

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN DOE,)	
)	
Plaintiff)	
)	
v.)	
)	
NEW ENGLAND COMPOUNDING)	CIVIL ACTION NO. 1:12-CV-12057
PHARMACY, INC., D/B/A NEW ENGLAND)	
COMPOUNDING CENTER, GREG)	
CONIGLIARO, BARRY CADDEN, and)	
LISA CADDEN,)	
)	
Defendants)	

OPPOSITION TO DEFENDANTS’ MOTION TO STAY

NOW COMES the Plaintiff, John Doe, by and through counsel, McGrath Law Firm, PA, and respectfully files this Opposition to Defendants’ Motion to Stay, stating in support thereof as follows:

1. On November 13, 2012 the Defendants filed a Motion To Stay (“Defendants’ Motion”). The Plaintiff opposes Defendants’ Motion.
2. The Plaintiff is severely injured as a result of the Defendants’ negligence and other actions. Plaintiff is incurring significant medical costs. Plaintiff is suffering pain and injury.
3. The Defendants have recently refused to provide information in regard to this matter.
4. The Defendants have refused to provide insurance coverage information.
5. Plaintiff is entitled to a hearing as soon as possible on his pending request for an attachment.
6. Plaintiff has likelihood of success on the merits.

7. Plaintiff has significant medical bills and damages.
8. The unrelated other litigation filed by other plaintiffs should not delay the protection of the Plaintiff in this matter.
9. Plaintiff's request for the attachment is reasonable and should be heard without any delay.
10. The Defendants successfully delayed the Middlesex County Superior Court hearing by filing a motion to transfer. The Defendants should not be allowed further delay.
11. The individual Defendants are reportedly "taking the Fifth" in similar proceedings initiated by other plaintiffs. Plaintiff is understandably concerned about the possible transfer of assets given the allegations in this matter.
12. Upon information and belief, it appears the evidence will support Plaintiff's claims and the Defendants will be found liable for significant damages.

WHEREFORE, the Plaintiff respectfully requests that this Honorable Court:

- A. Deny the Defendants' Motion to Stay; and,
- B. Grant such other and further relief as is just and necessary.

Respectfully submitted,

John Doe, Plaintiff
By His Attorneys
McGrath Law Firm, P.A.
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November 20, 2012

By: /s/ Linda Aldon
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/s/ Peter G. McGrath
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CERTIFICATE OF SERVICE

I certify that on November 20, 2012 I filed the foregoing Opposition through the CM/ECF system, which will send a Notice of Electronic Filing (NEF) to the registered participants as identified on the NEF, and paper copies will be sent to non-registered participants as identified on the NEF.

/s/ Linda Aldon
Linda Aldon, Esq.