STATE OF VERMONT
PROFESSIONAL RESPONSIBILITY BOARD

In Re THOMAS MELONE, (Thomas Melone, Respondent)	PRB File No. 120-2025

RESPONDENT'S MOTION TO STRIKE
AND ALTERNATIVELY, RESPONDENT'S REPLY

Respondent THOMAS MELONE ("Respondent") hereby respectfully moves to strike the following document submitted and signed by Paul Perkins (the "Perkins Filing") and alternatively, replies to the Perkins Filing: "CONFLICT DISCIPLINARY COUNSEL'S OPPOSITION TO RESPONDENT'S MOTION FOR STAY" dated February 26, 2026.

Respondent alleges that the bar disciplinary machinery is being used to retaliate against Respondent for his various litigation involving one of Vermont's legal elite—Attorney Merrill Bent, who is the chair of the Judicial Conduct Board and frequent legal counsel to the Town of Bennington, Vermont (the "Town"). Shortly after Respondent publicly disclosed governmental malfeasance of the Town and Ms. Bent's firm's potential role in it during a First Amendment-protected filing in an ongoing adversarial proceeding, Attorney Merrill Bent filed a bar disciplinary complaint against Respondent, putting the bar disciplinary machinery in action in order to retaliate against Respondent and to chill the exercise of his First Amendment rights. Tellingly, Hanley, Perkins, Carolyn Anderson and the Professional Responsibility Board ("PRB") have refused to cooperate with discovery, including refusing to disclose their communications with Merrill Bent. Instead, Hanley, Perkins, Carolyn Anderson and the PRB want anything but fairness.

This case's assault on the First Amendment is no different than what we see regularly from the current Presidential administration. In this case and those cases, the machinery of government is being used to silence and punish those whose speech the government does not like. The fact that this case is using the machinery of a "blue" State shows that the abuse of power knows no color.

Mr. Hanley's' "evidence" for the disciplinary charges against Respondent consists almost entirely of filings in Respondent's litigation activity, which is immunized by the *Noerr—Pennington* doctrine. The remainder of the evidence consists of comments filed with a Vermont Legislative committee regarding a bill under consideration by said committee, or communications with elected government officials, also immunized by *Noerr-Pennington*.

The *Noerr-Pennington* doctrine has been extended to "all petitioning activity," including "concerted efforts incident to litigation, such as pre-litigation threat letters and settlement offers." *Singh v. NYCTL 2009-A Tr*., 683 F. App'x 76, 77 (2d Cir. 2017) (quoting *Primetime 24 Joint Venture v. Nat'l Broad., Co*., 219 F.3d 92, 100 (2d Cir. 2000). Excepted from the doctrine, however, is "sham litigation" that is both "objectively baseless" and "intended to cause harm to the defendant 'through the use of the governmental process.'" *T.F.T.F. Cap. Corp. v. Marcus Dairy, Inc.*, 312 F.3d 90, 93 (2d Cir. 2002) (quotation marks, brackets, emphasis, and citation omitted); *see Cal. Motor Transp. Co. v. Trucking Unlimited*, 404 U.S. 508, 513 (1972) ("Misrepresentations, condoned in the political arena, are not immunized when used in the adjudicatory process."); *cf. Hartman v. Great Seneca Fin. Corp*., 569 F.3d 606, 616 (6th Cir. 2009) ("[T]he Petition Clause protects legitimate petitioning but not sham petitions, baseless litigation, or petitions containing 'intentional and reckless falsehoods,'" (quoting *McDonald v. Smith*, 472 U.S. 479, 484, 105 S. Ct. 2787 (1985)). The *Noerr—Pennington* doctrine "safeguards the First Amendment 'right to petition the government for a redress of grievances,' U.S. Const. amend. I, by immunizing citizens from the liability that may attend the exercise of that right." *Waugh Chapel S., LLC v. United Food & Com. Workers Union Loc. 27*, 728 F.3d 354, 362 (4th Cir. 2013). Because *Noerr—Pennington* extends to all departments of the government, all of Plaintiff's statements are protected. *Cal. Motor Transp. Co*., 404 U.S. at 510-11 ("Certainly the right to petition extends to all departments of the Government. The right of access to the courts is indeed but one aspect of the right of petition.").

None of Respondent's litigation activity is "sham litigation." None of Respondent's litigation activity is both "objectively baseless" and "intended to cause harm to [anyone] 'through

the use of the governmental process.'" Tellingly, the Petition for Misconduct does not even allege either prong of the sham litigation test. Mr. Hanley's malice and ill-motives are further demonstrated by the fact that Hanley lacked probable cause to bring any of the charges as explained in Respondent's Answer. *Chiaverini v. City of Napoleon*, 602 U.S. 556 (2024).

A. WHO IS PAUL PERKINS?

Who is Paul Perkins? Disciplinary Counsel is Jon Alexander of the Professional Responsibility Board ("PRB"). Like the fictional "Highlander," there can be only one. In a filing in this case dated March 11, 2026, Perkins claims that he too is "disciplinary counsel," and that he made his February 23 and February 26, 2026, filing not on behalf of Mr. Hanley but in his own right as purported "disciplinary counsel." Perkins also claims that because he asserted that he is "disciplinary counsel" in his objection to Respondent's subpoena to him,[1] that somehow Respondent could acquiesce in his purported claim to the position of disciplinary counsel. Perkins' position is fantastical. When Respondent first read Perkins' claim in Perkins' subpoena objection, Respondent thought Perkins was simply delusional. Until his February 23, 2026 filing, Perkins took no action in this case. He did not make any filings or otherwise sign documents. In other words, he took no affirmative action to act on his fantastical claim that he is "disciplinary counsel."

PRB Policy 22 (if it is valid, which Respondent claims it is not), only authorizes "an alternate," not two, three or a gaggle of alternates. Policy 22 (2022) states: "[w]hen bar counsel, disciplinary counsel, screening counsel or any member of a hearing panel has a conflict or is otherwise disqualified or unable to serve, the Board Chair shall appoint an alternate." Policy 22 unambiguously refers to the singular—"*an alternate*."

The PRB Chair, Carolyn Anderson, purportedly claims that she hired Michael Hanley pursuant to PRB Policy to investigate Respondent, and act in lieu of Jon Alexander counsel for this case.[2]

[1] Respondent intends to seek the enforcement of the subpoena against Perkins as well as the others that have objected.

[2] Michael Hanley is not an employee of the State of Vermont. He is at best a private contractor to the PRB. As a private contractor, Michael Hanley's legal status is not the same as Jon Alexander's. For example, Michael Hanley may be entitled to assert derivative defenses in any suit against him. But as a private

Paul Perkins on the other hand, is neither an employee of the State of Vermont, nor a private contractor to the PRB. He has no status with respect to this case. Likewise, Carolyn Anderson has made no claim that Paul Perkins is "disciplinary counsel."

As a result, the Perkins Filing must be stricken.

B. THE PERKINS FILING MUST BE STRICKEN.

Last month, in *GEO Grp. Inc. v. Menocal*, 607 U.S. ___, 2026 U.S. LEXIS 1104 (2026), the United States Supreme Court reaffirmed the *Roosevelt* rule in a civil rights action involving GEO Group, which operates a private detention facility in Aurora, Colorado, under a contract with United States Immigration and Customs Enforcement. *See, id*., at *15 ("sovereign immunity is not transferrable to agents, including contractors, of a government. As Justice Holmes once explained, the Federal Government's immunity from a suit (absent a statute providing otherwise) 'does not extend to those that act[ ] in its name.'")

Instead of immunity, private contractors are entitled to a merits defense under *Yearsley* v. *W. A. Ross Constr. Co.*, 309 U. S. 18, 20, 60 S. Ct. 413, 84 L. Ed. 554 (1940). Under *Yearsley*, a private contractor cannot be held liable for conduct that the government has lawfully "authorized and directed" the contractor to perform. *GEO Grp* at *6. "[L]iability may attach only if the authorization was unlawful or if the contractor acted outside its scope." *Id*.

As previous filings explain, Respondent is challenging Mr. Hanley's purported appointment. But even assuming *arguendo* that Mr. Hanley can succeed on that issue, he should lose on the "outside the scope" requirement because his contract does not authorize him to bring charges that do not have probable cause. Nor does his contract authorize him to engage in judicial deception of the probable cause hearing panel. Nor does his contract authorize him to blatantly violate Respondent's clear and long-standing civil rights under the First Amendment.

And as Respondent explains in his answer in this case and in the complaint filed in *Melone*

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contractor, he cannot obtain "[i]mmunity from suit" by "reason of a contract" he made with the government. *Brady v. Roosevelt S. S. Co*., 317 U. S. 575, 583, 63 S. Ct. 425, 87 L. Ed. 471 (1943). Members of the hearing panel and the probable cause hearing panel are likewise not employees of the State of Vermont. They may be private contractors, or they may not even attain that status because they are volunteers.

v. Hanley, case 2:26-cv-38 (D. Vt. filed February 18, 2026), the *Noerr-Pennington* doctrine protects all of Respondent's petitioning activity, including the petitioning activity that forms the sole basis for Mr. Hanley's charges. The *Noerr-Pennington* doctrine extends to "all petitioning activity," including "concerted efforts incident to litigation, such as pre-litigation threat letters and settlement offers." *Singh v. NYCTL 2009-A Tr.*, 683 F. App'x 76, 77 (2d Cir. 2017) (quoting *Primetime 24 Joint Venture v. Nat'l Broad., Co.*, 219 F.3d 92, 100 (2d Cir. 2000). Excepted from the doctrine, however, is "sham litigation" that is both "objectively baseless" and "intended to cause harm to the defendant 'through the use of the governmental process.'" *T.F.T.F. Cap. Corp. v. Marcus Dairy, Inc.*, 312 F.3d 90, 93 (2d Cir. 2002) (quotation marks, brackets, emphasis, and citation omitted); *see Cal. Motor Transp. Co. v. Trucking Unlimited*, 404 U.S. 508, 513 (1972) ("Misrepresentations, condoned in the political arena, are not immunized when used in the adjudicatory process."); *cf. Hartman v. Great Seneca Fin. Corp.*, 569 F.3d 606, 616 (6th Cir. 2009) ("[T]he Petition Clause protects legitimate petitioning but not sham petitions, baseless litigation, or petitions containing 'intentional and reckless falsehoods,'" (quoting *McDonald v. Smith*, 472 U.S. 479, 484, 105 S. Ct. 2787 (1985)).

Thus, Mr. Hanley could only begin to argue that he had probable cause if he could show and could allege that Respondent's "petitioning activity was both "objectively baseless" and "intended to cause harm to the defendant 'through the use of the governmental process.'" Mr. Hanley alleges neither prong. Nor could he objectively allege that either prong was met.

And when it comes to Paul Perkins, he is neither an employee of the State of Vermont, nor a private contractor to the PRB. He has no status with respect to this case. So on what basis does he have the authorization to sign filings in this case? The answer is none. And there is nothing in A.O. 9 or PRB Policy that would permit Mr. Hanley to delegate his purported role (even for a single filing) to Paul Perkins or anyone else. *Widakuswara v. Lake*, Case 1:25-cv-1015 (D.D.C. March 7, 2026) Slip Op. at 14 ("The problem for Lake is that the provision she cites says not one word about delegation.") As a result, the Perkins Filing must be stricken.

C. THE PERKINS FILING IGNORES THE FACTS AND THE APPLICABLE RULES.

In the Perkins Filing, Mr. Perkins simply ignores the facts and the applicable rules.

While he peppers his filing with buzzwords like "prompt" and "fair," what he really means is that the First Amendment should be tossed aside, and the Hearing Panel should quickly rubber stamp Bent and Hanley's attempt to railroad Respondent.

Perkins argues that the "motion should be denied because [1] no rule allows for a stay in these circumstances, [2] because a stay would violate the core purpose of the Professional Responsibility Program: the prompt and fair resolution of attorney discipline matters, and [3] because it is unlikely that the federal court will decide the merits of Mr. Melone's lawsuit." Perkins is wrong on all three aspects.

1. The Hearing Panel Has The Ability To Issue A Stay.

This proceeding is governed by the Vermont Rules of Civil Procedure. Administrative Order 9, Rule 20(G) (which is not applicable here) addresses one circumstance where the general rule applicable to stays may be considered altered. Rule 20(G) does not say (as Mr. Perkins seems to argue) that Rule 20(G) provides the only authority to stay proceedings.

The Hearing Panel has discretionary authority to control its docket to preserve judicial resources and ensure efficient disposition of cases, and thus the power to issue the requested stay. *See, e.g., In re Woodstock Cmty. Tr. & Hous. Vt. PRD*, 2012 VT 87, ¶ 36, 192 Vt. 474, 60 A.3d 686 (observing that "every court has the power to control the disposition of the causes on its docket") (quotation omitted); *State v. Jones*, 157 Vt. 553, 559, 601 A.2d 502, 505 (1991) (leaving control of docket management with courts).

2. A Stay Would Not Violate any Purpose of the Professional Responsibility Program.

There are two components to the "prompt and fair resolution of attorney discipline matters" purpose that Perkins seemingly wants to adhere to: promptness and fairness. You cannot forsake one for the other. Proceeding with this case when the federal case could upend the entirety of these proceedings would not advance either the promptness or fairness goals.

A stay will have various benefits and will not violate any purpose of the Professional Responsibility Program. *First,* it will avoid motion practice seeking a temporary restraining order and a preliminary injunction in federal court. *Second*, the strength of the federal complaint (as discussed in Section 3 below) counsels in favor of granting a stay. The "evidence" for the disciplinary charges against Plaintiff consists almost entirely of filings in his litigation activity, which is immunized by the *Noerr—Pennington* doctrine. *Third*, if the federal courts grant the relief requested in the federal complaint, it would dispose of this entire case. Even if all the requested relief is not granted, it is clear that the each and every one of Rules allegedly violated by the Respondent will not survive strict scrutiny, and tellingly, neither Perkins nor Hanley argue to the contrary. *Fourth*, there is no prejudice that would result from a stay. The Respondent does not represent third party clients so there is no need to plow ahead and continue Bent and Hanley's quest to railroad Respondent in this case. *Fifth*, the failure to stay this case pending the federal case would be further confirmation of the claims made in the federal complaint, *i.e*., that this case is being used to retaliate against Respondent for his various litigation involving one of Vermont's legal elite—Attorney Merrill Bent, who is the chair of the Judicial Conduct Board and frequent legal counsel to the Town of Bennington, Vermont—and Respondent's public disclosure of the Town's malfeasance and Ms. Bent's potential role in it.

3. It is Likely that the Federal Court Will Hear the Case Given That The *Younger* Abstention Does Not Apply And The Second Circuit's Decision In *Cerame v. Slack* involving the Connecticut Attorney Disciplinary Rules.

Mr. Hanley (and Mr. Perkins if Mr. Perkins represents Mr. Hanley in *Melone v. Hanley*, 2:26-cv-38 (D. Vt.)) will have the opportunity to argue that the *Younger* abstention should apply. It clearly will not apply.

i. The Lack Of A Right To Bring An Interlocutory Appeal Prevents The Application Of *Younger* Abstention.

Because the Hearing Panel has unambiguously held that there are no interlocutory appeals permitted of any variety in this proceeding (including regarding constitutional claims), *Younger* abstention is impermissible. As Mr. Hanley has noted multiple times, Respondent tried three times

to have the Vermont Supreme Court address his constitutional claims on an interlocutory basis and was thrice rebuffed.

Curiously, Mr. Perkins cites *Middlesex County Ethics Committee v. Garden State Bar Ass'n*, 457 U.S. 423, 431 (1982). But in *Middlesex* the New Jersey Supreme Court (while the case was on appeal to the United States Supreme Court) amended (on an emergency basis) its rules to allow interlocutory appeals. It was those amendments that spared that New Jersey attorney disciplinary action from being heard in federal court.

The ability to file an interlocutory appeal is crucial at least in cases in which constitutional rights are at issue (as here). *Will v. Hallock*, 546 U.S. 345, 352 (2006) explains that an interlocutory appeal is essential when an individual is subject to (as here) "the enormous prosecutorial power of the Government to subject an individual 'to embarrassment, expense and ordeal . . . compelling him to live in a continuing state of anxiety.'" (internal citations omitted). The United States Supreme Court stated that "the only way to alleviate these consequences of the Government's superior position was by collateral order appeal." *Id*.

The importance of interlocutory appeals during the course of an attorney disciplinary proceeding was emphasized by the United States Supreme Court in *Middlesex*, which was (as here) an attorney disciplinary proceeding involving issues under the United States Constitution. The United States Supreme Court viewed the right to bring an interlocutory appeal as a crucial part of *Younger v. Harris*, 401 U.S. 37 (1971) abstention. **In other words, without the right to file interlocutory appeals in an attorney discipline proceeding to consider constitutional issues, *Younger* abstention is inapplicable.** *See also, Spargo v. N.Y. State Comm'n on Judicial Conduct*, 351 F.3d 65, 77 (2d Cir. 2003):

> while the Supreme Court in *Middlesex* acknowledged that whether Hinds could seek judicial review of his constitutional claims during the course of state proceedings was initially unclear, the Court also recognized that the New Jersey Supreme Court had subsequently considered Hinds's claims *sua sponte* and formally amended its rules to permit interlocutory review of constitutional challenges to attorney disciplinary proceedings. *See id*. at 427, 436. Concluding that "there [was] no reason for the federal courts to ignore . . . subsequent development[s]" demonstrating that Hinds had had an opportunity to raise his constitutional claims during the course of state proceedings, the Supreme Court

held that the mandatory abstention applied to Hinds's First Amendment claims. *See id*. at 436-37.

The First Circuit also spoke to this issue in *Esso Std. Oil Co. v. Lopez-Freytes*, 522 F.3d 136 (1st Cir. 2008) where the First Circuit held that the inability to seek interlocutory review justified federal court intervention in the state proceeding. In that case, the First Circuit upheld a federal injunction enjoining the state proceeding while the federal case proceeded. *See, id*. at 148-149 ("Esso faces irreparable harm in the absence of injunctive relief given the unavailability of avenues for interlocutory relief in the Puerto Rico courts.") And here, the Hearing Panel has held there are no interlocutory appeals and the Vermont Supreme Court has rebuffed Respondent's efforts to overturn that holding.

As *Middlesex, Spargo* and *Esso* make clear, it is no answer that at the end of the case an appeal to the Vermont Supreme Court would be available. The very fact that Respondent would need to defend against the charges that are designed to chill the exercise of his First Amendment rights will have succeeded in chilling those rights even if all of the charges are dismissed after a hearing.

As a result, *Younger* abstention will not apply to *Melone v. Hanley*.

Moreover, in addition to this proceeding being a blatant violation of Respondent's First Amendment rights, this proceeding is unabashed retaliation for Respondent's litigation involving Merrill Bent, the chair of the Judicial Conduct Board, Respondent's publicly disclosing her clients' purported malfeasance and Ms. Bent's potential role in that malfeasance. Such retaliation against Respondent is an independent basis to bar this proceeding.

ii. The Federal Complaint Is Not Just About Enjoining This Proceeding.

The First Amendment to the U.S. Constitution states that "Congress shall make no law … abridging the freedom of speech, … or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." The provisions of the First Amendment were made applicable to the State of Vermont by virtue of adoption of the Fourteenth Amendment.

Any state effort to single out such speech and right to petition for sanction is a content-based and viewpoint-based speech restriction and is subject to the strictest of First Amendment

scrutiny. *Iancu v. Brunetti*, 139 S. Ct. 2294 (2019); *Matal v. Tam*, 137 S. Ct. 1744 (2017). Such speech and petition restrictions will survive First Amendment scrutiny only if the government can demonstrate that the restriction serves a compelling state interest in a narrowly tailored manner.

The First Amendment analysis does not change simply because the speech restriction is imposed on a lawyer. Speech and the right to petition is not subject to decreased constitutional protection simply because it is spoken by a lawyer in a setting "related to the practice of law." The Supreme Court held in *Nat'l Inst. of Family and Life Advocates v. Becerra*, 138 S. Ct. 2361 (2018), that the First Amendment protects "professional speech" just as fully as speech by nonprofessionals.

The Federal civil rights action in *Melone v. Hanley* is not just about enjoining this case's blatant violation of Respondent's First Amendment rights, and its unabashed retaliation for Respondent's litigation involving Merrill Bent, the chair of the Judicial Conduct Board, and Respondent's publicly disclosing her clients' purported malfeasance and Ms. Bent's potential role in that malfeasance. It is also about invalidating the specific rules of the Vermont Rules of Professional Responsibility that regulate speech and the right to petition and how those rules chill Respondent's *future* conduct. The Second Circuit has specifically held that type of complaint against attorney disciplinary rules must be allowed to proceed in federal district court. *See*, *Cerame v. Slack*, 123 F.4th 72 (2d Cir. 2024). As a result, under *Cerame*, the federal case will proceed either way, and by not staying this proceeding, the defendants in the federal case may be simply digging themselves into a deeper hole, for which they may or may not have any immunity from damages.

iii. There Is No Compelling State Interest In Railroading Respondent.

Perkins argues that "the State of Vermont has an important interest in maintaining and assuring the professional conduct of the attorneys it licenses." Respondent agrees. That same important State interest would apply to any licensed professional, such as doctors, nurses, engineers, etc. But the existence of an important State interest does not permit the State to run roughshod over Respondent's First Amendment rights or to use government machinery to retaliate

for Respondent's litigation involving Merrill Bent, the chair of the Judicial Conduct Board, and Respondent's publicly disclosing her clients' purported malfeasance and Ms. Bent's potential role in that malfeasance.

All the rules on which the Petition for Misconduct is based are content-based speech and petitioning restrictions, that can stand only if they satisfy strict scrutiny. *Sable Communications of Cal., Inc. v. FCC*, Tos492 U.S. 115, 126, 106 L. Ed. 2d 93, 109 S. Ct. 2829 (1989). To survive, each rule must be narrowly tailored to promote a compelling Government interest. *Id*. If a less restrictive alternative would serve the alleged government purpose, that alternative must be used. *Reno v. American Civil Liberties Union*, 521 U.S. 844, 874, 117 S. Ct. 2329, 138 L. Ed. 2d 874 (1997) ("[The CDA's Internet indecency provisions'] burden on adult speech is unacceptable if less restrictive alternatives would be at least as effective in achieving the legitimate purpose that the statute was enacted to serve"); *Sable Communications of Cal., Inc. v. FCC*, 492 U.S. 115, 126, 106 L. Ed. 2d 93, 109 S. Ct. 2829 (1989) ("The Government may . . . regulate the content of constitutionally protected speech in order to promote a compelling interest if it chooses the least restrictive means to further the articulated interest"). "To do otherwise would be to restrict speech without an adequate justification, a course the First Amendment does not permit." *United States v. Playboy Entm't Group*, 529 U.S. 803, 813 (2000). None of the challenged rules are supported by a compelling State interest. Nor are any of those challenged Rules narrowly tailored. All of those Rules are vague.

Take Rule 4.5, for example, which targets a lawyer's expressive speech when it states that a "lawyer shall not … threaten to present criminal charges." State officials have articulated no *compelling* interest for this speech restriction, and the restriction is not narrowly tailored. Even if Rule 4.5 served a compelling governmental interest, it is not narrowly tailored and is not the least restrictive means of targeting speech while also serving a stated compelling governmental interest. The fact that the ABA Model Rules abandoned the equivalent of Rule 4.5 in 1983, and almost all States have as well, is compelling evidence that Rule 4.5 is not the least restrictive means of targeting speech while also serving a compelling governmental interest. The other rules are

likewise not narrowly tailored and do serve a compelling governmental interest as explained in the federal complaint.

CONCLUSION

The unique facts of this case counsel in favor of a stay. A stay will have various benefits. *First,* it will avoid motion practice seeking a temporary restraining order and a preliminary injunction in federal court. *Second*, the strength of the federal complaint counsels in favor of granting a stay. The "evidence" for the disciplinary charges against Plaintiff consists almost entirely of filings in his litigation activity, which is immunized by the *Noerr—Pennington* doctrine. *Third*, if the federal courts grant the relief requested in the federal complaint, it would dispose of this entire case. Even if all the requested relief is not granted, it is clear that each and every one of Rules allegedly violated by the Respondent should not survive strict scrutiny, and tellingly, neither Perkins nor Hanley argue to the contrary. *Fourth*, there is no prejudice that would result from a stay. The Respondent does not represent third party clients so there is no need to plow ahead in this case. *Fifth*, the failure to stay this case pending the federal case would be further confirmation of the claims made in the federal complaint, *i.e.*, that this case is being used to retaliate against Respondent for his various litigation involving one of Vermont's legal elite—Attorney Merrill Bent, who is the chair of the Judicial Conduct Board and frequent legal counsel to the Town of Bennington, Vermont—and Respondent's public disclosure of the Town's malfeasance and Ms. Bent's potential role in it.

The Perkins Filing should be stricken and the motion to stay should be granted.

Dated: March 12, 2026

Respectfully submitted,
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