW A
V.
NEW YORK BARIATRIC GROUP (NYBG)

JUDICIAL DISTRICT OF ANSONIA/
MILFORD
AT MILFORD

4/27/2026

ORDER

ORDER REGARDING:
04/13/2026 143.00 MOTION FOR ORDER OF COMPLIANCE – PB SEC 13-14 (INTERR/PROD – 13-6/13-9)

The foregoing, having been considered by the Court, is hereby:

ORDER: OFF

Marked off in light of late filed objection. However, please note that standard discovery does not apply to this case and objections may be timely filed.

Judicial Notice (JDNO) was sent regarding this order.

421277

Judge: BARBARA N BELLIS

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.

DOCKET NO: AANCV256066141S

SUPERIOR COURT

ORDER 421277

ELLIOTT, MATTHEW A
V.
NEW YORK BARIATRIC GROUP (NYBG)

JUDICIAL DISTRICT OF ANSONIA/
MILFORD
AT MILFORD

5/11/2026

ORDER

ORDER REGARDING:
04/13/2026 143.00 MOTION FOR ORDER OF COMPLIANCE – PB SEC 13-14 (INTERR/PROD – 13-6/13-9)

The foregoing, having been considered by the Court, is hereby:

ORDER: OFF

It appears that objections were timely filed, but that no good faith affidavit has been filed by the movant as required by the practice book. You may reclaim your motion once you have filed the proper affidavit. Please note that the court is requiring a face-to-face discussion, in person or on a remote platform, and that discussion must specifically address each and every objection separately.

Judicial Notice (JDNO) was sent regarding this order.

421277

Judge: BARBARA N BELLIS

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.

DOCKET NO: AANCV256066141S

SUPERIOR COURT

ORDER 421277

ELLIOTT, MATTHEW A
V.
NEW YORK BARIATRIC GROUP (NYBG)

JUDICIAL DISTRICT OF ANSONIA/
MILFORD
AT MILFORD

5/26/2026

ORDER

ORDER REGARDING:
04/13/2026 143.00 MOTION FOR ORDER OF COMPLIANCE – PB SEC 13-14 (INTERR/PROD – 13-6/13-9)

The foregoing, having been considered by the Court, is hereby:

ORDER: OFF

Superior Court Results Automated Mailing (SCRAM) Notice was sent on the underlying motion.

421277

Judge: BARBARA N BELLIS

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.

DOCKET NO: AANCV256066141S

SUPERIOR COURT

ORDER 448110

ELLIOTT, MATTHEW A
V.
NEW YORK BARIATRIC GROUP (NYBG)

JUDICIAL DISTRICT OF ANSONIA/
MILFORD
AT MILFORD

5/26/2026

ORDER

ORDER REGARDING:
05/11/2026 143.20 ORDER

The foregoing, having been considered by the Court, is hereby:

ORDER: DENIED

No good faith affidavit filed. See Order 143.20.

Judicial Notice (JDNO) was sent regarding this order.

448110

Judge: SEAN P MCGUINNESS

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.

DOCKET NO: AANCV256066141S

SUPERIOR COURT

ORDER 438579

ELLIOTT, MATTHEW A
V.
NEW YORK BARIATRIC GROUP (NYBG)

JUDICIAL DISTRICT OF ANSONIA/
MILFORD
AT MILFORD

6/15/2026

ORDER

ORDER REGARDING:

04/13/2026 143.00 MOTION FOR ORDER OF COMPLIANCE – PB SEC 13-14 (INTERR/PROD – 13-6/13-9)

The foregoing, having been considered by the Court, is hereby:

ORDER: DENIED

Superior Court Results Automated Mailing (SCRAM) Notice was sent on the underlying motion.

438579

Judge: WALTER MICHAEL SPADER JR

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.

EXHIBIT VI.

V.
NEW YORK BARIATRIC GROUP (NYBG)
Defendant

July 21st, 2026

Plaintiff Entry 176.00 – Remedial Motion for Order of Compliance Under P.B. § 13-14(b)(1)
Reinvoking Plaintiff's April 13th, 2026 Entry 143.00 Right to Relief Following the Court's
Prevention of Mandamus Relief by Denial Order Entry 165.10 and Standing as the Conditional
Route to Remediate Civil Discovery & Private Patient Rights of Access Under
Federal HIPAA and Connecticut General Statutes Law Provisions

The self-represented Plaintiff Matthew Elliott respectfully refiles his April 13th, 2026 Entry 143.00 through the present Entry 176.00 for immediate remediation of the Court's unexplained denial order Entry 143.50, following Entry 165.10's denial of the mandamus relief requested through Entry 165.00 and in conjunction with Entry 175.00, which seeks immediate remediation of that denied relief either through the granting of the present Entry 176.00 or the reversal of Entry 165.10 toward proceeding upon the mandamus application under Entry 165.00.

1. Entry 143.00 sought an order under P.B. § 13-14(b)(1) (Order for Compliance; Failure To Answer or Comply with Order) requiring the Defendant to comply with the Plaintiff's February 9th, 2026 Form 204 "Plaintiff's Requests for Production" after the Defendant by its counsel of Garfunkel Wild P.C. purposefully produced no requested items and instead filed Entry 141.00 on April 10th, 2026, vexatiously objecting to every request on the final day of the sixty-day production period. P.B. § 13-10(h) (Responses to Requests for Production) expressly barred objections to the Form 204 requests, while P.B. § 13-10(k) expressly preserved the Plaintiff's right to move under § 13-14 for the Defendant's failure to respond. Entry 143.00 was specifically therefore owed adjudication and compliance relief upon its original April 27th, 2026 short-calendar date because the Defendant's barred objections could not suspend, defeat, or replace the governing compliance procedure.

2. The controlling operation of P.B. §§ 13-10(h), 13-10(k), and 13-14 was subsequently preserved throughout Entries 148.00, 149.00, 150.00, and 162.00. Entry 162.00 additionally

supplied the Plaintiff's sworn affidavit in express satisfaction and compromise with Court Orders 143.20 and 143.40, while preserving that the P.B. § 13-10(i) conference and affidavit procedure remained inapplicable because § 13-10(h) prohibited the Defendant's underlying objections. Even after the Plaintiff accepted and satisfied that inapplicable burden, Entry 143.50 denied the requested compliance without explanation, did not claim that Entry 162.00 failed to satisfy either prior Court order, and supplied no legal or procedural basis adverse to the Rules of Practice repeatedly invoked by the Plaintiff.

3. No factual dispute, argument, or judicially created logic is further required toward application of these plain Rules of Practice. P.B. § 13-10(h) barred the Defendant's objections, § 13-10(k) preserved the Plaintiff's motion for an order under § 13-14, and § 13-14(b)(1) expressly provided the requested order of compliance. Those express provisions have nevertheless been unethically and unjustly invalidated by the Court within this action since April 27th, 2026, while the Defendant's barred objections have been permitted to function as an indefinite obstruction of production despite never possessing procedural validity.

4. The resulting deprivation is not confined to abstract discovery procedure. As presented throughout Entry 143.00 and the incorporated Entry 162.00 affidavit, the withheld productions include the Plaintiff's Zoom Phone patient call recordings and protected health information (PHI) items, provider-patient communications, clinical metadata and digital documentation, AdvancedMD patient portal deletion timestamps, Anthem BCBS grievance communications towards the Defendant, narrowly identified surveillance evidence, applicable internal patient-access and discharge policies, and identification of what responsive materials exist, were deleted or destroyed, were not preserved, or continue to be withheld. These productions directly concern the Plaintiff's codified patient right of access under HIPAA, including 45 C.F.R. § 164.524, Connecticut General Statutes §§ 19a-490b and 20-7c, and Regulations of Connecticut State Agencies § 19a-14-40, alongside the ordinary Chapter 13 discovery rights separately invoked through Form 204.

5. The Defendant by its counsel of the appeared Michael J. Keane Jr. of Garfunkel Wild P.C. has not produced the requested materials, withdrawn its barred objections, provided a privilege log, identified withheld responsive materials, created a lawful patient-access production route, or supplied the sworn good-faith foundation that its own reliance upon § 13-10(i) would have

required of itself even if that subsection had procedurally applied. The Defendant's continued obstruction of the same PHI and patient record communications through both ordinary discovery and the codified patient access laws has consequently permitted the day-to-day violations originating from the Plaintiff's July 8th, 2025 patient-access requests to continue without consequence.

6. Entries 174.00, 175.00, and the present Entry 176.00 therefore require immediate and parallel remediation concerning the same vexatious and inactive Defendant. Entry 174.00 addresses the Defendant's inactive pleading posture and the required P.B. § 17-31 (Procedure where Party Is in Default) by § 10-8 (Time To Plead) default remediation. Entry 175.00 addresses the Court's denial of the mandamus application seeking enforcement of the Defendant's ministerial patient-access duties. The present Entry 176.00 supplies the direct and ordinary P.B. § 13-14(b)(1) compliance route that the Court must grant if it declines to reverse Entry 165.10 and proceed upon Entry 165.00.

7. The complete April 13th, 2026 Entry 143.00 Motion for Order of Compliance and June 15th, 2026 Entry 162.00 affidavit are incorporated into the present Entry 176.00 PDF filing and reproduced in full immediately below the filing's Certification of Service page. Together, those filings conclusively establish the governing rule sequence, the Plaintiff's satisfaction of the additional affidavit burden imposed by the Court through Entries 143.20 and 143.40, the Defendant's continuing nonproduction towards Form 204, and the absence of any remaining procedural basis through which Entry 143.50 may continue denying the relief owed since April 27th, 2026.

WHEREFORE, the self-represented Plaintiff Matthew Elliott respectfully requests that the Court immediately grant Entry 176.00, remediate Entry 143.50, recognize the Plaintiff's satisfaction of Court Orders 143.20 and 143.40 through Entry 162.00 without waiver of the controlling application of P.B. § 13-10(h), and order the Defendant to fully comply with the Plaintiff's February 9th, 2026 Form 204 Requests for Production pursuant to P.B. §§ 13-10(k) and 13-14(b)(1). This remediation should proceed immediately in parallel with Caseflow Request Entries 174.00 and 175.00 without subjecting the Plaintiff's already-established procedural and patient-access rights to another ordinary short-calendar waiting period.

Certification of Service

I, Matthew Anthony Elliott, certify that a copy of the above was or will immediately be delivered electronically on July 21st, 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

350 Bedford Street

Suite 406A

Stamford, CT, 06901

Phone: 203-316-0483

Email: mjkeane@garfunkelwild.com

Respectfully submitted,

— Matthew Anthony Elliott, Self-Represented Plaintiff

Phone: 203-383-0079

Email: matthewelliotts@gmail.com

Date: July 21st, 2026

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



/s/ MATTHEW ANTHONY ELLIOTT

V.
NEW YORK BARIATRIC GROUP (NYBG)
Defendant

April 13th, 2026

**Plaintiff Entry No. 143.00 – Motion for Order of Compliance of Plaintiff's Request for
Productions (Form 204) Pursuant to P.B. Section 13-14**

The self-represented Plaintiff, Matthew Elliott, respectfully moves for an Order of Compliance pursuant to Practice Book Section § 13-14(a) and § 13-14(b)(1), requiring the Defendant, New York Bariatric Surgery Group, PLLC, to fully comply with the Plaintiff's First Requests for Production served on February 9th, 2026 through Form 204.

1. On Monday, February 9th, 2026, pursuant to Practice Book Section § 13-9, the Plaintiff serviced his Requests for Production upon the Defendant through Form 204 (Appendix of Forms: Plaintiff's Requests for Production).

2. The Defendant's response and production deadline expired on Friday, April 10th, 2026, day 60 following the Plaintiff's service on February 9th, 2026, and the Defendant has not produced any items under the Plaintiff's requests for production nor corresponded that said response would fall on the last day of the production deadline. Instead, on April 10th, 2026, the Defendant by its attorneys of Garfunkel Wild P.C. filed a procedurally improper and invalid objection to production via its Entry No. 141.00.

3. The Plaintiff respectfully states that these last minute objections are procedurally improper and invalid, as the Plaintiff's February 9th, 2026 requests were authorized through Form 204 and therefore governed by Practice Book Section § 13-10(h), which specifies "No

objection may be filed with respect to requests for production set forth in Forms 204...". In the face of this controlling rule, the Defendant's Entry No. 141.00 objection additionally fails to identify any applicable Practice Book section that would lawfully authorize the filing of such objections to the Plaintiff's Form 204 requests. Accordingly, the Defendant's April 10th, 2026 objection entry did not suspend, toll, or otherwise defeat the Defendant's requirement to produce responsive materials by day 60 on April 10th, 2026.

4. Practice Book Section § 13-14(a) expressly provides that if a party has "failed to respond to requests for production...the judicial authority may, on motion, make such order proportional to the noncompliance as the ends of justice require". This is succeeded by Practice Book § 13-14(b)(1), which then provides that such orders may include an order of compliance. The Plaintiff therefore moves for an order requiring full compliance within ten days of the Court's order due to the Defendant's failure to produce any items requested by the Plaintiff through his February 9th, 2026 Form 204 Requests for Production document.

5. The Plaintiff further respectfully states that Entry No. 141.00 is not merely procedurally improper, but facially demonstrates continued bad-faith obstruction by the Defendant by its attorneys of Garfunkel Wild P.C., as every single request was vexatiously objected to on day 60 of the production deadline; a clear abuse of basic discovery procedure.

6. The Defendant's April 10th, 2026 filing stands as record evidence that no good-faith production effort was ever within the Defendant's contemplation by the production deadline, and that Entry No. 141.00 was instead used as a last-day avoidance device to continue withholding and retaliatory obstruction.

7. The Plaintiff further respectfully states that, although these procedures do not govern the Plaintiff's February 9th, 2026 Form 204 Requests for Production due to the controlling subsection barring objections, the Defendant's filing was still plainly improper even if it were analyzed under the Practice Book procedures applicable to objectable production requests. In such a scenario, the Defendant still would have failed to comply with the conference and affidavit requirements of Practice Book § 13-10(i), which provides that no objection to a request for production shall be filed for placement on the short calendar list until an affidavit by counsel or self-represented parties is filed certifying that they have made good-faith attempts to resolve the objection and have been unable to reach agreement, with such affidavit further required to set forth the date of the objection, the parties involved, the date, time, and place of any conference held, the names of all conference participants, or the reasons why no conference was held. The Defendant filed no such affidavit. Thus, even under procedures that do not apply to the Plaintiff's Form 204 Requests, the Defendant's objection still lacked the required sworn procedural foundation and was submitted with no logistical or lawful basis.

8. The Plaintiff further notes that Entry No. 141.00 repeatedly asserts blanket privilege, work-product, and anticipation-of-litigation protections as to various requests. However, Practice Book § 13-10(g) provides that, to the extent a party withholds responsive material based on an assertion of privilege or work-product protection, that party must file an objection in compliance with § 13-10(f) and comply with the provisions of § 13-3(d). Section 13-3(d), in turn, requires a privilege log within forty-five days from the request of the party serving discovery. Therefore, even if proper privilege assertions had been raised by the Defendant, it still failed to comply with the Practice Book's required procedure for withholding materials on privilege or work-product grounds.

9. Despite filing invalid blanket objections on the sixtieth day, the Defendant's counsel of Garfunkel Wild P.C. made zero prior correspondence attempting any good-faith clarification, narrowing, conference, partial production, or other effort to resolve any claimed issue. The Plaintiff further states that Practice Book § 13-2 defines the scope of discovery broadly and expressly provides that it shall not be ground for objection that the information sought will be inadmissible at trial if it appears reasonably calculated to lead to the discovery of admissible evidence, as the Plaintiff's specific and mutually beneficial phone call recordings present direct verbal evidence of events and causes of action relevant to both parties.

10. The Defendant's repeated boilerplate objections that the Plaintiff's requests are "not reasonably calculated to lead to the discovery of admissible evidence" therefore further demonstrate that Entry No. 141.00 cannot stand as a neutral discovery response, even as an improper filing, but rather as a generic obstruction filing meant to prevent the Court from conducting any progression or establishment of facts in this case. The facial bad faith of Entry No. 141.00 is further shown by the substance of several specific objections, that the Plaintiff must directly address to preserve the integrity of this case's proper procedure and transparency.

11. By way of example, Request No. 27 sought internal camera footage, security video, or surveillance from NYBG's Fairfield, Connecticut office for the narrow timeframe of 12:15 PM to 12:30 PM on July 7th, 2025, tied directly to Christine Meurer's sworn CHRO statement that the Plaintiff had "refused to leave" the premises. The request identified the exact office location, exact date, exact timeframe, exact subject matter, and expressly stated that the Plaintiff was the only patient present alongside staff during that period. Nevertheless, the Defendant objected that the request was "not framed with the required specificity and particularity", which is facially false and constitutes clear vexatious defense.

12. In the same Request No. 27, the Defendant additionally objected that the request was improper because it sought information “protected by HIPAA”, despite the request being narrowly framed to footage of the Plaintiff himself and staff during a limited timeframe, and despite the Defendant separately continuing to obstruct production of the Plaintiff’s own phone call recordings and related PHI-containing materials. This inconsistent invocation of HIPAA shows that HIPAA is being abused opportunistically as a shield against production rather than as a genuine compliance principle or privacy concern.

13. Request No. 12 sought internal policies or protocols governing routine patient discharge decisions, including whether discharge may occur without discretion or approval from a treating physician, an obligated matter of formality in light of the discharge retaliation events against the Plaintiff by the Defendant during July 2025. The Defendant vexatiously objected that this request was irrelevant “to the extent the sole issue in this case is Plaintiff’s discharge”, which only confirms the direct relevance of the request and demonstrates the irrational nature of the objection in light of the Plaintiff’s specifically pleaded tortious causes of action against the Defendant.

14. Request No. 8 sought the full written internal policy or policies previously relied upon by NYBG staff and counsel to justify withholding the Plaintiff’s HIPAA-protected phone call recordings, including version history and modification dates, or a statement that no such policy exists. Rather than produce any such policy, state that none exists, or provide a privilege log, the Defendant vexatiously objected that the request sought “legal analysis and policy interpretation”, thereby attempting to blur operational or compliance materials into privileged material without any document-specific basis. The request additionally addressed the Defendant’s wide-ranging

violations of the State of Connecticut's two-party phone call recording consent laws, which the Defendant likewise objected to clarifying.

15. Request No. 26 sought communications, inquiries, or documents generated from health plan carrier Anthem BCBS's internal Provider Relations investigation into the Defendant NYBG as an in-network medical practice, including whether NYBG staff were interviewed, received notices, or participated in information exchange. The Defendant vexatiously objected that this was irrelevant because it involved "a separate third-party process not at issue in this case", despite the request directly concerning the same underlying facts, the same Plaintiff who is an Anthem BCBS member, the same misconduct applications, and the subsequent insurer investigation arising from those same events.

16. The Plaintiff further notes that several objections claim the requested material is "more readily or properly ascertained through other discovery procedures", while the Defendant, by its attorneys of Garfunkel Wild P.C., has simultaneously continued to avoid any deposition scheduling and or sworn affidavit productions despite the Plaintiff's January 2026 requests for mutual coordination. The Plaintiff further states that the Defendant's January 28th, 2026 Caseflow Request, Entry No. 127.00, falsely asserted that the individuals identified by the Plaintiff were not applicable to the case as a whole, an illogical and abusive falsification meant to deceive the Court.

17. The Defendant cannot in any manner claim that responsive documents should be sought through other discovery methods while simultaneously obstructing those very methods for months. This is especially relevant where the Defendant's own pleadings and productions have already placed the actions, conduct, statements, or lack thereof, of specific NYBG individuals at issue, including but not limited to Dr. Melissa Mastroianni, Dr. Kevin Small, Christine Meurer,

Savita Hosein, Pascal Pollac, and others, while its counsel of Garfunkel Wild P.C. has continued to prevent sworn clarification from said individuals despite the fairness interests of both the individual actors and the Defendant organization itself.

18. The Plaintiff further notes that the majority of production requests purposefully mirrored the Plaintiff's October 29th, 2025 Order to Show Cause motion materials during case filing and were included with service of process upon the Defendant on November 24th, 2025, meaning the Defendant cannot credibly claim lack of time or insufficiency of knowledge regarding the subject matter of these requests.

19. The Plaintiff also notes that responsive materials within Request No. 1 directly concern the Plaintiff's own protected health information and direct mutual evidence, including Zoom Phone patient call recordings which the Plaintiff has exercised his civil right to access since July 8th, 2025 under Health Insurance Portability and Accountability Act, 45 Code of Federal Regulations Sections §§ 160.103, 164.501, and 164.524, alongside Connecticut General Statutes Sections §§ 19a-490b and 20-7c, as further informed by Regulations of Connecticut State Agencies Section § 19a-14-40.

20. The Plaintiff further notes that Entry No. 141.00 and the Defendant's broader discovery posture continue to reflect unresolved ambiguity and obstruction regarding legal scope of representation, entity authority, and unauthorized practice of law issues already raised by the Plaintiff in this case since December 2025. Specifically, the Defendant has continued to receive legal representation and services through collectively retained Garfunkel Wild P.C. attorneys, including Connecticut-admitted and appeared Attorney Michael J. Keane Jr., alongside non-Connecticut admitted attorneys Stacey L. Gulick and Kathleen M. Brown. This remains

significant because the Plaintiff has repeatedly reported to the Judicial Branch that Gulick and Brown have participated in Connecticut proceedings within both the Superior Court and the Commission on Human Rights and Opportunities (CHRO) by transmitting the Plaintiff's protected health information and responsive filing service without pro hac vice admission or multijurisdictional practice notification, as directly confirmed to the Plaintiff by Statewide Bar Counsel on March 24th, 2026 via email correspondence. This issue is especially relevant where the Defendant simultaneously objected to requests seeking clarification of counsel retention, entity scope of representation, and authority to act on behalf of the proper Connecticut defendant business entity, while continuing to file papers "by its attorneys" and obstruct production of correspondence or records that would clarify who retained whom, under what entity, and with what lawful authority in this Connecticut Superior Court action. The Plaintiff further states that attorney-client privilege cannot extend to basic factual confirmations necessary to establish whether the proper Connecticut defendant business entity actually retained legal counsel, what entity was provided a scope of representation, and whether any lawful authority existed to transmit the Plaintiff's protected health information and provide legal services in Connecticut without pro hac vice admission or multijurisdictional practice notification, as such requirements had already been violated.

21. The Plaintiff affirmatively states that he is not attacking privileged legal advice or protected litigation strategy, but instead seeks the threshold factual basis of proper representation authority, as the absence of authorization by a duly empowered or principal member of the proper entity would create further procedural confusion and raise serious questions as to whether filings and PHI transmissions were undertaken with lawful authority at all. This is especially relevant where Garfunkel Wild P.C. swore under oath on December 29th, 2025 that its client was

Long Island Minimally Invasive Surgery, P.C., rather than New York Bariatric Surgery Group, PLLC, the Connecticut business entity legally actioned by the Plaintiff in both the Superior Court and CHRO proceedings. Such conduct further supports the Plaintiff's position that Entry No. 141.00 was not a neutral defensive discovery response, but instead formed part of a continuing pattern of procedural obstruction, concealment, and evasive conduct surrounding both discovery compliance and representation authority, which Garfunkel Wild P.C. has continued to avoid remediating.

22. The Defendant's continued refusal to produce these mutually beneficial materials in ordinary discovery, while simultaneously forcing the Plaintiff into separate injunction practice over the same categories of evidence, further demonstrates deliberate delay and obstruction. This stands in particularly vexatious nature, as the Plaintiff had been invited by the Defendant on July 16th, 2025, by NYBG Plastics Department Manager Christine Meurer, to "Subpoena us [NYBG], get a lawyer, go to court" in order to obtain said phone call recording evidence and admissions of liability therein, which the Defendant continues to withhold nine months later despite PHI obligations under federal and state right-of-access provisions. Because the Defendant failed to provide full production by April 10th, 2026, and because Entry No. 141.00 cannot procedurally relieve the Defendant of that obligation under the Plaintiff's Form 204 Requests for Production due to the controlling application of Practice Book Section § 13-10(h), which specifically bars objection, the Plaintiff respectfully requests that the Court order the Defendant to produce all responsive materials within ten days of court order.

Wherefore, the Plaintiff respectfully requests that the Court grant this Motion for Order of Compliance pursuant to Practice Book Section § 13-14 and order the Defendant to fully comply with the Plaintiff's February 9th, 2026 Requests for Production within ten days of the Court's order. The Plaintiff further gives notice that if full compliance does not occur following such order, he will seek further relief against the Defendant under Practice Book Section § 13-14(b)(5), including a motion for default for failure to comply with a court order.

Respectfully submitted,

— Matthew Anthony Elliott, Self-Represented Plaintiff

Phone: 203-383-0079

Email: matthewelliottsj@gmail.com

Date: April 13th, 2026

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

V.
NEW YORK BARIATRIC GROUP (NYBG)
Defendant

June 15th, 2026

AFFIDAVIT OF PLAINTIFF MATTHEW ANTHONY ELLIOTT IN SATISFACTION OF
COURT ORDER ENTRY NO. 143.20, WITHOUT WAIVER OF PLAINTIFF'S POSITION
REGARDING THE CONTROLLING APPLICATION OF P.B. § 13-10(h), AND IN SUPPORT
OF ENTRY NO. 143.00 PURSUANT TO P.B. § 13-14

I, the self-represented Plaintiff Matthew Anthony Elliott, respectfully state as follows:

1. I am the self-represented Plaintiff in this action and submit this affidavit in good faith to satisfy Entry No. 143.20, remove any continued perception of a valid procedural obstacle to adjudication of my Motion for Order of Compliance, Entry No. 143.00, and respectfully preserve the record that this compliance issue has already been unjustly delayed despite clear discovery, PHI, patient-record, and procedural rights.
2. I acknowledge the reassignment of this action to the Honorable Walter Spader, and I respectfully submit this affidavit with the intention of allowing this Court to promptly separate the pending compliance issue from the prior procedural confusion and unfair delay that occurred before this reassignment. I do not attempt to fully present every procedural injustice within this affidavit, but I do state that I have respectfully sustained months of avoidance of my civil rights, patient-record rights, HIPAA rights, and procedural rights while the Defendant by its counsel of Garfunkel Wild P.C. has faced no meaningful consequence for continued nonproduction, barred objections, and procedural obstruction.
3. I do not and will not waive any continued position that Practice Book § 13-10(h) has always controlled this compliance procedure. My February 9th, 2026 Plaintiff's Requests for Production document was specifically served as Form 204, and P.B. § 13-10(h) plainly states that no objection may be filed with respect to Form 204 requests. I had already presented this issue to the Court beginning with Entry No. 143.00 on April 13th, 2026, and it had been unjustly

invalidated by the Court despite its sequential proximity directly above the referenced § 13-10(i) subsection within the 2026 Connecticut Practice Book.

4. The Defendant by its counsel of Garfunkel Wild P.C., through appeared counsel of firm Partner Attorney Michael J. Keane Jr., nevertheless have presented Practice Book § 13-10(i) in bad faith as if it could excuse or validate the Defendant's day-60 objections, despite § 13-10(h) barring objections to my Form 204 requests. The Court unfortunately adhered to that invalid procedural framing through the denial of compliance relief and the denial of clarification, although the Defendant by its counsel of Garfunkel Wild P.C. had produced nothing, conferred about nothing at any point prior to Day 60, filed no sworn good faith affidavit in the alternative context of P.B. § 13-10(i) applying procedurally, provided no potentially applicable privilege log, and purposefully stalled until April 10th, 2026, the final Day 60 of the production period, to file objections through Entry No. 141.00 to continue its evidentiary and patient civil rights obstruction.

5. I respectfully state that the Court's prior mark offs, compliance delay, and remedial denials did not reference or substantively address Entry No. 143.00, did not address the controlling application of Practice Book § 13-10(h), and did not explain why the Defendant by its counsel of Garfunkel Wild P.C. could rely on a P.B. § 13-10(i) objection process after producing nothing by the April 10th, 2026 deadline despite the Form 204 objection bar. I do not believe this affidavit should include a full brief of every prior procedural injustice herein this Superior Court case, but I respectfully preserve that the continued failure to address the controlling rule has created serious prejudice, unfair delay, and the need for immediate remediation by this Court.

6. The Defendant's production deadline expired on April 10th, 2026. Instead of producing responsive materials, narrowing requests, conferring in good faith, providing partial production, identifying withheld materials, or filing any sworn good faith affidavit at any point if it was alternatively required towards Form 204, the Defendant by its counsel of Garfunkel Wild P.C. filed objections on Day 60 while producing no responsive materials purposefully, as it has not aimed to actually adhere to any basic procedure nor legal obligations, and never will.

7. I respectfully state that it was unfair and unjust for the Court to shift a Practice Book § 13-10(i) conference and affidavit procedure burden onto me as the moving party for compliance

where the Defendant by its counsel of Garfunkel Wild P.C. used a barred objection procedure under §13-10(h), waited until the sixtieth day, produced nothing, provided no dates, provided no privilege log, and made no prior good faith production effort in its continued vexatious defense instances.

8. To the extent the Court nevertheless has ordered a good-faith affidavit, this affidavit supplies a contemporary compromise with the Court to allow for compliance to be ordered under P.B. § 13-14 without continued delay. In proper applications to Forms that are objectable, P.B. § 13-10(i) thereby allows the affidavit procedures to explain why no good faith conference occurred at any point. To apply this to this ongoing delay of compliance court order, the reason no meaningful conference has ever occurred, and will not occur absent court intervention of consequence or sanction, is because the Defendant by its counsel of Garfunkel Wild P.C. has never created nor desired any actual good faith production path to adhere to basic procedure or statutory law, and no good faith dispute can exist where the Defendant therefore has inherently refused to produce protected health information (PHI) and/or mutual recorded patient communications legally owed under federal law, state law, and ordinary discovery.

9. There is no genuine good faith dispute to mediate, and never has been, where the Defendant by its counsel of Garfunkel Wild P.C. is maliciously withholding my own protected health information, provider-patient communications, auditory mutually evidentiary facts, Zoom Phone call recordings, metadata and digital documentations, AdvancedMD patient portal deletion timestamps, Anthem BCBS grievance communications, and other basic discovery materials while refusing to state what exists, what was deleted, what was destroyed, what was not preserved, or what is being withheld.

10. The Defendant has now delayed ordinary discovery compliance for approximately 126 days from my February 9th, 2026 production requests, and has delayed HIPAA and Connecticut patient-record access compliance for approximately 343 days from my July 8th, 2025 request origins, subject to the Court's final date calculation.

11. These materials are not optional collateral materials, as they include PHI and patient records owed under HIPAA, including 45 C.F.R. § 164.524, Connecticut General Statutes § 19a-490b and § 20-7c, Regulations of Connecticut State Agencies Section 19a-14-40, and the Court's own P.B. recognition of protected health information procedures through §

13-11A. These rights and authorities have been raised since Entry No. 101.00, which was denied with no explanation by the Court, just like its corresponding Motion for Clarification, Entry No. 116.00, in December 2025 and January 2026 respectively.

12. My renewed HIPAA injunction motion from February 11th, 2026 invoked the same PHI and patient-communication categories that were later included in my February 9th, 2026 Form 204 discovery requests. The Defendant by its counsel of Garfunkel Wild P.C. has therefore avoided the same core PHI production through both injunction practice and ordinary discovery practice, while the Court's delay and tolerance of procedural abuse has allowed the Defendant to continue unlawfully withholding materials that were owed long before this case reached the current compliance posture.

13. I respectfully state that it has been unjust and partial to require a self-represented Plaintiff without funding, institutional power, deposition access, subpoena capabilities, public presence, or voluntary cooperation from the Defendant to wait an additional three months for an injunction argument hearing, previously seven months when scheduled by the Court in February 2026, over HIPAA PHI and patient communications required within thirty days from first written request and already owed under federal law, Connecticut statutory law, and ordinary discovery procedures; as an argument is not legally required to obtain said productions at any point and instead denigrates statutory regulations.

14. I respectfully state that the continuation of this civil action before the recently assigned Honorable Judge Walter Spader allows this Court to address the pending discovery compliance issue without further reliance on the prior procedural denigration that has unfortunately dismantled standard rules of practice adherence. It also allows parallel resolutions of my pending Supreme Court application concerning the plain-error denial of Entry No. 136.00 by April 1st, 2026, and allows this Court to proceed with the default-for-failure-to-plead consequences already invoked since March 3rd, 2026 under Practice Book § 17-32, court-ordered PHI production, basic discovery compliance, and any further relief applicable under my January 30th, 2026 Amended Complaint within Entry 128.00.

15. I respectfully state that this case can immediately be disposed of through lawful statutory compromise procedures and/or private settlement at any point if desired by the Defendant. If the Defendant agrees to relief, full PHI production, and/or admission of spoliation and HIPAA

deletion violations in good faith, I remain readily available to agree to mediation or an applicable settlement process that would allow a full withdrawal of this action prior to a jury default damages hearing or further court-ordered damages proceedings become necessary.

16. The Defendant by its counsel of Garfunkel Wild P.C. has also failed to remediate the broader discovery obstruction created by its business entity-retainer, multi-state representation-authority, and unauthorized-practice violations already corroborated in writing by the Statewide Bar Counsel's First Assistant Bar Counsel Jennifer Gagosz on March 24th, 2026 via email. Garfunkel Wild P.C. has continued appearing and transmitting filings through appeared counsel Attorney Michael J. Keane Jr. while purposefully refusing since December 2025 to produce basic factual confirmations showing who retained whom, under what entity, with what authority, and confirm that Dr. Melissa Mastroianni, Dr. Kevin Small, and Dr. Shawn Garber were never ethically or procedurally informed of this case, its cause of action claim events, the Connecticut Commission on Human Rights and Opportunities proceedings concerning the same NYBG public accommodations, retaliation, PHI, and physician-defamation events, or the legal filings abusing their names.

17. This is especially prejudicial because Garfunkel Wild P.C. previously falsified in Entry No. 127.00 that cited NYBG individuals such as Dr. Melissa Mastroianni and Dr. Kevin Small, were not applicable to the case in any form, while the Defendant's own Superior Court filings, Connecticut Commission on Human Rights and Opportunities materials, limited evidentiary productions, and vexatious defense posture have placed those same individuals directly at issue.

18. I have attempted since this case's October 2025 filing and December 9th, 2025 return date to resolve these issues continuously through filings, clarification requests, motions, written preservations, exhibits, and direct identification of the withheld items and productions. The Defendant by its counsel of Garfunkel Wild P.C. has purposefully not produced the disputed materials, withdrawn the barred objections, produced required production, provided sworn testimony, presented a privilege log, or created any lawful HIPAA compliance path; or at minimum admission of spoliation.

19. I therefore respectfully state that production will not occur at any point unless court ordered, and even then the Defendant by its counsel of Garfunkel Wild P.C. must be court ordered to identify what exists, what was deleted/destroyed, or what was not preserved. This

affidavit is submitted solely to respectfully comply with the Court's requested procedural confirmation while preserving the Court's own codified rule section presented preemptively since Entry No. 143.00 that Practice Book § 13-10(h) permanently barred the Defendant's objections and procedurally invalidated § 13-10(i).

20. I respectfully request that the Court immediately grant Entry No. 143.00, order the Defendant to fully comply with my February 9th, 2026 Form 204 Requests for Production within three business days.

21. I further respectfully request that the Court immediately consider sanctions under Practice Book § 13-14 due to the Defendant and its counsel's abusive utilization barred objection practice, nonproduction tactics, malicious HIPAA obstruction, and procedural delays that have caused substantial prejudice and have continued without consequence since I first sought compliance relief from April 2026.

**REQUEST FOR ARGUMENT
NON-ARGUABLE CIVIL
SHORT CALENDAR MATTER**

JD-CV-128 Rev. 1-26
P.B. §11-18(f)

Instructions

1. Use this form to request argument on a non-arguable matter. 2. Use one form for each request. 3. Complete each section of the form. 4. File the form during the short calendar marking period.

Marking periods may be found in the calendar notices or standing orders at: <http://www.jud.ct.gov/external/super/Standorders/>.

Notice

If the request is granted, the argument will be scheduled and appearing parties will be notified of its date and time.

Parties should not come to court on the original calendar date unless the court instructs them to do so.

COURT USE ONLY
REQARG


STATE OF CONNECTICUT
JUDICIAL BRANCH
SUPERIOR COURT
www.jud.ct.gov



Name of case (Plaintiff v. Defendant) ELLIOTT, MATTHEW A v. NEW YORK BARIATRIC GROUP (NYBG)		Docket number AAN-CV25-6066141-S
Judicial District Ansonia-Milford	Calendar date August 3rd, 2026	Calendar number and position number Short Calendar SC-11 #016

I request argument on the following motion:

Title of motion Plaintiff Motion for Order of Compliance – PB SEC 13-14 (INTERR/PROD – 13-6/13-9) Remedial PB § 13-14 Compliance Motion To Entry 143.00 After 165.10 Mandamus Denial To PHI Production	Entry number of motion Entry 176.00
--	---

Title and entry number of any related filings

Plaintiff Entry 143.00 - Motion for Order of Compliance – PB § 13-14, Entry 162.00 - Affidavit of Attempt To Resolve Discovery Objection, Entry 165.00 - Application For Order Of Mandamus; Court Order Denial Entries 143.50, 165.10

Explain the reason(s) for this request:

Court Order Entry 179.00 represents that the Court has already undertaken preemptive review of Entry 176.00 before its August 3rd, 2026 short-calendar adjudication. This contingent request therefore seeks oral argument only if Entry 176.00 is not immediately granted upon the papers to remediate the unexplained and legally erroneous denial entered through Entry 143.50 of the compliance relief owed since April 27th, 2026. In such event, argument is necessary so the Court may explain on the oral record why the express compliance procedure under Practice Book §§ 13-10(h) and 13-14, together with the Plaintiff's federal Health Insurance Portability and Accountability Act (HIPAA), Connecticut General Statutes, and Regulations of Connecticut State Agencies patient-access rights, would still result in no order requiring production of protected health information (PHI) items that the Defendant has continuingly and unlawfully withheld through over a calendar year of obstruction and that additionally provide direct mutual evidentiary confirmations toward all cause-of-action claims within this action.

The attached addendum PDF thereby supplementarily provides the Court with fuller post-mandamus context not specifically included within Entry 176.00, including why Court Order Denial Entry 165.10 unethically reduced and denigrated the Plaintiff's legally sufficient 35-page mandamus application despite the cited statutory provisions and Practice Book language supplying that realistic remedial mechanism after every ordinary enforcement route had been denied, voided, or otherwise made unavailable to the Plaintiff notwithstanding the governing codified legal provisions. The addendum therefore additionally supplies contingent argument notes, procedural context, and subjects requiring direct oral discussion if Entry 176.00 is not affirmatively granted under the plain Rules of Practice, particularly where the Court previously declined any hearing or oral argument upon the inherently arguable Entry 165.00 mandamus application within its Entry 165.10 denial order. It is therefore provided as supplemental context for Entry 176.00 and for the Court's explanation, if the Plaintiff is again deprived of a compliance order, of why neither ordinary Chapter 13 enforcement nor legally sufficient mandamus relief remains available to enforce the same mandatory civil discovery production duties.

I am the:

☒ Plaintiff ☐ Defendant ☐ Attorney for Plaintiff ☐ Attorney for Defendant ☐ Other

Name of law firm, attorney, or self-represented party

Matthew Anthony Elliott, Self-represented Plaintiff

Address 15 Avalon Drive, Unit 1121, Milford, CT, 06460	Telephone number (with area code) 203-383-0079
--	--

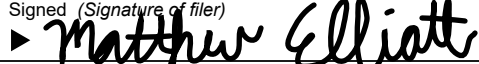
Certification

I certify that a copy of this document was or will immediately be mailed or delivered electronically or non-electronically on (date) **August 3rd, 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 received or will immediately be receiving electronic delivery.

Name and address of each party and attorney that copy was or will be mailed or delivered to*

Michael J. Keane, Jr. (435286) - 350 Bedford Street, Suite 406A, Stamford, CT, 06901

*If necessary, attach additional sheet or sheets with name and address which the copy was or will be mailed or delivered to.

Signed (Signature of filer) 	Print or type name of person signing Matthew Anthony Elliott	Date signed August 3rd, 2026
Mailing address (Number, street, town, state and zip code) 15 Avalon Drive, Unit 1121, Milford, CT, 06460		Telephone number 203-383-0079



ADA Accommodations
ADAProgram@jud.ct.gov
<https://www.jud.ct.gov/ADA>



Interpreters
Free language services available
<https://www.jud.ct.gov/LEP>

Servicios de asistencia lingüística gratuita están a su disposición
Serviços de assistência linguística gratuitos estão à disposição

Civil Procedures

Mandamus

Revised 01/2026

* There exists no provision provided by the Court, General Statutes, nor the 2026 Practice Book that a legal person must be a governmental official; private right is the controlling requirement toward any person obligated by a clear legal duty to perform

The Superior Court may issue a writ of mandamus only to enforce a clear legal right where the person against whom the writ is directed is under a legal obligation to perform the act. (See [Section 52-485 et seq. of the Connecticut General Statutes](#) and [Sections 23-45 through Section 23-49 of the Connecticut Practice Book](#)).

To begin an action seeking Mandamus - Documents to be filed:

Note: This type of action must be filed electronically in accordance with the [E-Services Procedures and Technical Standards](#).

1. A writ of summons ([Section 23-45 of the Connecticut Practice Book](#))
2. A complaint containing a statement in the prayer for relief asking for an order in the nature of a mandamus ([Section 23-45 of the Connecticut Practice Book](#))

Note: The complaint must state that there is no adequate remedy at law.

3. An order to show cause
4. No bond or recognizance is required unless otherwise ordered by the Court ([Section 8-3A of the Connecticut Practice Book](#))
5. A Motion for Temporary Order of Mandamus, if such relief is requested

Note: This motion must be under oath, whether it is attached to the complaint or filed during the action. ([Section 23-48 of the Connecticut Practice Book](#))

6. A proposed order granting the temporary mandamus
7. A proposed bond with surety
8. A proposed order granting the requested relief
9. The current entry fee is \$360.

* This motion was never invoked by the Plaintiff within Entry 165.00 and unjustly misapplied by the Court within Entry 165.10

APPLICATION FOR MANDAMUS IN AID OF A PENDING ACTION - DOCUMENTS TO BE FILED:

1. Application for an Order in the Nature of a Mandamus ([Section 23-47 of the Connecticut Practice Book](#))
2. An order to show cause

Note: No entry fee is required if the application for mandamus is filed in an existing action.

* Specifically invoked by the Plaintiff and not required to be filed under oath, notwithstanding the inherent Court facing presentations of factual statements within filings

V.
NEW YORK BARIATRIC GROUP (NYBG)
Defendant

August 3rd, 2026

Plaintiff Entry 181.00 – Request for Argument Addendum: Response to Court
Denial Order Entry 165.10 and Basis for Remediation Towards
Codified Patient Right to Access Law Provisions

PART I:

PURPOSE OF THIS REQUEST FOR ARGUMENT ADDENDUM

1. The self-represented Plaintiff Matthew Elliott respectfully submits this Request for Argument Addendum in direct response to the Court's July 20th, 2026 Entry 165.10 denial order concerning the Plaintiff's Entry 165.00 Application for Order of Mandamus. This Addendum provides supplemental post-mandamus context not specifically included within Entry 176.00 and identifies the legal, procedural, and factual subjects requiring oral consideration only if Entry 176.00 is not affirmatively granted upon the papers. It is therefore submitted to explain why the denial entered through Entry 165.10 bears directly upon the continuing absence of any enforceable remediation route for the same mandatory production duties addressed through Entry 176.00, and to preserve the matters requiring direct oral explanation if the Court again declines to order compliance under the governing Rules of Practice and patient-access provisions.

2. Affirmatively, the Court's denial order of Entry 165.10 must immediately be confronted as legally erroneous and in need of subsequent remediation because the nearly one-month wait for adjudication of Entry 165.00 leading to the outcome created within Entry 165.10 has demonstrated that ordinary short calendar motion wait periods have not allowed enforcement or proper application of either the 2026 Practice Book or Connecticut statutory law.

PART II:

DIRECT RESPONSE TO EACH TEXTUAL STATEMENT

AND LEGALLY ERRONEOUS BASIS WITHIN COURT DENIAL ORDER ENTRY 165.10

Entry 165.10, ¶ 1, pg. 1: “ A pleading seeking a writ of mandamus is authorized by CONNECTICUT GENERAL STATUTE § 52-485(a), which provides: “The Superior Court may issue a writ of mandamus in any case in which a writ of mandamus may by law be granted, and may proceed therein and render judgment according to rules made by the judges of the Superior Court or, in default thereof, according to the course of the common law.”

3. The Court begins its Entry 165.10 denial order by providing the foundational statute also cited by the Plaintiff within Entry 165.00, which the Plaintiff affirms as sound and correct, thereby confirming that the Court possesses the ability to directly cite controlling statutory provisions. Following that correct citation to General Statutes § 52-485(a), however, the Court later misconstrues its plain language and denigrates the ability of an individual party to invoke a writ of mandamus toward a private “party” or “person” to enforce a clear private right. Within this action, that private person is New York Bariatric Surgery Group, PLLC, a covered entity under the federal Health Insurance Portability and Accountability Act (HIPAA) and a medical-provider practice subject to Connecticut General Statutes Titles 19a and 20 and Regulations of Connecticut State Agencies Title 19a, which harmoniously codify its mandatory ministerial obligations to produce protected health information possessed concerning an individual patient upon that patient’s invocation of the codified private rights provided by 45 Code of Federal Regulations § 164.524 alongside Connecticut General Statutes §§ 19a-490b and 20-7c. Those obligations have never been performed in full with respect to the continuously withheld Zoom Phone call recordings first requested by the Plaintiff on July 8th, 2025. Because these controlling statutory, regulatory, factual, and evidentiary presentations were already explicitly supplied to the Court within Entry 165.00, the Plaintiff will not fully duplicate them within this Request for Argument Addendum for equitable remediation toward the Entry 165.00 denial.

Entry 165.10, ¶ 2, pg. 1: “ A Writ of Mandamus may by law be granted when a situation arises to compel the performance of a ministerial act by a public officer when the petitioner has a clear legal right to the immediate performance of that act. AVALONBAY COMMUNITIES, INC. V. SEWER COMMISSION, 270 Conn. 409 (2004). It does not give or define rights which one does not already possess, and cannot act upon doubtful and contested rights. HENNESSEY V. BRIDGEPORT, 213 Conn. 656 (1990). ”

4. The Court’s second paragraph provides the standard confirmation that a writ of mandamus has historically been utilized to compel a public officer’s performance of a ministerial act, reflecting the remedy’s frequent application toward duties imposed by statutory law upon governmental actors. That accurate application, however, is immediately misconstrued illogically throughout Entry 165.10 as establishing that mandamus may only be directed toward a governmental officer, an assertion that is not backed by Connecticut law on a single occasion. AvalonBay Communities, Inc. v. Sewer Commission, 270 Conn. 409 (2004), contains no judicial ruling or finding that a private person or party is construed as exempt from mandamus when it is subject to a direct ministerial duty corresponding to a petitioner’s established private right(s). The Court therefore distorts a previously recognized application of mandamus into an exclusion of its parallel application toward private persons plainly provided by Practice Book § 23-47 (— Mandamus Order in a Pending Action), despite neither the cited authority nor the controlling statutory and Rules of Practice language imposing that supposed restriction.

5. Hennessey v. Bridgeport, 213 Conn. 656 (1990), likewise establishes only that mandamus enforces a clear legal right already possessed and cannot create new rights or operate upon doubtful and contested rights; Entry 165.00 did not request the creation or definition of any new right, and specifically sought enforcement of the Plaintiff’s widely-established private patient rights and the corresponding ministerial production duties imposed upon the Defendant. Nothing within the Court’s cited Hennessey principle establishes governmental-official exclusivity toward private right enforcement or exempts a private person charged with an existing ministerial duty from the pending-action mandamus procedure expressly provided by P.B. § 23-47.

Entry 165.10, ¶ 3, pg. 1: “ It is well settled that [m]andamus is an extraordinary remedy, available in limited circumstances for limited purposes.... It is fundamental that the issuance of the writ rests in the discretion of the court, not an arbitrary discretion exercised as a result of caprice but a sound discretion exercised in accordance with recognized principles of law.... That discretion will be exercised in favor of issuing the writ only where the plaintiff has a clear legal right to have done that which he seeks.... The writ is proper only when (1) the law imposes on the party against whom the writ would run a duty the performance of which is mandatory and not discretionary; (2) the party applying for the writ has a clear legal right to have the duty performed; and (3) there is no other specific adequate remedy.” (Internal quotation marks omitted.) *ALDIN ASSOCIATES LTD. PARTNERSHIP V. STATE*, 209 Conn. App. 741 (2022). Even if the plaintiff satisfies the three requirements, issuance is not automatic. “In deciding the propriety of a writ of mandamus, the trial court exercises discretion rooted in the principles of equity.” *HENNESSEY* at 659. ”

6. The Court begins its third paragraph by continuing its inequitable presentation of case-law applications that, when applied to the contents of Entry 165.00, inherently confirm the soundness of the Plaintiff’s application and its realistic satisfaction of the limited extraordinary-remedy requirements cited by the Court. Entry 165.00 affirmatively established mandamus as the Plaintiff’s final available means to require production under clear private rights after the Defendant’s violations of HIPAA and Connecticut General Statutes Titles 19a and 20, its abuse of Chapter 13 civil discovery, the avoidance of enforcement by HHS OCR, the Court’s approximately seven-month scheduling delay for nonrequired argument concerning the Plaintiff’s HIPAA injunctive-relief request within Entry 131.00 despite the Defendant’s continuous violations of standard thirty-day requirements since July 2025, and the unexplained denial of the Plaintiff’s Entry 143.00 compliance motion through Entry 143.50 following weeks during which the Plaintiff preserved the controlling operation of P.B. § 13-10(h), which the Court then effectively voided. That denial remained unremediated even after the Plaintiff complied with the inapplicable affidavit requirement unjustly imposed upon him through Court Order Entries 143.20 and 143.40, notwithstanding the Defendant’s violations of Practice Book § 13-10(h) having been plainly allowed to continue by the Court.

7. The Court's quotation requiring discretion to be exercised "in accordance with recognized principles of law" further confirms that Entry 165.00 was not afforded the required integrity of review. Entry 165.00 expressly identified the codified patient right-to-access provisions under federal and State of Connecticut law, together with Practice Book § 13-11A (— Motion for Authorization To Obtain Protected Health Information), directly connected to the § 13-9 (Requests for Production) procedure invoked through the Plaintiff's February 9th, 2026, "Plaintiff's Requests for Production" Form 204 service upon the Defendant. The Plaintiff will once again state that he will not repeat the extensive presentations already explicitly supplied to the Court concerning those statutory rights, ministerial duties, and direct Rules of Practice procedures. The Court's Denial Order Entry 143.50 nevertheless denigrated its own plain procedures through its unexplained denial, while Entry 165.10 now operates in parallel to permit the Defendant to avoid the same ministerial production duties without identifying any adequate remaining remedy, thereby compounding that procedural denigration.

8. In direct application of the requirement that "the plaintiff has a clear legal right to have done that which he seeks", Entry 165.00 affirmatively satisfied that requirement and all three elements identified by *Aldin Associates Ltd. Partnership v. State*, 209 Conn. App. 741 (2022) even with minimal federal HIPAA provision affirmations: the governing federal and state laws impose mandatory production duties upon the Defendant New York Bariatric Surgery Group, PLLC, as a covered entity provider practice under federal HIPAA law; the Plaintiff possesses the corresponding clear private rights provided by federal HIPAA law within 45 C.F.R. § 164.524; and no other specific adequate remedy remained after the foregoing enforcement failures and unexplained judicial denials. Entry 165.10 does not once attempt to dispute the applicability or substance of any specific federal or Connecticut patient right provisions cited by the Plaintiff, yet invokes logistical case law language citing "principles of equity" without ever addressing that mandamus became necessary because the Court had already unjustly voided Practice Book § 13-10(h) in its mistreatment of the Plaintiff's § 13-14(b)(1) compliance motion Entry 143.00,

despite expressly being provided through §§ 13-9(k) and 13-14(a). The Court instead allowed the Defendant's vexatious § 13-10(i) objection distortions, inherently barred by § 13-10(h), to eliminate the express procedural consequences of its malicious noncompliance. The resulting record preserves a continuing pattern within Elliott v. NYBG through which codified legal and procedural consequences have been removed from the Defendant and its counsel of Garfunkel Wild P.C. despite plain violations continuing since December 2025, thereby further denigrating the neutral integrity required of the Court's review and equitable discretion.

Entry 165.10, ¶ 4, pg. 1: “ It is fundamental to the Writ that the Applicant in his pleading must show that the public official that is named as a defendant has been requested and has refused to perform the required act in accordance with his duty to do so. See, generally, BALLAS V. WOODIN, 155 Conn. 283, 286 n.3 (1967). ”

9. The request-and-refusal requirement cited by the Court once again stands as affirmatively satisfied through the plain application of Entry 165.00. The Plaintiff's pending action mandamus application supplied documented evidence, also preserved throughout the record from July 2025 to the present, establishing that the Defendant was repeatedly requested to perform its mandatory production duties under federal HIPAA and Connecticut General Statutes § 20-7c and specifically and unlawfully refused to do so on numerous occasions. The Defendant's continued nonperformance is further established through its frivolous and vexatious filings submitted by its counsel, which have relied solely upon bad faith objections to ordinary civil discovery procedures while continuing to violate the same required ministerial acts. Accordingly, even if the request-and-refusal principle stated within Ballas v. Woodin, 155 Conn. 283, 286 n.3 (1967), is applied to the Plaintiff's invocation of mandamus against a private duty holder, Entry 165.00 expressly satisfied it.

10. The Court nevertheless again misconstrues case-law applications involving public officials or governmental actors as though those encompassed factual applications extinguish the parallel availability expressly preserved by Practice Book §§ 23-45(a) and 23-47 alongside General Statutes § 52-485 for enforcement against a private “person” or “party”. Ballas contains zero cited holding that a private person subject to a mandatory statutory duty is ever exempt from

mandamus, while its request-and-refusal principle directly supports Entry 165.00 upon application to the documented record. The Court's improper reliance upon that authority to deny relief through a nonexistent public-official exclusivity provision therefore deprives the Plaintiff of the "principles of equity" referenced within Entry 165.10, because the same case law principle offered as a basis for the Court's order specifically endorses the Plaintiff's established presentation of plain patient rights frameworks without attempting to identify any lawful restriction upon enforcement of the Defendant's private ministerial duties owed to the Plaintiff.

Entry 165.10, ¶ 5, pg. 1-2: The application for the Writ was filed on or about June 23, 2026 and appears on the Court's July 20, 2026 short calendar. The applicant marked the application "READY" for a hearing. The Court has reviewed the pleading and is considering it "on the papers" because the Court cannot provide the relief that the applicant seeks. As noted in the application, the "requested order is directed only to the Defendant New York Bariatric Surgery Group, PLLC." It is also the only party the motion could be directed to, as it is the only defendant-party to the case. Fatally to the application, however, the defendant is a private entity and not a public official. "

11. The nearly one month wait for adjudication of the Plaintiff's pending action mandamus application, followed by Entry 165.10's erroneous denial without oral argument, creates another unjust presentation that the Defendant will not be held to any standard imposed by state or federal law. That result remains paired with the still unremediated consequence of the Defendant's incurable Practice Book § 10-8 violation concerning § 10-6; the Defendant has stood as affirmatively absent from the Chapter 10 pleading sequence within this civil action.

12. The Court's unjust decision to consider Entry 165.00 "on the papers" through declining the basic oral argument expressly requested by the Plaintiff has unethically and unjustly deprived him of the requested oral-argument and hearing routes through which the legal and factual errors of law contained within Entry 165.10 could have been addressed before entry of the denial.

This continued deprivation has burdened the Plaintiff with repetitively seeking remediation and relief across dozens of Entries met with unexplained denials, improper legal bases, or erroneous uncertainty concerning plain codified Rules of Practice already invoked within his filings for months. The resulting burden has been imposed upon the self-represented Plaintiff receiving zero monetary compensation while repeatedly providing the Superior Court with its own controlling codified rules.

13. Contrary to Entry 165.10's assertion that "the Court cannot provide the relief that the applicant seeks", in direct application of the Rules of Practice, the Court inherently possesses statutory and procedural authority to provide that relief. No Connecticut case law, statutory provision, or Practice Book section cited within the denial establishes that public officials constitute the sole category of persons toward whom mandamus may issue. The Court's contrary conclusion pertaining to writ of mandamus is therefore erroneous in law under legacy provisions, the contemporaneous terms and interpretations of General Statutes § 52-485 and Practice Book §§ 23-45(a) and 23-47, and the specific civil procedure directives under the Judicial Branch's January 2026 mandamus web page. The Court's application of denial order Entry 165.10 presently permits the Defendant to evade every production requirement invoked under state and federal law based solely upon its status as a private entity, despite the controlling provisions expressly preserving mandamus to enforce a private duty owed to an individual person due to a clear private right.

Entry 165.10, ¶ 6, pg. 2: " Put in straight forward terms, the Writ requested from the Court is an Order formally commanding a GOVERNMENTAL OFFICIAL to perform their legally required duty. Despite multiple pages of legal analysis, the application is devoid of any analysis on the applicability of a Writ of Mandamus to this specific case and the legal section of the memorandum fails to address that the relief he is seeking is only available as to governmental actors. "

14. Put in straight forward terms, this unethically condescending paragraph is inherently erroneous in law because it treats a legally recognized application of mandamus toward a GOVERNMENTAL OFFICIAL as voiding the parallel availability of mandamus to enforce a

private statutory duty imposed upon a private “party” or “person” despite the controlling General Statutes, Rules of Practice, and Judicial Branch Civil Procedures web page materials expressly preserving those established terms and the corresponding private right procedure. The paragraph’s simultaneous falsification that Entry 165.00 was “devoid” of case-specific analysis despite the Plaintiff’s 35-page presentations and 100+ page legal evidence chain towards federal HIPAA and State of Connecticut patient right to access production duties further confirms that the filing was not reviewed with the basic handling required of the Court following the one month wait for the Entry’s adjudication.

Entry 165.10, ¶ 7, pg. 2: The Court is denying the application and will not issue the Writ because the application is not in the proper form (it is not under oath), but even if it were under oath, the party against whom the Writ is proposed to be issued against is NOT a governmental official or public officer but a private corporate entity. There is no governmental duty to perform set forth in the Application that a public official has neglected to the Applicant.

15. The Court’s assertion that Entry 165.00 was not in the proper form because it was not under oath is directly invalidated by its own provisions within the Judicial Branch’s Civil Procedures mandamus web page and express separation of procedures under Practice Book §§ 23-45(b), 23-47, and 23-48. P.B. § 23-45(b), when governing the commencement of a mandamus action, specifically states that “No affidavit to the truth of the allegation of the complaint is required”. The express absence of an affidavit requirement even toward the commencement of a separate mandamus action further confirms that P.B. § 23-47, the pending action mandamus procedure specifically invoked by the Plaintiff, affirmatively does not cite an oath requirement. Any sworn oath requirement instead pertains solely to the distinct temporary motion procedure provided under P.B. § 23-48 (Temporary Order of Mandamus), which the Plaintiff did not invoke in any form within Entry 165.00. Specifically, Entry 165.00 sought an order in the nature of mandamus within this ongoing civil action pursuant to P.B. § 23-47, and the Court therefore misapplied a requirement belonging to a separate temporary order procedure that plainly did not govern the Plaintiff’s application. When paired with the Court’s decision to decline basic oral argument through which the Plaintiff would have expressly provided this very application of its

own Rules of Practice, that misapplication stands as part of a continuing pattern within Elliott v. NYBG of unjust deprivation of ordinary Superior Court oral-argument and adjudicative procedures unheard of within a modern court system, thereby calling its procedural integrity into question despite the clear violations committed against the Plaintiff and the Court itself by the Defendant through its counsel.

16. The Court’s final stated basis therefore pairs an erroneous oath requirement with its equally erroneous attribution of governmental official or public officer exclusivity, despite no such exclusive requirement being established within cited case law, General Statutes § 52-485, or the specifically invoked 2026 Practice Book. This failed attempt to lawfully support the improper denial stands as plain injustice that denigrates the writ of mandamus and the supposed "principles of equity" referenced by the Court itself. Those principles were neither attempted to be provided to the Plaintiff nor applied through a genuine judicial review of Entry 165.00, which inherently satisfied the Court’s own cited standards, statutory confirmations, and Rules of Practice provisions while specifically invoking P.B. §§ 23-45(a) and 23-47, neither of which required the Plaintiff’s pending action application to be submitted under oath.

PART III:

ENTRY 165.10’S FAILURE TO ADDRESS REALISTIC

PROCEDURAL APPLICATION AND REQUESTED CONTINGENT ORAL ARGUMENT

17. Entry 165.10 thereby preserves that additional judicial resources were expended to ensure that “principles of equity” were not provided in any form, while even minimum adherence to the Rules of Practice, federal law, and Connecticut law was withheld to permit the Defendant to remain “above and exempt from federal, Connecticut, and Practice Book provisions repeatedly invoked only by the deprived Plaintiff since July 2025”, an outcome that the Plaintiff expressly predicted within Entry 165.00's ending statements that affirmed that any denial of his clear private rights against a private person already willingly violating those laws for more than one year within two ongoing civil actions within Connecticut tribunals would realistically produce

that exact result. Entry 165.10 has now affirmatively granted the Defendant leave to continue those violations through denial bases unsupported by the governing mandamus procedures.

18. Beyond the legal errors addressed throughout Part II, the Court's denial order Entry 165.10 does not once attempt to interact with the actual logistics of mandamus in realistic application within this ongoing civil action. The Court denied oral argument, did not issue a rule to show cause under P.B. § 23-47, did not direct an extent or time for the Defendant's return under P.B. § 23-49, did not provide an adjudicative route of production, and did not identify a theoretical alternative relief mechanism through which the Defendant's ministerial production duties could ever be enforced after the direct P.B. § 13-14(b)(1) compliance route under Entry 143.00 had already been denied without explanation by the Court through denial order Entry 143.50. The complete absence of any realistic application of the governing procedure further highlights the Court's supervisory failure that has left this civil action and the Defendant's continuing violations without an enforceable remediation route.

19. Accordingly, if Entry 176.00 is not affirmatively granted upon the papers, Paragraphs 3 through 18 of this supplemental addendum provide the legal and procedural subjects requiring direct oral explanation, including why the Plaintiff's original Chapter 13 compliance route under Practice Book § 13-14, first invoked through Entry 143.00 and left unexplained through denial order Entry 143.50, and the later pending-action mandamus route invoked through Entry 165.00 and denied through Entry 165.10 have both been rendered unavailable while the same mandatory production duties remain unperformed. The contingent request for oral argument is therefore necessary to address how the Defendant's continuing withholding of the Plaintiff's requested Form 204 production materials and statutorily owed patient PHI, including the Zoom Phone call recordings and related records first requested since July 8th, 2025, can remain without an enforceable remediation route notwithstanding the Plaintiff's repeated invocation of the applicable federal HIPAA, Connecticut statutory, and Rules of Practice provisions.