

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 20-10896-GAO

NASSAU LIFE INSURANCE COMPANY,
Plaintiff,

v.

DONNA J. BAUM, ROBERT J. BAUM, CHRISTIAN FARRELY,
O.R.R.F, a minor child,
Defendants.

ORDER

January 7, 2020

O'TOOLE, S.D.J.

The Court resolves the following matters as follows:

1. The Motion Pursuant to rule 83.5.3(j) for Admission to Appear and Practice in this Court by Eliot F. Parkhurst (dkt. no. 12) is GRANTED nunc pro tunc.
2. The Stipulation to Extend Time for Defendants to Respond to Plaintiff's Complaint (dkt. no. 13) is APPROVED nunc pro tunc.
3. Nassau's Motion for Leave to File Reply Memorandum (dkt. no. 15) is GRANTED. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures.
4. Robert Braum's Motion for Leave to File a Reply in Support of his Motion to Strike (dkt. no. 24) is stricken for failure to comply with Local Rule 5.4(a).
5. The Notice of Withdrawal by Carlo Cellai (dkt. no. 25) is stricken as it appears to have been filed in this case in error.

6. Pursuant to its independent obligation to inquire into its own subject matter jurisdiction, the Court orders the defendants in this action to brief the question whether this Court lacks subject matter jurisdiction over the controversy between contesting claimants under the so-called “domestic relations exception” to federal jurisdiction. See Ankenbrandt v. Richards, 504 U.S. 689, 704 (1992); Irish v. Irish, 842 F.3d 736, 741 (1st Cir. 2016). Such briefs should be filed within 21 days of this order.

Notwithstanding the briefing requested, the parties should continue to comply with applicable timetables set by the Federal Rules of Civil Procedure including those regarding responsive pleadings on cross claims.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
Senior United States District Judge