

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

DAVID BONIFACE,
NISSANDÈRE MARTYR, and
JUDERS YSEMÉ,
 Plaintiffs,
 v.
JEAN MOROSE VILIENA
(a.k.a. JEAN MOROSE VILLIENA),
 Defendant.

Case No. 1:17-cv-10477-ADB

**PLAINTIFFS' EMERGENCY MOTION FOR PROTECTIVE ORDER TO BAR
HARASSMENT AND INTIMIDATION OF PARTIES AND WITNESSES**

Pursuant to Fed. R. Civ. P. 26(c) and this Court's inherent powers, plaintiffs David Boniface ("David"), Nissandère Martyr¹ ("Nissandère"), and Juders Ysemé ("Juders") (collectively "Plaintiffs") hereby file this motion (the "Motion") for an emergency protective order barring any further harassment, intimidation, and/or physical harm of Plaintiffs and potential trial witnesses by defendant Jean Morose Viliena ("Defendant"). As grounds for this Motion, Plaintiffs respectfully submit the attached memorandum of law.

WHEREFORE, for the reasons set forth in the memorandum of law, and based on the declarations of Juders Ysemé and Bonnie Lau, Plaintiffs respectfully request that this Court grant their Motion, and enter an Order barring Defendant from engaging in any actions, either directly or through orders to his family members or agents, designed to intimidate, harass, or physically harm Plaintiffs, their families, or any potential witnesses and their families. Further, should Defendant continue to violate the Court's order not to threaten or harm Plaintiffs and/or

¹ On March 24, 2017, one day after Defendant was served with the Summons and Complaint in this matter, original plaintiff Nissage Martyr died suddenly under unusual circumstances. On August 31, 2018, the Court granted Plaintiffs' motion to substitute Nissandère Martyr, the son of Nissage Martyr, as Plaintiff pursuant to Federal Rule of Civil Procedure 25. (Dkt. 56.)

witnesses, Plaintiffs request that the Order provide that they may seek monetary or evidentiary sanctions against Defendant.

Dated: December 16, 2022

Respectfully submitted,

DAVID BONIFACE, NISSANDÈRE
MARTYR, AND JUDERS YSEMÉ

By their attorneys,

/s/ Bonnie Lau

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CERTIFICATE OF SERVICE

I certify that on December 16, 2022, I caused to be filed electronically a true copy of the foregoing document with the Clerk of the Court using the CM/ECF system, which will notify the parties of record via electronic notification.

/s/ Bonnie Lau