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October 2, 2023

The Honorable Anthony V. D'Elia, J.S.C.
W. J. Brennan Courthouse
583 Newark Ave., 2nd Floor
Jersey City, NJ 07306

RE: Ross v. City of Bayonne, et al.
Docket No.: HUD-L-1625-20
Our File No.: 5820.0003

Dear Judge D'Elia:

With regard to the above-entitled matter, this office represents the Plaintiff, **Sincerrae Ross**. Please accept this Letter Brief in lieu of a more formal Reply Brief in further support of Plaintiff's Motion to Strike Answer and Affirmative Defenses with Prejudice and Enter Default.

In response to Defendants' Opposition, Plaintiff adopts and incorporates the undersigned's Certification and Letter Brief submitted as Plaintiff's Opposition to Defendants' Motion to Reinstate their Answer, filed on September 28, 2023, under eCourts Transaction ID No. LCV20232973292. Counsel for Defendants indicates that Plaintiff's opposition is "replete with inaccuracies, omissions, and misrepresentations regarding the Parties' recent communications," to which Defendants will respond more fully in their anticipated reply brief. I am truly on the edge of my seat as I wait to see how our prior communications will be characterized. When reviewing Defendants' reply brief, I ask the Court to consider the Exhibits submitted with the undersigned's initial application and opposition to Defendants' motion, which

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establish a clear record of the repeated transgressions of Defendants throughout the course of this litigation that have brought us to this point. Defendants' Answer and Affirmative Defenses should be stricken with prejudice because of their conduct, and I seriously doubt they will be able to provide anything that absolves their conduct that is not a total fabrication.

Bear in mind, previously Defendants provided a Certification of Linda Vanderweeden in support of their past effort to obtain a protective order against my client and, after a countering affidavit was provided by my client with details disputing Ms. Vanderweeden's account, Defendants submitted an entirely new Certification on behalf of their client that was factually different from the original.¹ I am truly curious to see whether Defendants' reply reaches a new low in terms of their lack of candor.

Respectfully submitted,
MAGGS McDERMOTT & DICICCO, LLC

/s/ Juan C. Cervantes

Juan C. Cervantes, Esq.

cc: Stephen Boraske, Esq. via eCourts

¹ These certifications were included with Defendants' Cross-Motion to Reinstate Answer, filed on July 14, 2023, as Certification of Linda Vanderweeden, under eCourts Transaction ID No. LCV20232079181, and with Defendants' Correspondence to the Court, filed on July 20, 2023, under eCourts Transaction ID No. LCV20232140314.