

DOCKET NO.: HHD-CV-19-6116846-S	:	SUPERIOR COURT
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MARK H. DEAN, AS TRUSTEE	:	J.D. of HARTFORD
OF THE CT RE 2019 TRUST	:	AT HARTFORD
	:	
V.	:	
	:	
FOTIS DULOS, ET AL	:	JANUARY 31, 2020

REQUEST FOR A HEARING ON EMERGENCY MOTION FOR APPOINTMENT OF A RECEIVER

The undersigned, on behalf of the Defendants, **FORE GROUP, INC. and FOTIS DULOS**, hereby respectfully requests the Court to hold an emergency hearing on the Plaintiff's Emergency Motion For Appointment of a Receiver.

Mr. Dulos was declared legally dead at approximately 5:32 PM on January 30, 2020, and he is being preserved so that his organs may be donated to help others. However, Mr. Dulos had not even been declared legally dead yet before the Plaintiff sought to exploit his and his family's tragedy and misfortune by attempting to practically seizing his property by moving the Court to appoint a receiver for his house. Not content with just this act, the Plaintiff then suggested the appointment of a person, Robert M. Giuffria, with an interest in this matter and other matters pertaining to Mr. Dulos' estate. Upon information and belief, Mr. Giuffria owes Mr. Dulos and his estate a sum of money. Consequently, the Defendants are absolutely certain that Mr. Giuffria would not consider the needs and rights of the Defendants with a fair and impartial mind, but rather with an eye toward his own self-interest, which is clearly not compatible with the Defendants' interests.

The Plaintiff's hasty emergency motion and his reply also demonstrate a total insensitivity to and disregard for the needs of the Dulos family. Mr. Dulos has family and

friends who love him and have stood by him with a Spartan courage that is truly reflective of their Greek blood. His sister, Errinni Dulos, and other family members took emergency flights from Greece to be with him after the tragic events of January 28, 2020. They are now a family in mourning, and their safe haven to mourn is Mr. Dulos' home at 4 Jefferson Crossing, Farmington, Connecticut. As they put his final affairs in order and prepare to honor his memory, his home is their safe haven. The Court should not, and cannot in the name of basic human decency, allow the Plaintiff to make a self-aggrandizing grab at Mr. Dulos' home through a person who has proven to be hostile and contentious with Mr. Dulos at the expense of his grieving family, who are already bearing the added pressure of intense public and media scrutiny.

During his life, Mr. Dulos zealously preserved his property for his own interests, and his estate intends to do the same. As the Connecticut Supreme Court has stated, "the object of appointing receivers is to secure the property in dispute from waste or loss." *Hartford Federal Sav. & Loan Assn. v. Tucker*, 196 Conn. 172, 175 (1985). There is no dispute that the Plaintiff and Mr. Dulos were engaged in contentious litigation – the inevitable product of the greatest adversarial legal system in human history. Consequently, the undersigned and those responsible for putting Mr. Dulos' final affairs in order naturally mistrust the Plaintiff's motives here and fear not only inhuman treatment to Mr. Dulos' grieving family, but also significant damage to his financial interests.

The Plaintiff's emergency motion candidly caught the undersigned and Mr. Dulos' other attorneys by surprise. They were faithfully attending to the needs of a grieving family and ensuring that Mr. Dulos' final wishes were honored, not preparing to defend against a brazen attempt to take advantage of his tragedy. Consequently, the Court should grant

the undersigned a hearing on behalf of the Defendants to properly defend against this craven attempt to commandeer Mr. Dulos' home.

The Defendants have suggested a very reputable, award winning, and licensed Real Estate Agent **STEFFEN REICH** of Pinnacle Real Estate Group, Coldwell Banker Residential Brokerage, 200 W. Main Street, Avon, CT 06001, as a receiver. Mr. Reich has won 6 *Five Star Real Estate Agent Awards* and is intimately acquainted with Mr. Dulos' home. No one else possesses a better knowledge of Mr. Dulos' home than Mr. Reich because he was involved in its construction. Moreover, he knows the local real estate market and stands in the best position to efficiently and economically secure and maintain the property and ultimately market and selling the property to this unique home, which will benefit all of the parties.

The Plaintiff has objected to Mr. Reich on the grounds that he had a long-time business relationship with Mr. Dulos, once worked for the Fore Group, had ongoing contractual arrangements with Mr. Dulos, and was the listing agents on one or more pieces of property for the Fore Group. In no way does the Plaintiff indicate that Mr. Reich has an interest in obtaining benefits from the Defendants in this matter. The sole basis of their objection is that he had a long business relationship with Mr. Dulos.

Because both sides object to the other's suggestion for a receiver and the Defendants were caught by surprise while handling the tragedy that befell Mr. Dulos, the Court should hold a hearing to enable the Defendants to adequately protect their rights and determine how to best proceed.

The Defendants

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CERTIFICATION

Pursuant to *Practice Book* §§ 10-12 – 10-17, *inclusive*, I hereby certify that a copy of the foregoing **REQUEST FOR A HEARING ON EMERGENCY MOTION FOR APPOINTMENT OF A RECEIVER** was electronically delivered via e-Mail, on **January 31, 2020**, to all counsel of record, as more specifically follows:

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/S/ MICHAEL J. HABIB /S/
MICHAEL J. HABIB, ESQ
Commissioner of the Superior Court