

Commonwealth of Massachusetts

Suffolk SS

Superior Court Department

Civil Action No.1884CV03835

Joan Devine and Joseph Devine,
PLAINTIFFS

vs

PHD CORP, LLC

D/B/A

PHD HOMES, LLC

and

Doug Medvetz

and

Khadijah Hindi

DEFENDANTS

Joint pre trial Memorandum

The Parties submit this document as a Joint pre-Trial Memorandum for the Pre Trial Conference in the above matter.

BRIEF STATEMENT OF FACTS

1. This case is an action to collect upon an Execution for a money Judgment in the amount of \$313,743.19 issued by this Court against the Defendants in case No. 1784CV03358 on 10/22/2018. See copy attached as EXHIBIT 1.

2. No appeal was entered in the above action and there are no defenses to the liability set forth in the Execution.

3. While this case is old, it has not been concluded for the following reasons:

- a) When the action was initiated, there were several proposed settlements advanced by the Defendants, all of which contemplated closings on various real estate projects being undertaken by Defendants. However, while several of the projects indicated by Defendants as being the source of funds to make payments were in fact ultimately closed, the Defendants did not issue any payments to Plaintiffs as were discussed.

SUFFOLK, ss. SUPERIOR COURT DEPT
(date) JUNE 11, 2025
FILED *[Signature]*

- b) The Covid Pandemic and its aftermath effects on the real estate business made it impossible for Defendants to plan for repayments. This was understood by Plaintiffs so that collection activity was abated pending the ability of Defendants to resume activity.
- c) Since approximately late 2023, much communication with Defendants (primarily but not exclusively with Defendant Medvetz) and Plaintiffs' counsel has taken place, and Defendant once again presented data on pending transactions from which payments would be forthcoming. But, while some of these transactions did take place, no payments were made to Plaintiffs.
- d) However, in late 2024 a proposal was advanced by Defendant Medvetz on behalf of Defendants which contemplated a closing of a significant transaction in Cleveland, Ohio, from which he promised a significant "down payment" on this liability would be made to Plaintiffs, with an agreement for judgment to be executed for the balance.

This transaction purportedly required the participation of several other entities, including banking and insurance institutions, so the exact date when the funding would take place was unclear. Defendant Medvetz and Plaintiffs' counsel were in frequent communication about the progress of the matter, and Defendant Medvetz even sent several e-mails purporting to be from participating entities to show the progress of the project.

However, title to the project real estate was acquired in 2024 by an LLC owned by Defendants and it is now well beyond the expected funding date last indicated by Defendant, which was to be early in 2025.

4. No payments have been made to Plaintiffs on the outstanding Execution except for one check for \$5627 and a bank attachment of \$8826.25, total of \$14,453.25.

TRIAL POSTURE

5. The parties have agreed to a non-Jury trial and a waiver of detailed findings and rulings of law per Superior Court Rule 20(2) (h).

6. The only exhibit is the Execution in case No. 1784 CV03358, copy attached hereto as EXHIBIT 1, and no witnesses are expected to be called.
7. There are no issues of law as to the liability of the Defendants on the Judgment being sued upon.
8. If the matter is not settled by the time for trial, the Plaintiffs reserve the right to request judgement, but to seek injunctive and other relief to attempt to effectuate payment.

Executed by the parties for submission to the pre trial conference to be held on June 12, 2025.

Plaintiffs, by their Attorney

Fred B. Wilcon


Defendants:



Doug Medvetz
(insert contact information) Doug Medvetz


Khadijah Hindi

Khadijah Hindi
(insert contact information)


PHD Corp., LLC d/b/a PHD Homes
By:  (title) Manager
(insert contact information)