

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, ss.

SUPERIOR COURT  
NO. BACV2011-00433

JESSE E. TORRES, III and )  
JENNIFER J. ADAMS, )  
Plaintiffs, )  
vs )  
SOPHIE J. TORRES, )  
JESSE E. TORRES, IV, )  
DEBTMERICA, LLC, and )  
DONALD F. TORRES, )  
Defendants )  
\_\_\_\_\_ )

**DEFENDANT SOPHIE TORRES'S OPPOSITION TO PLAINTIFFS' VERIFIED  
MOTION TO RESTRAIN CERTAIN PARTIES FROM DISCUSSING THE CASE OR  
THE PLAINTIFFS WITH THE DEFENDANT SOPHIE TORRES**

The Defendant, Sophie J. Torres, hereby opposes the Plaintiffs' Verified Motion to Restrain Certain Parties from Discussing the Case or the Plaintiffs with the Defendant Sophie Torres, dated August 3, 2011.

In the motion, the Plaintiffs request an order prohibiting Sophie Torres from discussing the above-captioned lawsuit with "any family members," and prohibiting Jesse E. Torres, IV, Donald Torres, Joseph J. Torres, Mary C. Torres, and Debtmerica, LLC, from discussing the case with Sophie Torres. As grounds for their motion, the Plaintiffs suggest that the above-named individuals have exerted undue influence over Sophie Torres, and that continuing communication between Sophie Torres and the above-named individuals will effectively prevent a doctor from conducting a meaningful mental examination of Sophie Torres, should such examination be ordered in the future.

The Plaintiffs' self-serving assertions that Sophie Torres is vulnerable to undue influence

are, in themselves, insufficient to justify injunctive relief prohibiting her from engaging in otherwise protected speech. The Plaintiffs' motion is not supported by statute or case law, and the relief sought by the Plaintiffs would directly contravene the wishes of Sophie Torres. Upon a balancing of the equities, the Plaintiffs' motion should be denied.

Respectfully submitted,  
Sophie J. Torres,  
By her attorney



Jeremy M. Carter  
BBO #542118  
Wilkins and DeYoung  
270 Winter Street  
Hyannis, MA 02601  
(508) 771-4210

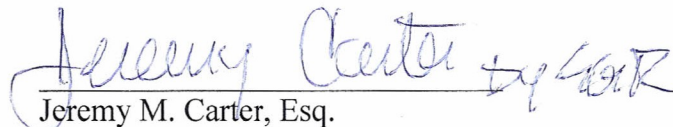
Dated: August 8, 2011

### CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of the above Defendant Sophie Torres's Opposition to Plaintiffs' Verified Motion to Restrain Certain Parties from Discussing the Case or the Plaintiffs with the Defendant Sophie Torres has been sent via first class mail, postage prepaid this 8th day of August, 2011 to the Plaintiffs:

Jesse E. Torres, III  
562 Waquoit Highway  
East Falmouth, MA 02536

Jennifer J. Adams  
562 Waquoit Highway  
East Falmouth, MA 02536



Jeremy M. Carter, Esq.