

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE TRIAL COURT

HAMPDEN, SS.

DISTRICT COURT DEPARTMENT
PALMER DIVISION
CIVIL ACTION NO. 1143CV293

Brian Johnson,)
Plaintiff)
)
v.)
)
Peter Frei,)
Defendant)

**DEFENDANT’S OPPOSITION TO PLAINTIFF’S MOTION TO
CONTINUE HEARING ON DEFENDANT’S REQUEST FOR
SANCTIONS.**

Attorney Tani Sapirstein, in her signed opposition to defendant’s motion to dismiss, deliberately made a false statement to this court designed to trick this Court into denying defendant’s motion to dismiss and thereby prejudice the defendant.

The prejudice statement is not an oral statement made during the hearing; it is included in plaintiff’s opposition to defendant’s motion to dismiss, signed by plaintiff’s attorney Tani Sapirstein.

Defendant never had an opportunity to read Sapirstein’s opposition which was handed to defendant during the hearing.

Justice Patricia Poehler is presiding over an ongoing hearing with the same parties, whereby the defendant Peter Frei is seeking a “Criminal Harassment Prevention Order” (CHPO) against Brian Johnson.

Justice Poehler is already very familiar with the situation and logic would dictate that Justice Poehler would hear defendant's request for sanctions against plaintiff's attorney.

Furthermore, Justice Poehler will preside over the continuance of the hearing on the CHPO just two days later, July 28, 2011.

Plaintiff's lawyer also indicated at the last hearing on the CHPO that she intends to file a dispositive motion on July 28.

To delay this hearing which is scheduled for July 26 until August 17 would prejudice the defendant as Judge Sanabria Vega most likely will have made a ruling by then, a potentially erroneous ruling relying and based on plaintiff's attorney Sapirstein's deliberate false statement which is the subject of defendant's request for sanctions in the first place.

Respectfully submitted,

Peter Frei
101 Maybrook Road
Holland, MA 01521
Phone: (413) 245 4660

July 21th, 2011

Peter Frei

CERTIFICATE OF SERVICE:

I hereby certify that a true copy of the above document was served upon the following by first class mail, postage prepaid:

Sapirstein & Sapirstein, P.C.
Tani E. Sapirstein,
1350 Main Street, 12th Floor
Springfield, MA 01103

July 21th, 2011

Peter Frei