



Rian Waters <watersrian@gmail.com>

Confer

8 messages

Ryan McLane <ryan@mclanelaw.com>
To: Rian Waters <watersrian@gmail.com>

Mon, Mar 17, 2025 at 10:14 AM

Hello Mr. Waters,

I know that we discussed these motions in person after the status hearing, and have conveyed emails back and forth. In an abundance of caution, I wanted to reach out and see if you still had anything to confer about prior to my filing the motions?

Thank you,

Ryan P. McLane, Esq.

McLane & McLane, LLC

[269 South Westfield Street](#)

[Feeding Hills, MA 01030](#)

(P) (413) 789-7771

(F) (413) 789-7731

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Rian Waters <watersrian@gmail.com>
To: Ryan McLane <ryan@mclanelaw.com>

Mon, Mar 17, 2025 at 1:44 PM

No you are good. Thank you

[Quoted text hidden]

Rian Waters <watersrian@gmail.com>
To: Ryan McLane <ryan@mclanelaw.com>

Tue, Mar 18, 2025 at 10:53 AM


Hey Ryan,

Do you oppose scheduling a hearing as soon as reasonably possible?

Kind regards
Rian

On Mon, Mar 17, 2025 at 10:14 AM Ryan McLane <ryan@mclanelaw.com> wrote:

[Quoted text hidden]

 **Motion for the court to schedule a hearing ASAP.pdf**
96K

Ryan McLane <ryan@mclanelaw.com>
To: Rian Waters <watersrian@gmail.com>

Tue, Mar 18, 2025 at 11:10 AM

Hello Mr. Waters,

I am a bit confused. It was my understanding that I would be given time to oppose the preliminary injunction if the Court sets aside the default. Otherwise, there would be no need to oppose. I have 5 days from Friday to file a reply, plus you sent a cross motion, which I would have time to oppose.

The motions to set aside default and amend tracking order are being decided administratively and without a hearing. If allowed, I can oppose the preliminary injunction.

Did you have a different understanding of the Court's intent?

Ryan P. McLane, Esq.

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From: Rian Waters <watersrian@gmail.com>
Sent: Tuesday, March 18, 2025 10:53 AM
To: Ryan McLane <ryan@mclanelaw.com>
Subject: Re: Confer

[Quoted text hidden]

Rian Waters <watersrian@gmail.com>
To: Ryan McLane <ryan@mclanelaw.com>

Tue, Mar 18, 2025 at 11:53 AM

Hello Mr. McLane,

If you weren't already close to filing, it would have been clearer to ask whether I wanted to confer before you began drafting, rather than suggesting you were ready to file and just checking for any final input. I'll amend my motion to reflect

the situation.

Regarding the Preliminary Injunction motion, I understand your reasoning for waiting until after the default is removed. However, I recall the judge stating at the February 26th hearing that she wanted the opposition served by Monday, March 3rd, and also mentioning, "you have a lot to get done by Monday." I assumed this was so she could evaluate the likelihood of success when considering the default, which makes sense given that you already had a full opportunity for discovery.

I'll update my motion to inform the court of our differing recollections of the hearing.

Kind regards,
Rian Waters

[Quoted text hidden]

Ryan McLane <ryan@mclanelaw.com>
To: Rian Waters <watersrian@gmail.com>

Tue, Mar 18, 2025 at 12:05 PM

She did not order me to oppose the preliminary injunction by March 3.

Here's what I have for a status:

1. Motion to set aside is complete (to be filed)
2. Motion to Amend Tracking order is complete (to be filed)
3. Preliminary Injunction motion still needs opposition
4. New motion for hearing still needs opposition.

If we need to get clarification from the court, that would be the easiest route. I truly do not think you need a motion for a quick hearing on an injunction - you should be able to schedule them within a two-week timeframe. Thus, if the court acts on the motions, and sets an opposition deadline for preliminary injunction, we can set an agreeable hearing date within a couple of weeks.

Thank you,

Ryan P. McLane, Esq.

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From: Rian Waters <watersrian@gmail.com>
Sent: Tuesday, March 18, 2025 11:53 AM

[Quoted text hidden]

[Quoted text hidden]

Rian Waters <watersrian@gmail.com>
To: Ryan McLane <ryan@mclanelaw.com>

Tue, Mar 18, 2025 at 1:17 PM

Ryan, I have moved forward with filing the motion because I believe the urgency of the situation requires immediate scheduling. If the Court determines that further clarification is needed, I trust they will provide guidance. However, given my recollection of the February 26th hearing and the ongoing harm caused by continued delays, I believe this is the most appropriate course of action.

Kind regards

Rian

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 **Motion for the court to schedule a hearing ASAP (3).pdf**
121K

Rian Waters <watersrian@gmail.com>
To: Ryan McLane <ryan@mclanelaw.com>

Wed, Mar 19, 2025 at 7:25 AM

I withdrew yesterday's motion before it was accepted. Im going to quote the judge and ask for additional relief. I'll also give you some time to oppose it.

Did you have a good faith reason for asking to confer before drafting your reply brief? Your email costed me thousands of dollars making me flat broke again, so you financially forced me to focus on the case.

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