BEFORE THE JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION

IN RE KUMARAN

MDL NO:_____

BRIEF IN SUPPORT OF MOTION TO TRANSFER CASES TO DISTRICT OF CONNECTICUT– INTRODUCTION

Pursuant to 28 U.S.C. § 1407 and Rule 6.2(e) of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, Plaintiff Samantha S. Kumaran ("Kumaran") (Pro-Se) ("Plaintiff") and to be joined by Nefertiti Risk Capital Management, LLC ("NRCM"), Nefertiti Asset Management, LLC ("NAM") and Nefertiti Holding Corporation ("NHC") by and through counsel, collectively "Co-Plaintiffs", respectfully submit this Memorandum in Support of their Motion for Transfer of Related-Case Actions for Consolidated Pretrial Proceedings, to the United States District Court of Connecticut for coordinated pretrial proceedings.

These actions clearly fit the statutory prerequisites for consolidation: (1) they are substantially similar actions filed contemporaneously "involving one or more common questions of fact" alleging nearly identical facts concerning several entities in a common Association-Enterprise and RICO scheme; (2) consolidation will further "the convenience of the parties and the witnesses"; and (3) consolidation "will promote the just and efficient conduct of [the] actions" by ensuring centralized oversight of pretrial fact development in what are complex and document-intensive actions, thereby minimizing waste and inefficiency in the conduct of discovery. 28 U.S.C. § 1407(a). Consolidation will also eliminate the possibility of inconsistent rulings. Moving-Plaintiff respectfully requests that the actions be consolidated for pretrial proceedings in the District Court of Connecticut before Chief Justice Michael P. Shea. The District of Connecticut is a centrally located and easily accessible forum in a major metropolitan area, and two of the four cases, and majority of the parties are already parties, which has already been consolidated with two other related actions, is pending in that district. Moreover, the Southern District of New York has already ruled in its Order dated February 2022 (20-CV-3871 Dkt.156 – *See* Exhibit 7) as follows"-

Here, the amended complaint alleges that venue is proper in this district because the

> Southern District of New York "is the district where one or more the Defendants reside and because this is the district where a substantial amount of the activities forming the basis of the Complaint occurred. Am. Compl., Dkt. No. 20, ¶ 17. Yet, as alleged, only one of the thirteen defendants in this case resides in New York. *See id.* ¶¶ 18–30. Nine of the defendants are residents of Connecticut, and the remaining three are residents of Texas. *Id.* Although Kumaran is a resident of New York and allegedly received various communications from the defendants while she was in New York, the complaint primary alleges that the fraudulent acts took place in Connecticut or Texas.

Since majority of the Defendants, witnesses, documents and events transpired in Connecticut and still transpire today in Connecticut, the actions are best suited for resolution in the District of Connecticut. Moreover, all the Plaintiffs, including all the Corporate Plaintiffs, specifically NAM, NHC and NRCM have a fully itemized complaint in the Vision Action already pending in District of Connecticut (22-CV-1653 Dkt. 89 Exhibit 5). The New York Court has not even reviewed a filed complaint by *any* corporate Plaintiffs in action 20-CV-3873.[1] Hence transfer is warranted as the claims are properly outlined only in the Vision Action in Connecticut (Exhibit 5). Another action was initiated by Defendants in Connecticut January 2024 24-CV-00641 (Exhibit 9). This also supports that the operating complaint filed in the Vision Case should become the governing master complaint for all actions, and it includes the background of facts for all Defendants in each of the actions.

ARGUMENT

I. THESE ACTIONS ARE APPROPRIATE FOR TRANSFER AND CONSOLIDATION PURSUANT TO 28 U.S.C. §1407(a).

In relevant part, 28 U.S.C. § 1407(a) specifies that this Panel may transfer and consolidate two or more civil cases for coordinated pretrial proceedings upon a determination that (1) the cases "involv[e] one or more common questions of fact," (2) the transfers would further "the convenience of parties and witnesses," and (3) the transfers "will promote the just and efficient conduct of [the] actions." The objective of consolidation under § 1407 is to "eliminate duplication in discovery, avoid conflicting rulings and schedules, reduce litigation cost, and save the time and effort of the parties, the attorneys, the witnesses, and the courts." Manual for Complex Litigation, Fourth, § 20.131 (2007). As explained below, the pending cases clearly meet all these criteria and should be transferred and consolidated for pretrial proceedings.

[1] *E.g.* 20-CV-3873 ECF15 – Exhibit 6 is only a Pro-Se filed complaint. Yet the claims in 22-CV-1653 D. Conn cover all Defendants in all three actions.

I.A – Commonality Among the Related Actions

As an initial matter, the Related Actions each assert the same or similar claims based on multiple common factual allegations and will involve common legal theories. As such, transfer and coordination will assist the parties and the courts in avoiding duplicative rulings on the common issues in dispute and will also serve the convenience of the parties and witnesses and promote the just and efficient resolution of the litigation. Common questions of fact exist, and may be presumed, where two or more complaints assert comparable allegations against similar defendants based on similar transactions and events. *See In Re: Toyota Motor Corp. Unintended Acceleration Marketing, Sales, Practices, and Products Liab. Litig*., 704 F. Supp. 2d 1379, 1381 (J.P.M.L. 2010). Here, the complaints filed in the four Related Actions, assert common questions of fact by virtue of Plaintiff's allegations of the Defendants' wrongful conduct in defrauding them to open accounts, steal funds, run a grossly negligent risk department, transfer proprietary information and deprive them of competitive advantage. Common question of facts and law include but are not limited to:

a. Whether Lazzara as an agent of ADMIS and High Ridge defrauded Plaintiffs into opening accounts and transacting business with the Enterprise.
b. Whether the disclosures made by all Defendants, ADMIS, Kadlec, NFA, High Ridge and Lazzara were knowingly false and thus induced the entire business arrangements;
c. Whether the margin calculations on the risks that were used were in error or complied with CFTC and CME Rules;
d. Whether the excessive fees being withdrawn by Lazzara, ADMIS and at Kadlec's direction to pay Boshnack, Rothman and High Ridge are illegal;
e. Whether ADMIS's contracts with High Ridge, Lazzara and Plaintiffs are void and illegal, for example because they are oral and violate the statute of frauds;
f. Whether confidential, proprietary and material non-public information was improperly shared under the Tipper-Tippee chain of liability between Kadlec, ADMIS, Lazzara and High Ridge and Vision affiliates, without mandatory obligations of disclosure to Plaintiffs so they could opt-out or decline to do business.
g. Whether the Arbitration, to which all Defendants, ADMIS, High Ridge, Lazzara were Respondents is void under the Commodities Exchange Act.
h. Whether all Defendants engaged in unlawful and unfair business practices, and violated several rules of the Commodities Exchange Act.
i. Whether High Ridge and its owners have unjustly received and retained monetary benefits from Plaintiffs by profiting off the use of their proprietary information; and
j. Whether the same underlying contracts between the common defendants are void and rescinded (see e.g the (a) Guarantee and Fee Agreements between High Ridge, Boshnack, Rothman and ADMIS 20-CV-3668 Dkt 31, Dkt 87; (b) Lazzara Broker Agreement between ADMIS and Lazzara 22-CV-1653 Dkt. 89 Exh 17); (c) the Oral Risk Services Agreement ("ORSA") (d) the ADMIS Customer Agreement to which

Kadlec is also bound and inures to the benefit of Kumaran since NRCM is dissolved and wound-up

k. Whether High Ridge tortiously interfered in the contracts for their own benefit, and participated with Kadlec, Boshnack, Rothman and NFA in antitrust activity and unfair competition. The conduct impacts dozens of other CTA's and customers.

Moreover, the Defendants are all necessary parties to the same transactions and occurrences. Plaintiffs are entitled to damages and/or restitution, jointly and severally, and so, the method of computing damages and/or restitution should be divided between all the common Defendants, under the same transactions, occurrences, and facts which mandates that transfer and centralization in one District.

I.B – The Actions Involve One or More Commons Questions of Fact.

As explained above, all four actions are premised on nearly identical facts concerning the individual Defendants ADMIS, Kadlec, Vision, High Ridge and their officers, directors and employees, Boshnack and Rotman who operated a common Association-in-Fact RICO scheme and their alleged actions with respect to theft of funds, and anti-trust activity related to fair market competition and Plaintiffs accounts. (*See* e.g. Vision Complaint, Exhibit 5- ¶727-¶780). The facts alleged in both Complaints are essentially the same, as are the legal claims and the relief sought. Thus, the first § 1407(a) requirement – that the cases "involv[e] one or more common questions of fact" – is clearly met. See, e.g., *In re AT&T Corp. Secs. Litig.,* No. 1399, 201 U.S. Dist. LEXIS 5233, *3-4 (J.P.M.L. 2001) (noting that "transfer under Section 1407 does not require a complete identity or even majority of common factual issues . . . [n]or is the presence of additional or differing legal theories significant when the underlying actions still arise from a common factual core").

"[T]ransfer under Section 1407 does not require a complete identity or even a majority of common factual or legal issues as a prerequisite to transfer." See *In re Acacia Media Techs. Corp. Patent Litig.,* 360 F. Supp. 2d 1377, 1379 (J.P.M.L. 2005). But in this litigation, the cases contain far more than a majority of common factual and legal issues. The standard for consolidation is easily met. Indeed, this case represents a textbook example of common questions of fact. Not only do all of the cases involve almost identical factual allegations by the same plaintiff—they all involve the exact same Association-in-Fact Enterprise (*See* e.g. Exhibit 5, Vision Complaint ¶727-¶780))

The factual issues pertaining to ADMIS, Kadlec, NFA parties', High Ridge parties'[2], Lazzara parties', Villa's conspiracy and fraud in inducing Plaintiffs to do business and open accounts, by among other things, involved the same material facts concealing ADMIS was not running its own risk department, discretionary authority had been outsourced to High Ridge and owners of a disbarred Vision, accounts were not backed by its parent company Archer Daniel Midlands, but instead by material guarantees of Boshnack, Rothman and Vision, who's history of trading and compliance violations led them to be disbarred (Exhibit 10 and 11). These arrangements were all illegal. All conspirators concealed and in a repeated and coordinated manner, lied to Plaintiffs to conceal that they had outsourced discretionary authority to its competitors, fraudulently omitting that [its account were not wholly guaranteed by an affiliate of a disbarred and discredited Vision Financial Markets' LCC] – all related to the scheme to "trick" customers to opening accounts with ADMIS – and hide the illegal oral contracts. Moreover, they also concealed numerous excessive fee withdrawals in a systematic theft of over $10 million a year from customer accounts. Indeed, Trey Lazzara's roles as agents of ***both*** Vision[3] and ADMIS, and the failure to comply with several disclosure rules under the Commodities Exchange Act is pervasive across all cases, including Plaintiff's RICO, conversion, misappropriation, breach and fraud claims. Because all of the Related-Cases involve Plaintiffs within the *same* transactions and occurrences who were similarly targeted and harmed due to Defendants' blatant deception, the common questions of law and fact are significant enough to warrant consolidation under the first requirement.

I.C – Identical Underlying RICO Claims Between The Actions

This chart summarizes the claims asserted in each of the actions and partes who's interests are impacted by each claims which are substantially identical and almost 100% overlapping. The factual predicate underlying all these claims is undisputedly identical as the parties are engaged in the same RICO Association-In-Fact Enterprise. Certainly, the presence of the *same* twenty claims across the four actions against the same defendants clears the threshold of having common questions of fact.

[2] For reasons of brevity only one party is named from the caption, but includes all agents, affiliates and owners.
[3] For reason of brevity in this brief, Vision or High Ridge shall mean all Defendants in the Vision Action, likewise NFA shall mean NFA and all its compliance officers and board members.

JPML Opening Brief, Page 6	Vision Parties 22-CV-1653 24-CV-641	Lazzara 22-1653 24-CV-641	ADMIS 20-CV-3873	Kadlec 20-CV-3668	NFA 20-CV-3668
Arbitration 18-ARB-5 Vacatur	X	X	X		X
COUNT I– CIVIL RICO - § 1962(c)	X	X	X	X	X
COUNT II – CIVIL RICO - §1962(d)	X	X	X	X	X
COUNT III -MISAPPROPRIATION OF TRADE SECRETS (DTSA)	X	X	X	X	X
COUNT IV -MISAPPROPRIATION OF TRADE SECRETS (COMMON)	X	X	X	X	X
COUNT V – CONVERSION	X	X	X	X	
COUNT VI – AIDING AND ABETTING IN CONVERSION AND MISAPPROPRIATION	X	X	X	X	X
COUNT VII – FRAUD AND FRAUDULENT OMISSION	X	X	X	X	X
COUNT VIII – FRAUDULENT INDUCEMENT OF CONTRACT	X	X	X	X	
COUNT IX –BREACH OF FIDUCIARY DUTY / QUASI-FIDUCIARY DUTY	X	X	X	X	
COUNT X – AIDING AND ABETTING IN FRAUD	X	X	X	X	X
COUNT XI – AIDING AND ABETTING IN FIDUCIARY DUTY	X	X	X	X	X
COUNT XII - CIVIL CONSPIRACY	X	X	X	X	X
COUNT XIII – UNFAIR COMPETITION	X	X	X	X	
COUNT XIV –UNJUST ENRICHMENT	X	X	X	X	
COUNT XV – TORTIOUS INTERFERENCE IN ECONOMIC ADVANTAGE	X	X	X	X	
COUNT XVI – TORTIOUS INTERFERENCE IN CONTRACT	X	X	X	X	
COUNT XVII– BREACH OF GOOD FAITH AND IMPLIED COVENANT	X	X	X	X	
COUNT XVIII– NEGLIGENT MISREPRESENTATION / BREACH OF DUTY OF CARE	X	X	X	X	
COUNT XIX– BREACH OF CONTRACT / IMPLIED IN FACT IB CONTRACT	X	X	X	X	

COUNT XX– BREACH OF CONTRACT / G&F AGREEMENTS and ORSA	X	X	X	X	

The cases have core common factual and legal issues, as High Ridge parties and Lazzara were "agents" of ADMIS and Kadlec. The issues of agency are common. The complaints allege that Plaintiffs were directly harmed by the collective actions of ADMIS, Kadlec, NFA, Lazzara and High Ridge parties' combined and joint false statements, misleading publications, deliberate omissions, including materially concealing from customers excessive fees, and they had outsourced discretionary risk management authority via "oral arrangements" that violate the CEA. ADMIS agency relationship also includes that with the disbarred owners of Vision Financial Markets, LLC and their various alter-egos and affiliates. The cases also share identical common issues related to arrangements to violate Tipper-Tippee arrangements to disclose confidential and proprietary data to directly competing businesses. Not only was the illegal outsourcing and discretionary authority concealed, ADMIS, Kadlec, High Ridge, NFA, and Lazzara, and other conspirators, also materially concealed that Boshnack, Rothman and High Ridge had placed financial "guarantees" on their account and were motivated to suffocate the profitability of their trading, purloin excessive fees – that would have made it impossible to transact. These unauthorized fees are in excess of $10 mm a year – amassing a multi-party fraud of now over $100 million dollars. To conceal these CEA violations and statutory disqualification, they kept "oral arrangements" to illegally interfere in their accounts.[4]

II – ALL Factors Supporting Transfer and Consolidation of These Cases Are Appropriate Under 28 U.S.C. § 1407.

28 U.S.C. §1407(a) authorizes the transfer of civil actions pending in different federal district courts to a single federal district court for coordinated or consolidated pretrial proceedings so long as this Panel determines that the cases involve common questions of fact, and that the transfer will serve the convenience of the parties and witnesses and will promote the just and efficient conduct of the litigation. The Panel typically considers four factors in deciding whether to transfer a case under Section 1407: (a) the elimination of duplication in discovery; (b) the avoidance of conflicting rules and schedules; (c) the reduction of litigation cost; and (d) the conservation of the time and effort of

[4] As background, Vision has a long history of CEA violations, with 172 CFTC reparations cases, and also had conspired to defraud customers. See 22-CV-1653 Dkt 89 Exhibit 5. Vision Financial Markets, LLC had been disbarred for negligence in risk management. Vision is also headquartered in Connecticut.

the parties, attorneys, witnesses, and courts. Here, each of these factors are met.

II.A. Consolidation Will Further the Convenience of the Parties and the Witnesses.

The proposed transfer and consolidation is necessary "for the convenience of parties and witnesses." 28 U.S.C. § 1407(a). Consolidation will also reduce litigation costs by streamlining and providing a path forward for all cases without duplication of effort among multiple parties. This will conserve the time and resources of all parties—including attorneys, witnesses, and judicial resources—by avoiding duplicate depositions, expert witnesses, and evidentiary hearings. Where consolidation will necessarily avoid the risk of duplicative and costly discovery proceedings, it is favored. *See In re Zostavax (Zoster Vaccine Live) Prods. Liab. Litig.*, 330 F. Supp. 3d 1378, 1379 (J.P.M.L.2016). With consolidation, duplicative discovery will be eliminated and there will be no risk of inconsistent judicial rulings. *See In re Actos Prods. Liab. Litig.*, 840 F.Supp.2d 1356 (J.P.M.L. 2011).

Plaintiff in all *four* actions will require depositions of many of the same people and discovery of the same documents in both actions. At this point, no discovery has commenced. The expense of maintaining three or four litigation files, discovery logs and databases, issuance of requests, one for each action, could be reduced significantly by the consolidation of these actions. Without consolidation, the defendants and third parties will be subjected to numerous duplicative discovery demands, and witnesses would face multiple, redundant depositions. Consolidation will mitigate these problems by enabling a single judge to manage discovery and minimize witness inconvenience and overall expense. The savings in time and expense will benefit both the litigants and affected third parties. *See* e.g., *In re Cuisinart Food Processor Antitrust Litig.*, 506 F. Supp. 651, 655 (J.P.M.L. 1981) (centralization would "effectuate a significant overall savings of cost and a minimum of inconvenience to all concerned with the pretrial activities"); *In re Uranium Indus. Antitrust Litig.,* 458 F. Supp. 1223, 1230 (J.P.M.L. 1978) ("[Plaintiffs] will have to depose many of the same witnesses, examine many of the same documents, and make many similar pretrial motions in order to prove their . . . aIlegations. The benefits of having a single judge supervise this pretrial activity are obvious."); *In re Stirling Homex Corp. Sec. Litig.,* 405 F. Supp. 314, 315 (J.P.M.L. 1975) ("[W]e are confident that Section 1407 treatment will allow the . . . plaintiffs to experience a net savings of time, effort and expenses through pooling their resources with other plaintiffs . . . ."). Given the similarity of the core

issues of fact in the complaints, it will be decidedly more convenient for the parties and the witnesses to have the cases consolidated in one forum.

II.B. Consolidation Will Promote the Just and Efficient Conduct of These Actions.

For the same reasons discussed in Section II.A supra, the proposed transfer and consolidation will also "promote the just and efficient conduct" of these actions in two respects. 28 U.S.C. § 1407(a). Not only will consolidation prevent duplicative discovery, it will also eliminate conflicting pretrial rulings. As discussed above, the Complaints contain largely identical factual allegations. Where "analysis of the record before us reveals a commonality of factual questions," consolidation "is necessary in order to prevent duplication of discovery, eliminate the possibility of conflicting pretrial rulings, and conserve the time and effort of the parties, the witnesses and the judiciary." In re Food Fair Sec. Litig., 465 F. Supp. 1301, 1304 (J.P.M.L. 1979); see also *In re TMJ Implants Litig.,* 844 F. Supp. 1553, 1554 (J.P.M.L. 1994) (centralization "necessary in order to eliminate duplicative discovery, prevent inconsistent pretrial rulings (especially with respect to class certifications and summary judgments), and conserve the resources of the parties, their counsel and the judiciary").

In light of the unavoidable duplication of depositions and other discovery, without consolidation, many of the same pretrial disputes are likely to arise in each case (for example, issues concerning the nature and scope of discovery and issues of privilege). Consolidation will thus ensure that the parties to these actions are not subject to inconsistent pretrial rulings regarding these pivotal issues, a critical consideration in determining whether cases should be consolidated pursuant to Section 1407. See *In re Multi-Piece Rim Prods. Liab. Litig.,* 464 F. Supp. 969, 974 (J.P.M.L. 1979) (centralization necessary "to prevent duplication of discovery and eliminate the possibility of conflicting pretrial rulings concerning these common factual issues").

II.B.(i) Consolidation Will Eliminate Duplicate Discovery: The purpose of the multidistrict litigation process is to "eliminate duplicative discovery, prevent inconsistent pretrial rulings on class certification and other issues, and conserve the resources of the parties, their counsel, and the judiciary." *In re Folgers Coffee Mktg. & Sales Practices Litig.,* MDL No. 2984, 2021 U.S. Dist. LEXIS 63657, at *2 (J.P.M.L. Apr. 1, 2021) (consolidating five putative class actions alleging defendant engaged in deceptive advertising and marketing practices with respect to labeling of coffee

products). With multiple actions spread across two district courts on identical RICO and fraud claims, the potential for duplicative discovery is high, and the duplicative discovery would be voluminous. For example, the duplicative discovery would potentially include: claim construction discovery; depositions of both the risk management departments of High Ridge and ADMIS, other knowledgeable executives; Kadlec, NFA, Lazzara and his assistant's testimony, third-party depositions; depositions and other discovery of expert witnesses; cumulative and repetitive expert discovery from multiple defendants' expert witnesses about the errors in the margin (instead of potentially joint expert testimony that could be accomplished via consolidation), and numerous other injured customers/traders who have been victim of the same RICO scheme.

II.B.(ii) Consolidation Will Eliminate Conflicting Pre-Trial Rulings: Given the common factual and legal issues set forth above, consolidation and transfer will avoid conflicting rules and schedules by eliminating inconsistent rulings and moving towards adjudication with minimum delay. As this Panel has stated, "transfer of a particular action often is necessary to further the expeditious resolution of the litigation taken as a whole, even if it might inconvenience some parties to that action." *See In re Crown Life Ins. Co. Premium Litig.*, 178 F. Supp. 2d 1365, 1366 (J.P.M.L. 2001). Moreover, this case is uniquely situated such that MDL centralization here maximizes the benefits of consolidation in terms of promoting judicial efficiency, conserving judicial resources, and preventing inconsistent rulings. The three pending cases were all filed on the same day, and the cases have barely begun. *See In re Neo Wireless, LLC, Patent Litig.*, 610 F. Supp. 3d 1383, 1385 (U.S. Jud. Pan. Mult. Lit. 2022) (granting consolidation in part because "the common early procedural posture among the actions will facilitate their efficient coordination.");

Because of the significant overlap in common questions discussed above, litigating these cases in two separate forums will result in duplicative proceedings. These proceedings would include amended complaints, motions to dismiss, discovery and discovery related hearings, and expert and dispositive motion pre-trial hearings on common issues such as risk management system errors, margin and damages. In turn, this also leads to the risk of inconsistent rulings on injunctive relief, Rule 12 motions, discovery disputes, Daubert motions, dispositive motions, and the "complex and time-consuming matter of claim construction." *See In re Proven Networks, LLC,* 492

F. Supp. 3d at 1340. And because the districts in which the separate actions are pending have varied rules and schedules governing pretrial proceedings, the proceedings will assuredly move forward at different paces, causing inefficiency, duplicative proceedings, and inconsistent rulings.

II.B.(iii) These Actions are Sufficiently Numerous and Complex to Warrant Consolidation. The Panel has stated that it does not require large numbers of pending cases to grant consolidation under 28 U.S.C. § 1407. The four cases at issue here are sufficiently numerous and complex to warrant consolidation. On prior occasions, where, as here, the issues involved are sufficiently complex and consolidation would prevent the duplication of discovery and pretrial rulings, the Panel has ordered transfer and consolidation of two cases. See, e.g., *In re First Nat'l Bank, Heavener, Okla.* (First Mortgage Revenue Bonds) Sec. Litig., 451 F. Supp. 995, 997 (J.P.M.L. 1978) (centralization was "necessary, even though only two actions are involved, in order to prevent duplicative pretrial proceedings and eliminate the possibility of inconsistent pretrial rulings."); see also *In re Okun, No. 2028, 2009 U.S. Dist. LEXIS 48018* (J.P.M.L. Apr. 15, 2009) (centralizing two actions); *In re Payless ShoeSource, Inc.,* 609 F. Supp. 2d 1372 (J.P.M.L. 2009) (same); *In re Aetna, Inc., 609 F. Supp. 2d 1370* (J.P.M.L. 2009) (same).

II.B.IV – These Are Related Cases Which Warrants Transfer: Transfer is also warranted, because unlike many JPML cases, these particular cases were initially accepted as Related-Cases from the **outset**, and there is no dispute that these cases stem from identical facts, transactions and occurrences. (*See* 20-CV-3668 ECF5, ECF6, 8/6/2020 Order – accepting the cases are related cases). The Supreme Court has held that "adequacy refers to the 'public stake in settling disputes by wholes, whenever possible.' "*Republic of Phil.* 553 U.S. 851, 128 S.Ct. (2008) "[T]his factor concerns the 'social interest in the efficient administration of justice and the avoidance of multiple litigation.'" *CP Solutions PTE-Ltd. v. Gen.-Elec.-Co.,*-553-F.3d-156,-160-(2d-Cir.2009). Indeed, Supreme-Court guidance dictates that judicial efficiencies are supported by having one District hear related cases together. *United-States v. Stauffer-Chem.-Co.,* 464 U.S.165,176–77, 104 S.Ct. 575,581–82, 78 L.Ed.2d 388 (1984). The statute providing for transfer of civil actions for convenience of parties and witnesses and in interest of justice was designed to prevent wastefulness of time, energy and money. 28 U.S.C.A. § 1404(a). *Cont'l Grain Co. v. The FBL-585, 364 U.S. 19, 80 S. Ct. 1470, 4 L. Ed. 2d 1540*

(1960). Motion to transfer is warranted because these are related cases. Once a court has transferred a related case on its own motion to this district, transfer weighs heavily to transfer all related-action to the same District. *See SEC v. Captain Crab, Inc.,* 655 F.Supp.615, 618 (S.D.N.Y.1986), "[p]olicy considerations favoring the litigation of related claims in one forum are the consolidation of pretrial discovery, the minimization of time and expense for parties and witnesses, and the reduction of inconsistent results." *See also Berg v. First American Bankshares, Inc.,* 576 F.Supp. at 1243,1239,1241 (S.D.N.Y.1983) ("Pendency of such ['intimately related cases'] in the transferee forum weighs heavily in favor of transfer, ... because 'litigation of related claims in the same tribunal ... facilitates efficient, economical, and expeditious pre-trial proceedings and discovery'"); [5] It is well established that the existence of a related action pending in the transferee court weighs heavily towards transfer. *See, e.g., Manufacturers Hanover Trust Co. v. Palmer Corp.,* 798 F.Supp. 161, 164 (S.D.N.Y.1992); *National Union Fire Ins. Co. of Pittsburgh, Pa. v. Turtur,* 743 F.Supp. 260, 263 (S.D.N.Y.1990) ("The presence of related litigation in the transferee forum weighs heavily in favor of transfer...."); *Nieves v. American Airlines,* 700 F.Supp. 769, 773 (S.D.N.Y.1988) ("Transfer is particularly appropriate where there is a pending lawsuit in the transferee district involving the same facts, transactions, or occurrences."). In particular, all actions allege the same fraud and conspiracy, and that Villa, Lazzara, HRF, ADMIS, Kadlec, NFA, and Vision participated in a common scheme to defraud thousands of customers, and caused them to rely on fraudulent and deceptive statements, open accounts, conceal their deficient technologies, make excessive fee withdrawals. Plaintiff became victims of the scheme and Defendants and conspirators perpetuated a continuous fraud, causing significant damages to Plaintiffs.[6] Therefore, since all four actions are related action and intricately bound with the facts, occurrences, transactions, and wrongdoings under the Commodities Exchange Act, it would be unreasonable to try this case before two separate Courts on the same facts and law. In *Savin v. CSX Corporation,* 657 F.Supp. 1210, 1214 (S.D.N.Y.1987), the Court explained that the "interests of justice" element of § 1404(a) includes considerations of judicial economy. "There is a strong policy favoring the litigation of related claims in the same tribunal in order that

[5] *Air Express Int'l Corp. v. Consldted Freightways, Inc.,*586 F.Supp. 889,890–91(D.Conn.1984). *Steinhardt Partners v. Smith Barney & Co.,*716 F.Supp.93,95–96 (S.D.N.Y.1989)

[6] See ADMIS FAC, Exhibit 1 ¶224-¶233, Vision Complaint Exh 5¶679-¶696 and Kadlec SAC Exh. 7 ¶620-¶637.

pretrial discovery can be conducted more efficiently, duplicitous litigation can be avoided, thereby saving time and expense for both parties and witnesses, and inconsistent results can be avoided." *Savin,* 657 F.Supp. at 1214 (citing *Wyndham Assets v. Bintliff,* 398 F.2d 614, 619 (2d Cir.1968)). In *Savin,* this reasoning was persuasive enough even to outweigh an otherwise binding forum selection clause. *See also* A*PA Excelsior III L.P. v. Premiere Techs., Inc.*, 49 F Supp 2d. 664, 668 (S.D.N.Y. 1999). Second-Circuit's precedent requires the Court examine if "these allegations are thus sufficiently related to constitute a "series of transactions and occurrences." *Harnage v. Lightner*, 916-F.3d-138,-142 (2d-Cir.2019).[7] The complaints in all cases allege an identical fraud and stem from the same identical RICO enterprise, errors and omissions, misrepresentations and concealments, perpetuated by all Conspirators, Kadlec, ADMIS, NFA, its compliance officers, Rothman, Boshnack, Lazzara, High Ridge and its affiliates as those alleged by plaintiffs in the present action.[8] All the complaints allege the same underlying conspiracy and fraud (See Exhibit 7 ¶127-¶133 listing twelve separate and distinct frauds to conceal High Ridge, See also Exhibit 5 ¶653-¶678). All actions allege that Lazzara, High Ridge, NFA, ADMIS and Kadlec failed to disclose the G&F Agreements, made misrepresentations on the CFTC registrations to operate outside their registration capacity continuing to (e.g. Exh.5¶728, Exh3¶148-¶153,¶272-¶282), that ADMIS, NFA, Kiela, Wahls, High Ridge, Kadlec and Lazzara's knowingly engaged in sales and solicitations that were materially misleading. This will require the Court to interpretate, the factual issues of the nature of agency and control between the various Defendants, and interpret the fraudulent nature of the sales and marketing literature and documents used to solicit the accounts, including Lazzara's statements in this action (*See* Exh.5¶345-¶448) and the ADMIS marketing literature (Exh 6, Exh 7 Kadlec ¶79-¶126) versus the express black-letter laws of the CEA, that Plaintiffs were entitled to full disclose See. e.g. CFTC 1.55(k)(i)(l).[9] All Complaints also extensively discuss the lack of competent risk management in both ADMIS, High Ridge, Lazzara, illegal margin procedures and

[7] *See* similarity Exhibit 5 Vision Complaint 22-CV-1653-ECF89; Exhibit 7 Kadlec Complaint 20-CV-3668 ECF264, and Exhibit 6 ADMIS Complaint 20-CV-383 ECF15

[8] *See also* Exhibit 6, " ADMIS Complaint" filed Pro-Se dated September 30, 2020 and Exhibit 7 "Kadlec Complaint" dated June 17, 2022, and Exhibit 5 – "Vision Complaint filed on July 30, 2022.

[9] See e.g. CFTC 1.55(k)(i)(l) – requiring full and complete disclosure of the purported "risk management program" (See e.g. Exhibit 5 Vision ¶857-¶859.

calculations, and error-ridden risk management. They all allege that the risk services and computer technologies were grossly inaccurate and replete with errors and omissions.[10].[11] The three complaints all allege these rogue services were all done in violation of numerous provisions of the Commodities Exchange Act, and were performed with gross negligence and replete with errors and omissions, *after* Vision Financial Markets was disbarred, and the registration of its AP's Boshnack, Rothman and Felag permanently revoked to perform such services – and without Plaintiffs' knowledge, authorization and consent.[12]

II.B.IV.(b).Recission of Same Underlying Contracts: Indeed, the very same contracts are before the Connecticut Court, including the G&F Agreement and ORSA. Plaintiffs have sought recissions of *all* agreements in all actions - rendering duplicate proceedings in multiple Courts inefficient, costly and with a high likelihood of res judicata. The interpretation of material contracts such as the Customer Agreements and thus revocable G&F Agreements would need to be before one Court. Since ADMIS, Vision and Lazzara are all "necessary parties". Courts have held that in an action based upon rescission the aggrieved party shall be allowed to obtain complete relief in one action, including rescission, restitution of the benefits, if any, conferred by him as a result of the transaction, and damages to which he is entitled because of such fraud or misrepresentation; but such complete relief shall not include duplication of items of recovery." *Pottorffv.-Centra-Fin.-Grp.,-Inc.,* 192 A.D.3d 1552, 1554, 145-N.Y.S.3d-702,-705–06-(2021).

II.B.IV.(c).Tipper-Tippee Chain: Almost all of identical factual issues will need to be decided in all the actions regarding the facts underpinning the Tipper/Tippee chains and Lyon/Talbot theory under CEA 180.1(A) and the facts underlying on the predicates acts of how Lazzara, ADMIS and Kadlec, using a tipper/tippee chain, disclosed material non-public information to its direct

[10] See Exh.5 Vision ¶479-¶493 alleging inaccuracies of over 200% and systemic failures to operate the portals causing Boshnack to inflate margin by over $134,000. See Exh 5¶406-¶434- alleging that High Ridge and ADMIS' risk management were egregiously inaccurate, replete with errors and omissions impeding Plaintiffs ability to transact in compliance with exchange rules.

[11] All three actions therefore involve similar allegations that ADMIS and High Ridge, and Lazzara acted in conspiracy, both in the underlying torts, frauds and conversion, unlawful sales and solicitations, as well as deliberate misrepresentations throughout the life of the account where all Defendants misrepresented and failed to disclose material facts with respect to High Ridge Futures' unlawful risk services - that were unlawful under the CEA, outside of contractual permitted scope of the G&F services, and also void under the statute of frauds. See e.g. Kadlec SAC Exh.7 ¶.648, ¶973-¶975, ¶241, ADMIS Exh.6 ¶263-¶272, and Vision SAC Exh.5 ¶110, ¶707.

[12] See e.g. Exhibit 7 ¶145-¶153, E.g. Exhibit 5 ¶93,¶115,¶623-¶675,.

competitors Vision, Boshnack, Rothman, Felag and HRHC. Here, the questions of fact that would give rise from the continuous duties of the Tipper/Tippee chain – which also imposed a direct duty on ADMIS, Vision Defendants, as well as Lazzara to disclose to Plaintiff directly their unauthorized dissemination and use.[13] A variety of identical factual issues will also need to be decided in both the current action and the ADMIS and Kadlec/NFA action, including likely vacatur of all Arbitration awards due to the material conflict of interest by the NFA. Currently Plaintiffs timely filed motions to vacate in the District of Connecticut. Therefore, this action and the Vision Case, ADMIS Case and Kadlec/NFA actions have the same factual nuclei that a transfer will further the interests of justice. *See, e.g., Dahl v. HEM Pharm. Corp.,* 867 F.Supp. 194–96 (S.D.N.Y.1994) (ordering transfer when related action is in transferee court). "[T]he issue is not whether identical causes of action have been pled in the two actions but whether they 'hinge upon the same factual nuclei.' " *Id.* at 197 (citing *Berg* 576 F.Supp. 1239, 1243 (S.D.N.Y.1983)). All actions hinge on the same core of operative facts and that a transfer will serve the interests of judicial economy and fairness by avoiding duplicative litigation and the possibility of inconsistent rulings. *See River Road Int'l, L.P. v. Josephthal Lyon & Ross, Inc.,* 871 F.Supp. 210, 211 (S.D.N.Y.1995) (transferring a securities action to a district where a related class action was pending, even though.. one action named two additional defendants and asserted some different securities claims); *Steinhardt Partners* 716 F.Supp. 93, 95 (S.D.N.Y.1989) (stating, in a private action alleging securities law violations and common law fraud, that "[u]nder these circumstances ... 'the interest of justice' requires this Court to place great weight on the fact that a related class action is pending in the Northern District of California." *See also Ardolf* 332 F.R.D. 467, 480–82 holding that be separating the action into two separate cases, "needlessly quintuplicating the efforts of the parties, counsel, and this Court." And moreover, facts specific to these actions is that it was Judge Woods, that previously transferred the Vision case, to the District Court holding that majority of the Defendants reside in Connecticut. (Exhibit 12) *See also In re: Kugel Mesh Hernia Patch Prods. Liab. Litig.,* 560 F. Supp. 2d 1362, 1363 (U.S. Jud. Pan. Mult. Lit. 2008) –finding that this action involves common questions of fact with actions in this litigation previously transferred to the District of Rhode Island, and thus transferring other actions to the District of Rhode Island, and holding that "transfer

[13] See e.g. Exhibit 7 ¶47-¶78—with same issues presented in the motion to dismiss that is pending in this case.

of the action [] will serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation". Transfer is also mandatory pursuant to Federal Rules of Civil Procedure 19, as ADMIS, High Ridge and Lazzara are all "necessary" and "indispensable" parties, to the same contracts. It is well established that a party to a contract which is the subject of the litigation is considered a necessary party." *Ryan v. Volpone Stamp Co., Inc.,* 107 F.Supp.2d 369, 387 (S.D.N.Y.2000); *Travelers Indem. Co. v. Household Int'l, Inc.,* 775 F.Supp. 518, 527 (D.Conn.1991) ("[P]recedent supports the proposition that a contracting party is the paradigm of an indispensable party."). FRCP 19 thus requires the actions be joined in one district. Hence separating these actions, for relief on the same underlying agreements, is also in error. *See Ente Nazionale Idrocarburi,* 744 F.Supp. at 458 (holding that absent party is necessary party with "real interests that are clearly at stake in this action" where absent party "has clear rights and affirmative obligations under the contract which [the court] must construe"); *Ragan Henry Broadcast Grp, Inc. v. Hughes,* 1992.WL.151308,*2 (E.D.Pa.1992) ("Generally, where rights sued upon arise from a contract, all parties thereto must be joined.")(citing cases); *Travelers Indem. Co. v. Household Int'l, Inc.,* 775.F.Supp.518,527 (D.Conn.1991)(held "a contracting party is the paradigm of an indispensable party.")(citing cases).

In addition, transfer is warranted because it would cause manifest injustice and hardship to a Pro-Se Plaintiff. Kumaran and Nefertiti entities are very small businesses and would be significantly prejudiced by having to conduct the same litigation in two Federal Court districts. See also *In re Nat'l Prescription Opiate Litig.*, 576 F. Supp. 3d 1378, 1379 (U.S. Jud. Pan. Mult. Lit. 2021)[14].

III –THE DISTRICT OF CONNECTICUT COURT IS A PROPER VENUE TO CONSOLIDATE THE CASES.

The District of Connecticut would be an appropriate transferee district, and Chief Justice Michael Shea is capable of effectively overseeing this litigation. As an initial matter, the District of Connecticut is the nexus of wrongful conduct alleged in Related Actions. Given that Judge Woods already ruled that majority of the events and wrongdoing took place in Connecticut stated decisis protects these decisions from being overturned. "[O]ur legal system generally relies on principles of *stare decisis* and comity among courts to mitigate the sometimes-substantial costs of similar

[14] *In re Nat'l Prescription Opiate Litig* holding that "Common questions of fact with the actions previously transferred and that transfer of the actions in their entirety under 28 U.S.C. § 1407 will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation."

litigation" involving different parties. *Smith v. Bayer Corp.*, 564 U.S. 299, 317, 131 S.Ct. 2368, 180 L.Ed.2d 341 (2011). *Eletson Holdings, Inc. v. Levona Holdings Ltd.*, 716 F. Supp. 3d 242, 310 (S.D.N.Y. 2024). Over eighty (80%) percent of the Arbitration Defendants are also in Connecticut and majority of the RICO Defendants are also in Connecticut. The RICO Complaint alleges that Defendants also either reside in or have their principal place of business in Connecticut. The Complaints (common to all related actions) state that each of the Conspirator-Defendants (in each of the Related Actions) operate as a common Association-in-Fact Enterprise, with key Defendants High Ridge Futures, LLC, Vision Financial Markets, LLC and High Ridge Holding Corporation, all have principal places of business in Connecticut.

In determining the appropriate transferee forum, the Panel should conduct a "balancing test based on the nuances of a particular litigation" that considers several factors, including the number of the underlying cases pending before the district, the experience of the judiciary with the issues, the location of documents and witnesses, the centrality of the location, and common parties. *See* Robert A. Cahn, *A Look at the Judicial Panel on Multidistrict Litigation*, 72 F.R.D. 211, 214 (1977); *see also In re Regents of Univ. of Cal.*, 964 F.2d 1128, 1136 (Fed. Cir. 1992); MANUAL OF COMPLEX LITIGATION (Fourth) (2010). Transfer is appropriate when it enhances the convenience of the litigation. The Panel typically takes into consideration various factors in determining the most appropriate transferee forum, including: (1) convenience of the parties; (2) location of witnesses and other evidence; (3) whether the district is in an accessible metropolitan location; (4) experience in management of class actions and complex litigation; (5) the caseload of the transferee district; and (6) the number of cases pending in the jurisdiction. *See e.g.*, *In re Educ. Testing Serv. Prt 7-12 Test Scoring Litig.*, 350 F. Supp. 2d 1363,1365 (J.P.M.L. 2004)[15]; *see also* MANUAL FOR COMPLEX LITIGATION 20.131 (4th ed.2016) (Relevant factors include "the site of the occurrence of the common facts, where the cost and inconvenience will be minimized[,] and the experience, skill, and caseloads of available judges."). Given that majority of the Vision Defendants are

[15] *See also - In re Wheat Farmers Antitrust Class Action Litig.*, 366 F. Supp. 1087, 1088 (J.P.M.L.1973); *In re Preferential Drug Prod. Pricing Antitrust Litig.*, 429 F. Supp. 1027, 1029 (J.P.M.L. 1977); *In re Tri-State Crematory Litig.*, 206 F. Supp. 2d 1376, 1378 (J.P.M.L. 2002); *In re Gen. Motors Corp. Dex-Cool Prod. Liab. Litig.*, 293 F. Supp. 2d 1381, 1382 (J.P.M.L. 2003);

headquartered in District of Connecticut, and the Southern District of New York already ruled that majority of the fraudulent actions took place in Connecticut, there is simply no more convenient or more appropriate forum for transfer. The witnesses and evidence at issue are mostly located in Connecticut, depositions would be most conveniently taken in Connecticut. In anticipation of this transfer ADMIS and Kadlec have also recently retained Connecticut counsel, and Corporate Plaintiffs have also incurred the admissions costs into Connecticut for both pending Related Actions 24-CV-641 and 22-CV-1653. Moreover, NFA audits, including those by Sutkus Kiela and Wahls were also conducted in Connecticut, which allowed the illegal activity to continue.

Connecticut has non-stop flights to and from numerous cities in the United States, which is helpful since other witnesses are spread across both the U.S (mostly in Illinois and Texas). And CT is a short distance by metro-rail from the city. Nearly all the documents are located at High Ridge Futures, LLC and its affiliates at Long Ridge Road in Stamford, CT. Thus, Hartford, CT and the District Court of Connecticut is a sensible and convenient location and forum for this litigation.

III.A Cases Listed Under The Civil Justice Reform Act: Case load also supports transfer to Connecticut. The most recent Civil Justice Reform Act, Table 7[16], supports that Judge Woods decision to transfer the case in the first instance shows he is overloaded to handle this case. Hon. Judge Gregory Woods, has sixteen (16) cases which have been pending for more than three years as of March 31, 2024. In contrast, Honorable Chief Judge Michael Shea has only six (6) cases which have been pending and most of them on the verge of trial or Settlement. (*See Id* Pg. 317) Between the two districts with the most cases filed, the District of Connecticut has a significantly lower case load with 1,488 pending matters to the 11,536 pending matters in the Southern District of New York, and the assigned Judge in the Southern District appears to have full dockets.[17] *Additionally,* the past due motions and backlog, is far in excess in New York. The Honorable Judge Gregory Woods has seven (7) Motions from four (4) cases on the CJRA list as pending for more than six months on the last report. (*See* CRJA Table 8, Pg. 303). Contrast that with the District of Connecticut where the Honorable Chief Judge Michael Shea,

[16] https://www.uscourts.gov/sites/default/files/data_tables/cjra_7_0331.2024.pdf

[17] Table C-1, U.S. District Courts—Civil Cases Commenced, Terminated, and Pending During the 12-Month Period Ending March 31, 2024, https://www.uscourts.gov/data-news/data-tables/2024/03/31/federal-judicial-caseload-statistics/c-1

had **zero (0) cases** on the same list**. (***Id* Pg. 191**).** [18] Given the substantially smaller backlog between the two Judges, Judge Shea already accepted already full transfer of the largest of the cases, the Vision Case and majority of the Defendants are in Connecticut this also supports transfers. Judge Woods cases have been delayed by more than 60 months. They are also not properly reported in CRJA Table 7 table since were filed in May 2020, if tallied correctly he has more than twenty (20) pending cases.[19] (*Id.* Pg. 535)

III.B Connecticut Not Occupied With Other MDL Cases: This Panel has also considered preference of districts, which in this case would be to the District of Connecticut. since the docket for the District to Connecticut is not currently occupied with MDL assignments. (*See* MDL Statistics Report—Distribution of Pending MDL Dockets by District (January 2, 2025)[20]); accord *In re Nat'l Century Fin. Enterprises, Inc*., 293 F. Supp. 2d 1375, 1377 (J.P.M.L. 2003) (selecting transferee forum that is a "geographically central district, not currently occupied with multiple other MDL assignments, [and] that is equipped with the resources that this complex docket is likely to require"). In addition, the District of Connecticut has far fewer cases than the Southern District of New York. *See* United States District Courts — National Judicial Caseload Profile - Table C, as of March 2024[21] showing that the District of Connecticut has 1,900 cases pending whereas the Southern District of New York has 12,139 cases outstanding. Moreover, these ADMIS/NFA cases are (still) in the Pre-Trial phase under District Judge Woods even after 60 months - which far exceeds the distribution of statistics.

Circuit and District	Court Action					
	Before Pretrial		During or After Pretrial		During Trial	
	Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months
Total	**164,875**	**7.3**	**22,235**	**14.1**	**1,608**	**32.4**
2nd	**15,563**	**6.4**	**3,153**	**15.5**	**165**	**48.9**
CT	714	5.7	407	16.7	16	44.4
NY,N	737	7.2	253	18.0	11	41.6
NY,E	4,991	6.2	853	14.3	50	61.5
NY,S	7,365	6.0	1,570	14.7	81	41.0

[18] CJRA Table 8, *U.S. District Courts—Reports of Motions Pending Over Six Months as of March 31, 2024*, https://www.uscourts.gov/sites/default/files/data_tables/cjra_8_0331.2024.pdf.

[19] It was also noted that none of the current cases under Judge Woods – notably 20-CV-3873 *Kumaran vs. ADM Investor Services, Inc* and 20-CV-3668 *Kumaran vs. National Futures Association, LLC* which were both filed in May **2020**, were properly reported on the CRJA 7 table. These cases have been delayed by more than 60 months.

[20] https://www.jpml.uscourts.gov/sites/jpml/files/Pending_MDL_Dockets_By_District-January-2-2025.pdf

[21]https://www.uscourts.gov/data-news/reports/statistical-reports/federal-judicial-caseload-statistics/federal-judicial-caseload-statistics-2024-tables

III.C – Single Most Important Factor In Transfer Forum: This Panel has often ruled that the single most important factor in deciding where to send the MDL is the presence of key documents and witnesses. For example, in *Samsung*, the Panel relied on the fact that "Defendant has its headquarters in New Jersey, where common witnesses and other evidence likely will be found." *In re Samsung Customer Data Security Breach Litig.* 655 F. Supp. 3d 1368, 1369 (J.P.M.L. 2023). *See also In re Blackbaud, Inc., Customer Data Sec. Breach Litig.*, 509 F.Supp.3d 1362, 1364 (J.P.M.L. 2020) ("Blackbaud has its headquarters in South Carolina. Thus, common witnesses and other evidence likely will be located in this district."). *First*, Hon. Judge Woods (and as accepted in the transfer by Chief Justice Shea) that the Complaint primary alleges that the fraudulent acts took place in Connecticut and that "Nine of the defendants are residents of Connecticut, and the remaining three are residents of Texas.". *Second*, majority of the documents, relevant witnesses, and other evidence for discovery are located within minutes of the District of Connecticut, making it an ideal forum capable of streamlining discovery proceedings. *See In re Aqueous Film-Forming Foams Prod. Liab. Litig.*, 669 F. Supp. 3d 1375, 1380 (U.S. Jud. Pan. Mult. Lit. Apr. 10, 2023) ("[T]ransfer is appropriate if it furthers the expeditious resolution of the litigation taken as a whole, even if some parties to the action might experience inconvenience or delay"); *In re Watson Fentanyl Patch Prods. Liab. Litig.*, 883 F. Supp. 2d 1350, 1351–52 (J.P.M.L. 2012) ("[W]e look to the overall convenience of the parties and witnesses, not just those of a single plaintiff or defendant in isolation."). Thus, because the District of Connecticut is located in the same city as High Ridge's headquarters, and where majority of Defendants reside, and where the torts are alleged to have occurred, it is the most convenient forum. The Court should centralize all four cases there. The motions to vacate the Arbitration were also filed in Connecticut on February 16, 2024 and are still pending to be heard.

IV - CONCLUSION

For the reasons set forth fully herein, Plaintiff respectfully requests this Panel order the transfer and consolidation of all Related Actions listed in the Plaintiff's Schedule of Actions, to the United States District of Connecticut for the purposes of both pre-trial centralization and pre-trial proceedings in a single forum before Chief Justice Michael Shea, pursuant to 28 U.S.C. §1407.

Dated: May 19, 2025

Respectfully submitted:

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