

Superior Court of the Commonwealth of Massachusetts
County of Middlesex

Walter Tuvell
836 Main St.
Reading, MA 01867

Plaintiff, Pro Se

v.

Jack Marshall
2707 Westminster Place
Alexandria, VA 22305

Defendant, Pro Se

Case No 1781CV02701

**NOTICE REQUIRED BY
CLERK'S OFFICE**

NOTICE REQUIRED BY CLERK'S OFFICE

Pursuant to a face-to-face conversation that Plaintiff/Appellant ("P/A") had with two clerks (Andrew Johnson, and another, name unknown) in the Clerk's Office at the Middlesex County Court (Woburn) on Nov 14 2018, Plaintiff/Appellant hereby provides notice and certification that he has exercised best-effort/good-faith practice (following all Rules of Court) in collaborating with Defendant/Appellee ("D/A") concerning the production of the Transcription of Oral Argument in this case, as follows:

1. On Sep 9 2018, P/A informed D/A (by email and U.S. Mail) that he would be filing Notice of Appeal the following day, and also informing him that P/A would himself be transcribing the Oral Argument, supplying him with the Audio/MP3 file itself, and the proposed (draft) Transcription, and requesting

feedback concerning the Transcription (esp. any objection thereto) by Sep 24 2018. See Exh.A, attached hereto *infra*.

2. On Sep 10 2018, P/A did file the said Notice of Appeal. Dkt.#14.

3. P/A did not receive, at any time, any feedback or objection from D/A concerning the Transcription.

4. On Sep 24 2018, P/A filed his Transcription (Dkt.#15, which included the required Notice of Transcriber, and Notice of Transcription), properly informing D/A of same (by U.S. Mail and email, twice), and supplying him with copies. See Exh.B,C, attached hereto *infra*.

5. Thus, at all times, D/A has been kept properly informed of P/A's efforts to produce the Transcription, and D/A has never had any objection. Indeed, since P/A has supplied D/A with both the Transcription and the Audio/MP3 file of the Oral Argument itself, it is assumed D/A has actually *checked* the Transcription for accuracy, and found it to be accurate.

6. P/A has also coordinated with Mark Barrette, the Transcription Coordinator at the Office of Transcription Services, to make sure the steps he has taken are OK. A copy of that correspondence has been supplied to the Clerk's Office (on the CD containing the Audio/MP3 and the Transcription).

7. For good measure, P/A is supplying D/A with the instant document too (including its Exh.A-C, and also the correspondence mentioned in item 6 *supra*), by email and U.S. Mail.

8. As described herein, P/A believes he has exerted best-effort/good-faith

practice (following all Rules of Court), in producing an accurate Transcription of the Oral Argument in this case, suitable to all parties (including the court, and the clerks).

SIGNATURE; VERIFICATION

Respectfully submitted, and signed, under the pains and penalties of perjury:



Walter Tuvell, *Pro Se*
836 Main St.
Reading, MA 01867
781-475-7254
walt.tuvell@gmail.com

Nov 15 2018

EXHIBIT A

Appeal & Transcript


Subject: Appeal & Transcript
From: Walt Tuvell <walt.tuvell@gmail.com>
Date: 9/9/18, 8:26 AM
To: Jack Marshall <jamproethics@verizon.net>

/* BY EMAIL AND U.S. MAIL */

Jack —

I'll be filing an appeal tomorrow. See attached.

One of the things that must be arranged is a transcript of the oral argument. I've posted the audio, and a transcription (currently at DRAFT stage) on <http://judicialmisconduct.us/CaseStudies/TUVELLvMARSHALL>:

- [Motion to Dismiss Hearing, Audio](#). Jun 7 2018.
 - [Notes](#).
 - [Transcript \(Annotated\)](#).
- [Opinion](#) , dismissing the case (falsely, of course). Aug 13 2018.

Please review the transcription for accuracy, and let me know of any corrections you find. I've included annotations too, so let me know of annotations you'd like to add.

If I don't hear from you by Sep 24, I'll assume you have nothing to say, and I'll provide whatever I have at that point to the Court as uncontested.

— Walt

PS. If you decide to start using email again, we can avoid the useless paper copies.

— Attachments: _____

Tuvell-v-Marshall=PlfNoticeOfTranscript.pdf	83.3 KB
Tuvell-v-Marshall=PlfNoticeOfAppeal.pdf	76.7 KB

EXHIBIT B

Transcription

Subject: Transcription
From: Judicial MisconductUSA <JudicialMisconductUSA@gmail.com>
Date: 9/24/18, 11:43 AM
To: Jack Marshall <jamproethics@verizon.net>

Jack, as discussed, I have today filed the transcription of the oral hearing. It (and the notice of transcription) is attached hereto, and also available online at <http://judicialmisconduct.us/sites/default/files/2018-09/OralArgumentTranscription%20ANNOTATED.pdf>:

- **Motion to Dismiss Hearing, Audio. Jun 7 2018.**
 - Notes.
 - **Transcript (Annotated) √ √.**

I'll also be sending you a hardcopy of this email. I'm not planning to send you a hardcopy of the attachments (but let me know if you really want me to do that).

— Wait

— Attachments:

OralArgumentTranscription,ANNOTATED.pdf	400 KB
Tuvell-v-Marshall=PlfNoticeOfTranscription.pdf	95.3 KB

EXHIBIT C

Transcription, again

Subject: Transcription, again
From: Walt Tuvell <walt.tuvell@gmail.com>
Date: 9/24/18, 1:34 PM
To: Jack Marshall <jamproethics@verizon.net>
BCC: walt.tuvell@gmail.com

Jack, I sent an email like this one earlier today, but for some reason I didn't get a copy, so here it is again.

I filed the Transcription today, as we discussed. A copy (along with its accompanying Notice) is attached hereto, and it's also available at <http://judicialmisconduct.us/sites/default/files/2018-09/OralArgumentTranscription%2CANNOTATED.pdf>.

I'm not planning to send you a hardcopy (but let me know if you want me to).

I'll also send you a copy of this email via U.S. Mail.

— Walt

— Attachments: _____

<u>OralArgumentTranscription,ANNOTATED.pdf</u>	400 KB
<u>Tuvell-v-Marshall=PlfNoticeOfTranscription.pdf</u>	95.3 KB