

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS.

SUPERIOR COURT  
CIVIL ACTION NO. 1879CV00344

_____	)
RIAN WATERS,	)
<b>Plaintiff</b>	)
vs.	)
	)
AIDAN KEARNEY, et al.	)
<b>Defendants</b>	)
_____	)

**PLAINTIFF’S MOTION FOR SANCTIONS**

NOW COMES Plaintiff, Rian Waters, and respectfully moves this Court to impose monetary sanctions against Defendant under **Mass. R. Civ. P. 11(a)**, and/or issue sanctions and place the Defendants in default under the Court’s **inherent authority** due to Defendant’s deliberate misrepresentations and procedural misconduct, as well as conspiratorial conduct constituting fraud on the court.

As grounds for this motion, Plaintiff states that:

1. Defendant has **violated Mass. R. Civ. P. 11(a)** by knowingly submitting filings that lack good grounds, and used **misrepresentations of fact and law to deceive the court**.
2. Defendant has **failed to properly serve and provide notice of filings** under **Superior Court Rule 9A(b)** and **Mass. R. Civ. P. 5(d)(1)**, depriving Plaintiff of the ability to respond before the Court ruled.

3. Defendant has engaged in a pattern of misleading litigation tactics, including improper legal advice designed to induce Plaintiff into changing and delaying his filings while Defendant advanced unopposed misrepresentations.
4. Defendant presented false evidence. On December 13th 2024 Plaintiff had a 2 minute conversation with Kearney, Kearney refused to give an updated service address and asked Plaintiff not to mail him the PI motion. Despite that recent contact, Kearney's affidavit falsely stated he was unaware of the case as reason to remove the default.
5. Defendant's misconduct has caused substantial prejudice, warranting appropriate sanctions to compensate for some of the harm, and deter others from similar conduct.

For these reasons, Plaintiff respectfully requests that this Court:

- A. Impose monetary sanctions against Defendant for violating Rule 11(a)
- B. Place Defendants in default for fraud on the court.
- C. Grant any further relief that the Court deems just and appropriate.

Respectfully submitted,

/S/ Rian Waters Dated 4/11/2025

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