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August 27, 2018

VIA HAND-DELIVERY

Session Clerk, D Session (Courtroom 314)
ATTN: Session Judge
Suffolk Superior Court
3 Pemberton Square
Boston, MA 02108

RE: Behnke v. Soldz. Et al.
1884CV01968

Dear Sir or Madam:

Pursuant to Superior Court Rule 9A I am enclosing the following:

1. Plaintiffs' Request for Leave to File Sur-Reply to Correct Misstatements in Defendants' Motion for a Stay Under the "First-Filed" Rule in the Event the Court is not Inclined to Hold a Hearing.

Thank you for your attention to this matter.

Very Truly Yours,



Scott Heidorn

cc: Jonathan M. Albano, Esq.
Jeffrey Pyle, Esq.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

Superior Court No. 1884CV01968

STEPHEN BEHNKE, ET AL.,

Plaintiffs,

v.

STEPHEN SOLDZ, ET AL.,

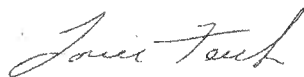
Defendants.

**PLAINTIFFS' REQUEST FOR LEAVE TO FILE SUR-REPLY TO
CORRECT MISSTATEMENTS IN DEFENDANTS' MOTION FOR
A STAY UNDER THE "FIRST-FILED" RULE IN THE EVENT
THE COURT IS NOT INCLINED TO HOLD A HEARING**

Defendants recently filed a Reply to Plaintiffs' Opposition to their Motion for a Stay. The Reply contains misstatements that Plaintiffs believe must be corrected. In the event the Court is inclined to grant a hearing Plaintiffs can correct the misstatements orally. However, if the Court is inclined to decide the Motion without a hearing Plaintiffs respectfully request leave to file a two-page Sur-Reply to correct Defendants' misstatements.

Respectfully submitted,

Plaintiffs,
By Their Attorneys,



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I hereby certify that a true copy of the
above document was served upon the
attorney of record for each party by email
and mail hand on August 27, 2012