

2012 MAY -2 AM 9:36

UNITED STATES DISTRICT COURT  
DISTRICT OF VERMONT

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WALLACE S. NOLEN,  
Plaintiff,

- against -

ALDRICH PUBLIC LIBRARY et al  
Defendants,  
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**AFFIRMATION IN**  
**SUPPORT OF THE**  
**PLAINTIFF FOR**  
**EXTENTION OF**  
**STAY OF ALL PROCEEDINGS**  
**AND OTHER RELIEF**

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2:11-CV-183

STATE OF VERMONT, COUNTY OF WASHINGTON ss.:

WALLACE S. NOLEN, being duly sworn, affirm under the penalties of perjury:

1. I am the Plaintiff in the instant matter herein represented Pro Se.
2. I make this affirmation in support of my instant motion to extend the stay currently in effect of all proceeding due to my continuing ill health as stated more fully herein.and/or to limit the manner of any discovery, hearings, conferences etc. to permit them to be held via telephone until such time that Plaintiff's health improves..
3. Either in the end of September 2011 or the beginning of October 2011 I filed a written motion to this court that due to my serious ill health, including being diagnosed with cancer of the colon and other symptoms that I was unable to proceed in any matter before this court including the instant matter.
4. On October 6<sup>th</sup>, 2011, I had a section of my colon taken out by Dr. Jesse Moore, a surgeon at Fletcher Allen Health Care in Burlington VT.
5. In November 2011 I began a chemotherapy regime to increase the chances of eradication of any further cancer in my body.

6. During the period immediately preceding the aforementioned surgery as well and again during the subsequent in-hospital stay, my home was burglarized and ransacked twice. I had roughly 45 file boxes of records which were dumped and ransacked in my basement home/office including all of the various court files and their supporting documentation/evidence.

7. Immediately upon my release from Fletcher after the surgery, I have been under the care of registered nurses from Central Vermont Home Health & Hospice.

8. Since my release I have been seen as often as 3 times per week by registered nurses monitoring my condition including but not limited to the incision areas, dehydration symptoms, severe diarrhea and even wounds caused by many falls as a direct result of my overall symptoms including general severe weakness caused in part by the increased potency of the particular chemotherapy medications and related symptoms of the chemotherapy and pre-existing medical conditions..

9.. Based upon numerous falls, dehydration, diarrhea, etc. I was admitted to Guifford Medical Center the end of January 2012 from a Friday to Monday.

10. On February 23<sup>rd</sup>, 2012 at the recommendation of Dr. Steven Ades, my oncologist at Fletcher Allen Health Care who is handling my chemotherapy and cancer treatments, I underwent what what suppose to be a routine "pain block" procedure in an attempt to reduce my severe back, neck and shoulder pain without the use of other standardize treatments involving prescription narcotics.

11. Approximately 30 minutes into the procedure my blood pressure dropped to approximately 50 over 30.

12. As a result an ambulance was called and I was transported by ambulance from the

Pain Clinic on Tilly Dr in Burlington to Fletcher's emergency room.

13. I was admitted and placed in the Intensive Care unit until February 25<sup>th</sup>, 2012.

14. At the time of my transport by ambulance I was unable to move my body with an exception of moving my eyelids and my lips but was speak words.

15. While at Fletcher I asked doctors to send this court (and the US District Court - Vermont District where I have other civil cases pending) a letter to advise both courts of my hospital stay and inability to proceed in any way which I understand has been received by this court.

16. Although the letter from one of my doctors at Fletcher stated that I would be transferred to a rehabilitation facility, it was later determined that I was required to continue my stay at Fletcher until April 5<sup>th</sup>, 2012.

17. On April 5<sup>th</sup>, 2012 in the afternoon, I was transported by Fletcher's Advance Life Support (ALS) ambulance from the hospital to my home on a stretcher.

18. Upon my arrival at home a registered nurse and other personnel from Central Vermont Home Health and Hospital ("CVHHH") assisted me again due to my medical condition which, while semi-stabilized, I was unable to walk without assistance and then for only short distances with a walker.

19. Since April 5<sup>th</sup> I have been treated/aided by a physical therapist, occupation therapist, registered nurses, licensed practical nurses, and home health aids from CVHHH as well as an out patient with many different doctors including specialists.

20. Approximately three weeks ago I was transported by Green Mountain Transit Agency ("GMTA") to Beth Israel Deaconess Medical Center in Boston Massachusetts.

21. As an outpatient, I underwent various surgical procedures in which it was determined that I have problems with my pancreas including but not limited to a dilated pancreatic duct which was estimate to be more than three times normal size.

22. After consultations with all of the various doctors involved in my various treatments, it was determined to resume my chemotherapy as of April 30<sup>th</sup>, 2012 which had been halted upon my entry into the emergency room of Fletcher on February 23<sup>rd</sup>.

23. I have been told that I have at least 8 more sessions of chemotherapy which is scheduled in 2 week cycles.

24. It is well known that anyone undergoing chemotherapy have an extremely low tolerance and are required to avoid exposure to anyone with colds, flues, and/or other contagious conditions due lowered immunity based on the chemotherapy drugs used which lower the bodies overall ability to fight off infections, bacteria, etc.

25. In addition, due to my weaken state including but not limited to frequent diarrhea it as well as my inability to drive great distances, it is contraindicated that I travel any distances especially if I am not able to gain quick access to a restroom. I am annexing a three page recommendation sheet given to me on April 30<sup>th</sup>, 2012 by Fletcher staff which details symptoms and other related information.h

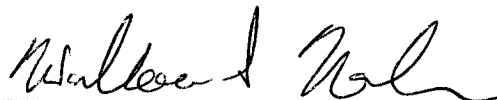
26. I therefore request this court to stay this proceeding pending the successful termination of my chemotherapy for the reasons set forth in this affirmation or issue an order permitting any discovery proceedings, court hearings, etc. be done via telephone.

27. In addition, I have been unable to locate any of the written discovery demands served upon me by my opposition due to my records being ransacked.

28. I therefore respectfully request that any such demands be reserved upon me and that I be given plenty of time given my circumstances to respond to such papers including the possibility of my making motions for a protective order and/or other relief after review of such papers.

WHEREFORE it is respectfully requested that this court grant an order staying any and all proceedings in this matter or otherwise holding any and all conferences, discovery proceedings , etc. via telephone; and whatever other and further relief this court feels just and proper herein.

Affirmed this 2<sup>nd</sup> day  
of May, 2012

  
WALLACE S. NOLEN

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