

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARK W. DOBRONSKI,

Plaintiff,

v.

**THE SAVINGS BANK MUTUAL
LIFE INSURANCE COMPANY OF
MASSACHUSETTS, et al.,**

Defendants.

Case No. **2:23-cv-12153-JJCG-APP**

Honorable Jonathan J.C. Grey
United States District Judge

Honorable Anthony P. Patti
United States Magistrate Judge

**PLAINTIFF’S MOTION TO EXPEDITE
PLAINTIFF’S EMERGENCY MOTION
FOR INJUNCTIVE RELIEF**

COMES NOW the Plaintiff, MARK W. DOBRONSKI (“Dobronski”), appearing *in propria persona*, and motions this Court to expedite consideration of Plaintiff’s Emergency Motion for Injunctive Relief [ECF No. 28] which seeks entry of an order of injunctive relief enjoining Defendant The Savings Bank Life Insurance Company of Massachusetts (“SBLI”), and SBLI’s agents and sub-agents, from stalking and harassing the Plaintiff.

Plaintiff certifies that, in accordance with E.D. Mich. LR 7.1(a), the undersigned *pro se* litigant personally spoke to opposing counsel, Sean Nalty, explaining the nature

of the relief to be sought by way of this motion and seeking concurrence in the relief; opposing counsel did not provide concurrence.

Background

On August 23, 2023, Plaintiff initiated this action suing Defendants for damages arising under the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. 227, *et seq.*, the Michigan Telephone Companies as Common Carriers Act (“MTCCCA”), M.C.L. § 484.101, *et seq.*, the Michigan Home Sales Solicitation Act (“MHSSA”), M.C.L. § 445.101, *et seq.*, and the Florida Telemarketing Sales Act (“FTSA”), Fla. Stat. § 501.059 stemming from a series of 13 telemarketing calls initiated by Defendant The Savings Bank Life Insurance Company of Massachusetts (“SBLI”) or SBLI’s agents to Plaintiff’s telephone numbers which are listed on the federal Do Not Call Registry.

After the Complaint had been served upon SBLI, and despite the fact that SBLI had been clearly informed that Plaintiff did not want to receive any telemarketing calls from SBLI or SBLI’s agents, Plaintiff received a series of such unwanted calls on January 10-11, 2024, including one call on January 11, 2024 at approximately 9:18 P.M. (which is after the 9:00 P.M. curfew imposed by the TCPA) wherein the caller engaged in a profanity and racially-filled rage. [ECF No. 28, PageID.365]. The Motion demonstrated that the caller obviously was affiliated with SBLI and that SBLI

had been communicating with the caller regarding Plaintiff's lawsuit. [ECF No. 28, PageID.369].

As a result, on January 16, 2024, Plaintiff filed Plaintiff's Emergency Motion for Injunctive Relief [ECF No. 28] ("Motion"). On January 29, 2024, the Court held an in-person hearing on Plaintiff's Motion, at which time the Court took the matter under advisement.

Unfortunately, the telemarketing calls from SBLI or its agents have not curtailed at all.

On February 27, 2024, Plaintiff received another telemarketing call from an SBLI agent. Plaintiff "worked" the caller and provided controlled identifying information, including the *faux* name Timothy J. Braxton. Plaintiff immediately notified SBLI's counsel, who stated that he would "get back" with Plaintiff; there was no follow-up from SBLI's attorney. Nonetheless, Plaintiff received an insurance policy from SBLI issued on February 27, 2024. See EXHIBIT 1.

During the months of June, July, and August 2024, Plaintiff received at least 7 more unwanted telemarketing calls from SBLI agents. One caller, on August 1, 2024, apparently learned that Plaintiff was suing SBLI, called Plaintiff back and threatened to sexually assault Plaintiff's mother.

On August 2, 2024, Plaintiff received an unwanted telemarketing call from an

SBLI agent. Plaintiff worked the caller by providing controlled identifying information in order to complete the SBLI application process. The caller indicated that Plaintiff would be receiving the insurance policy via U.S. Mail. Approximately 15 minutes after the call terminated, the same caller telephoned Plaintiff again, informed One of the callers apparently learned from SBLI of the lawsuit, called Plaintiff back, and verbally abused Plaintiff because Plaintiff was “suing his company.”

Plaintiff promptly communicated this information to SBLI’s counsel, Jeffrey Bove, but received no follow up from Bove.

Despite Plaintiff’s protestations and repeat “do not call” demands to SBLI’s counsel, the calls continued. On September 3, 2024 (2 calls); September 13, 2024; and, September 17, 2024, Plaintiff received a series of 6 telemarketing calls which were all related, as the caller would identify being with SBLI and kept asking for the same controlled identifying name: to wit, Andrew Jackman.

On September 18, 2024, Plaintiff received yet an additional call from an individual identifying with SBLI asking to speak with Timothy Braxton ,which is the *faux* name provided by Plaintiff during the call on February 27, 2024. The caller knew that the prior policy had not been issued and reviewed the application information which Plaintiff had provided on February 27, 2024. The caller then transferred the call

to a “licensed agent.” The licensed agent then confronted Plaintiff with the *faux* name that had been used during the calls on September 3, 13, and 17; to wit: Andrew Jackman. The licensed agent then confronted Plaintiff with Plaintiff’s true name, Plaintiff’s wife’s name, the name of relatives of Plaintiff, and Plaintiff’s true residence address, and made threats that Plaintiff was going to be arrested for cyber crimes, possession of illegal drugs, and possession of illegal weapons. The licensed agent was fully familiar with the fact that Plaintiff had sued SBLI and other insurance companies and demanded money from Plaintiff.

Argument

Federal courts have the inherent power to manage their dockets to achieve the orderly and expeditious disposition of cases. *See Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991).

The Court should expedite the issuance of the requested injunctive relief because it is in the best interest of all the parties. *See Optic-Elec. Corp. v. United States*, 683 F.Spp. 269, 271 (D.D.C. 1987). The unwanted telemarketing calls from SBLI agents to Plaintiff continue, despite the clear and unambiguous demands made by Plaintiff that they are unwelcome and that they should cease. Without an injunction in place, Plaintiff will continue being injured by the unwelcome and illegal telemarketing calls. Plaintiff will suffer actual harm and prejudice if the motion is not granted. SBLI will

not be prejudiced if the motion is granted.

Conclusion

WHEREAS, Plaintiff respectfully requests that this Court: grant this motion; expedite action upon Plaintiff's Emergency Motion for Injunction Relief; and, order that fact discovery may commence in this action without further delay.

Respectfully submitted,



Date: September 26, 2024

Mark W. Dobronski
Post Office Box 99
Dexter, Michigan 48130-0099
Telephone: (734) 330-9671
Email: MarkDobronski@yahoo.com
Plaintiff *In Propria Persona*

CERTIFICATE OF SERVICE

I hereby certify that on **September 26, 2024**, I electronically filed the foregoing *Plaintiff's Motion to Expedite Plaintiff's Emergency Motion for Injunctive Relief* with the Clerk of the Court via the Court's Pro Se Document Upload utility, which will send notification of such filing to all counsel of record via the CM/ECF system.



Mark W. Dobronski

EXHIBIT

1



Timothy J Braxton
3140 Baker Rd #99
Dexter, MI 48130

Policy: 606072522
Insured: Timothy J Braxton
Date: February 27, 2024

Congratulations! Your application for life insurance from SBLI has been approved.

Please review your enclosed policy. If you have any questions, contact your SBLI agent, Stefan Alexander Wirtz, or call our Customer Service Call Center at 800-694-7254.

You also have the option to view and manage your account on our self-service website www.MySBLI.com.

As you have requested, all payments due on your policy will be paid via an electronic transfer of funds from your bank account to SBLI of Massachusetts.

Thank you once again for choosing SBLI to help protect your family's future.

A handwritten signature in cursive script that reads "Rose G. Conneely".

Rose G. Conneely
Senior Vice President
New Business and Customer Service