

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

SUPERIOR COURT

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

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Civil Docket # BACV2011-00433

**PLAINTIFFS' EMERGENCY MOTION TO SERVE THE DEFENDANTS ELECTRONICALLY IN THE SAME MANNER AND CONDITIONS AS USED BY THE MASSACHUSETTS COURT OF APPEALS FOR MOTIONS OR, AS THEY ARE BETTER KNOWN, EMOTIONS**

**NOW COMES THE PLAINTIFFS** in the above entitled action and moves that the Court allow electronic service of Motions and other Pleadings to the Defendants' Counsel in the above entitled matter, in the manner used daily by the Massachusetts Court of Appeals, known as "*emotions*".

The Massachusetts Court of Appeals has already set the standard by which this Court should also follow. With their safety in mind, the same basis for this motion, the Appellants sent the following notice to the Appeals Court; to not disclose the Appellants/Plaintiffs' phone number used in their oral arguments to the Appeals Court via telephone. This would have had the effect of disclosing the Appellants/Plaintiffs' address, as would direct service to the Defendants' Counsel:

*"We the Appellants wish to make oral argument to the Court via phone conference call at the date and time prescribed herein. We are sending the Court in separate email, the phone*

*number we wish to use for the conference call. We ask the Court to take note that due to the threats against us by the certain of the Appellees and their associates, and the fact that there is no need or benefit to the Appellees to know our number that day, that our phone number not be disclosed to them.”*

**AS GROUNDS THEREOF** the Massachusetts Court of Appeals assuredly reviewed the Government Documents that were attachments to the Appeal, which clearly set forth that the life threats against the Appellants were well supported, and as such, did not disclose the Appellants' phone number as requested by the Appellants.

The Plaintiffs are now in the Western United States, much closer to the parties that were party to those death threats. This is not a place where the Plaintiffs want to be located, and the Plaintiffs argue, that this is the direct result of this Court's overturned order. While this Court elected to not hear the Plaintiffs' Motions on this matter, the threats are believed to be very real by the Plaintiffs. One party has already died. The party who made the threats was found dead of a “*supposedly self-inflicted*” gunshot wound to his head from a Desert Eagle.

This Court cannot knowingly place the Plaintiffs' lives at risk. The Government Documents on file with this case, in this very Court, clearly and unequivocally demonstrate the seriousness of these death threats against the Plaintiffs. Further, the precautions taken by the Massachusetts Court of Appeals on this very matter, must be considered by this Court as a ruling that it should, and must follow.

The Plaintiffs have filed with this Motion, a related “*Plaintiffs' emergency motion to seal plaintiffs' address*” which was filed based on these same set of facts, namely, the Plaintiffs' justifiably fearing for their lives.

**Of Judicial Notice**, is that the Defendants' Counsel has clearly demonstrated a lack of familiarity with high-security matters such as these, as evidenced by their sending confidential emails between them and their Clients to the Plaintiffs. This lack of familiarity could easily lead

to the inadvertent disclosure of the Plaintiffs' location to their Clients. Their email is attached.

**WHEREFORE** the Plaintiffs pray that this motion be allowed for all of the reasons argued herein, or an alternative measure ordered by this Court which would assure the Plaintiffs' safety. The Plaintiffs aver that the denial of this motion or similar protection measures ordered by this Court would clearly place the lives of the Plaintiffs in imminent danger. Further, this denial would without doubt, be perceived by the average citizen to not simply have the appearance of impropriety, but clearly to be a punitive and unconscionable act by this Court.

Respectfully submitted,

Respectfully submitted,

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Dated December 31, 2013