

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DAVID BONIFACE, NISSANDÈRE
MARTYR, AND JUDERS YSEMÉ,

Plaintiffs,

v.

JEAN MOROSE VILIENA,

Defendant.

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Civil Action No. 17-cv-10477-ADB

PROTECTIVE ORDER

BURROUGHS, D.J.

Plaintiffs David Boniface, Nissandère Martyr, and Juders Ysemé (“Plaintiffs”) have moved for the entry of a protective order pursuant to Federal Rule of Civil Procedure 26(c) [ECF No. 77]. Based on its review of the papers presented, including the memorandum filed in support of the motion, the declaration of Juders Ysemé, the declaration of Bonnie Lau, and supporting exhibits, the Court finds the following: Defendant Jean Morose Viliena (“Defendant”) was present in Haiti on or around August 4, 2019 and had contact with former associates during which he discussed harming Plaintiffs. Plaintiffs Boniface and Ysemé reasonably fear for their safety and are concerned about retaliation by Defendant. Their fears are based on past dealings with Defendant as well as a recent interaction with men they believe to be Defendant’s associates.

In light of the foregoing, the Court concludes that Plaintiffs have demonstrated good cause for a protective order. The Court has previously ordered that Defendant shall have no contact with witnesses. See [ECF No. 78-4 at 5]. Given Plaintiffs’ motion, however, the Court

is persuaded that a written order is necessary and intends that this Protective Order serves as a written record of the terms of the existing no-contact order.

IT IS HEREBY ORDERED that:

- (1) Jean Morose Viliena shall have no contact with David Boniface, Nissandère Martyr, and Juders Ysemé or their families;
- (2) Jean Morose Viliena shall have no contact with the following witnesses disclosed in Plaintiffs' initial disclosures: Rodane Marc Lebon, Jean Denais Laguerre, Frankel Yseme, Villeme Duclona, Lissage Viliena, Gilnor Niclas, Pierrot Boileau, Meritus Beaublanc, Maxene Vilsaint, Marc Arthur Conte, Jean Pierre Gardy (a.k.a. Gardy Dro), Léonel Livert (a.k.a. Lifaite Livert), Michelet Noel, Benicoit Belle, Jean Louis Belle, Monès Dorcenat, Louinés Charles (a.k.a. Kèleman), Kenson Martyr, Guerson Pierre, Esto Belle, France Isme, Angel Jean (a.k.a. Agnel Jean), Cedernier Fleurime, Maxime Roumer, and George Simon;
- (3) Upon application to the Court, Plaintiffs may request that the Court extend this Protective Order to additional witnesses; and,
- (4) Any violation of this Protective Order may result in sanctions.

SO ORDERED.

August 8, 2019

/s/ Allison D. Burroughs
ALLISON D. BURROUGHS
U.S. DISTRICT JUDGE