

No. 17-6583

SUPREME COURT of the UNITED STATES  
Office of the Clerk - Scott S. Harris  
Washington, DC 20543-0001

IN RE: THOMAS J. CREAN and SUSAN CREAN,  
[PRO SE] DISABLED SENIOR PETITIONERS.

v.

125 WEST 76<sup>TH</sup> STREET REALTY CORP. [NY, NY]; and,  
BOARD PRESIDENT ALYSON REIM FRIEDMAN,  
RESPONDENTS.

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PETITIONERS URGENT MOTION TO "EXTEND TIME"  
UNTIL 2/27/2018 - WITH REQUEST FOR SUMMARY DECISION IN  
PETITIONERS FAVOR

TO: The Honorable Associate Justice Ruth Bader Ginsburg:

Petitioners [Hereinafter "P"] 'Urgent Request Motion' to "Extend Time" above-and-beyond US Supreme Court Clerk Scott S. Harris's Order to P's of 12/11/2017 for P's to comply with the Court's Deadline of Tuesday 1/02/2017 ... for a 'flexible' Extension of Time of NOT less than [50] FIFTY DAYS (until Tuesday 2/20/2018), NOR, more than [60] SIXTY DAYS (until Tuesday 2/27/2018)... Or, for a TIME EXTENSION OF [2] TWO MONTHS from US SUPREME Court Clerk Scott S. Harris's deadline for P's to respond by 1/2/2018.

P's have requested 'flexible dates between this above period to give both P's enough time to recuperate from serious invasive surgery (and other

Scheduled medical tests and procedures). In addition, to give the Court enough time to review P's Supreme Court Case No: 17-6583 Docketed 11/1/2017.

→ Petitioner's have (herewith) placed [2] two separate (and 'additional') Motions for: 1) Urgent "Reconsideration" for Petitioners Leave to Keep and Proceed 'in forma Pauperis' status. [8-½"x 11" Paper - P's 27 PP Motion (with enclosures and individual Certificate of Compliance)]; WITH Certificate of Service that LISTS all [3] Three P's Motions: Items: 1) and 2) - [mentioned above-and-below here]; And; Item 3) P's (herewith) submitted Request Motion for a (as previously, stated on page 1 of this Motion) - "Flexible" Extension of Time - → To be used in conjunction with -

2) Urgent Request Motion for Petitioners under US Supreme Court RULE 40 (Veterans and Seamen, etc.) for Leave to Proceed on Papers Prepared, as Required by Rule 33.2. [8-½ x 11" Paper - P's 7 PP Motion (with enclosures and individual Certificate of Compliance) ATTACHED preceding, to P's ...

→ "Re-submitted" - "IN RE:" Supplemental Petition/Writ of Certiorari filed by the Court on 11/24/2017 ... (US Supreme Court Case #17-6583 docketed 11/24/2017 and PRIOR FILED online the Court's web site) - [8-½" x 11" Paper - P's 15 PP Motion (with few Appendices enclosed) with prior [COS] Certificate of Service and [CO] Certificate of Compliance.]

P's have sent in these Motions to Comply with the Court's (new) directives. P's sincerely request (and hope) that "Summary Judgment" can be expedited in P's favor.

There has been a lot of "ping-pong" tactics requiring only P's to 'Show and Prove "Beyond-a-Doubt" that Respondents [Hereinafter "R"] could have prevented [But R's did NOT prevent] their willful and wanton 'significant' toxic Environmental "Spills" ... that occurred for over a decade exposing P's, and the Public to highly toxic "DRY" Asbestos and other contaminants from 2001 - P's Superintendent Thomas J. Crean's hire date on through 3/25/2015 (P's complete move-out from R's Building (vacate date) .

... P's were fully exposed to toxic contaminants (within that 14-year period) by R's concealing "The Fact" that there were toxic contaminants 'already leaching out within their 96+ year old building' and Concealing "The Fact" that R's were on an EPA mandated [O&M] Operations and Maintenance Program for the Removals of Asbestos and other contaminants agreed to in their 40-year (still viable) contract that was put together (specifically, for R's Building 125 West 76<sup>th</sup> Street, NYC 10023) by specialists from Company "Velocity Environmental Consulting Group, Inc." in NYC ... a company established in the late 1990's! \*\*\*So, the R's "KNEW" of the toxic contaminants in the building for years! ... → R's NEVER notified P Superintendent Thomas J. Crean (who worked 24/7 for 14 years in R's

Contaminate building) of the presence of those contaminates within R's Building and P's were FURTHER fully exposed by R's uncontained demolitions/renovations, etc.!

What is just so horrible, is that not only has R NEVER notified or said a word to P's about Asbestos and other toxic contaminates being rampant in their building ... R's knowingly were releasing these airborne highly contaminate fibers of Asbestos into the air directly within their own building that wafted into the adjacent Public Middle School... and the fully contaminated subcontractors "pick-up" truck was left for days in front of the Temple Toddlers Preschool exposing "ALL" to toxic exposure! P's have been riddle with terrible pain because of being exposed by R's to these toxic contaminates that were released in the course of over a decade! R's NEVER NOTIFIED P's, and NEVER PRE-NOTIFIED EPA as R's were mandated to do before demolition/renovations on even "SUSPECT" [ACM] "Asbestos (as defined in R's [O&M] "Asbestos" Removal Program!

R's continued to lie to their Attorney, even after P's gave Bona fide Federal/State/NYC Evidence of R's knowingly releasing toxic contaminates, for which the R's AND their attorney continued to make falsified statements (under oath - no less), and continued to submit falsified documents that were filed to DEP/OSHA (and other Federal/State/NYC Agencies) .... Including the US Federal District Court of NY [SDNY]; and, the US Second Circuit Court of Appeals in NYC [ca2NY]!

R's continued with their false pretenses and lied to the Courts ... further all maliciously maligned (in their coordinated "scripted" attempts to discredit) their "Steadfast" experienced 24/7 Superintendent Thomas J. Crean, who worked for R's for 14 years (and was available for them ... Day, or Night)!

P's came down with these horrible "Asbestos-related" ailments; however, when we spoke to R's Attorney, R's STILL were in deniable, when all "exacting" evidence "PROVES," as a 'Matter of Law,' that R's were indifferent "and criminal" in their repeated actions of willfully "Spilling" 'significant' Benchmark amounts of Asbestos and other contaminants and R's committed FRAUD and LEGAL FRAUD by their violating several Environmental Statutes and other Legal Statutes over the course of more than a decade.

P's are seriously ill by R's criminal and fraudulent actions... and we have been trying to get JUSTICE "going on [4] four years now in the Courts! How many others are ill without knowing why? Those other workers and residents/shareholders in R's building, those in the adjacent Public Middle School, and Temple's "Pre-school" wondering why this has happened to them. All the while, R's have still been lying to the new residents/shareholders in that unfortunate building ... and R's are STILL in denial WITHOUT being held accountable for their heinous criminal acts for almost 4 years now ... WITHOUT even getting a fine from EPA??

This is NOT Right! Our Courts and Constitutional Laws are there to  
'Protect the People' from those unscrupulous individuals/corporations, who  
manipulate others (and bend the law) to their benefit.

→ P's humbly ask the US Supreme Court for "Summary Decision" in  
P's favor! To Remedy P's (as stated on Bottom of Page 23 ... "→ Remedy  
Below," and (as stated) on the "Top-to-middle of Page 24" in P's Urgent  
Motion of Reconsideration for Petitioners Leave to Keep and Proceed "in  
forma Pauperis" Status!

Petitioners Thomas J. Crean and Susan Crean hereby declare that all  
stated within this document is True and Factual to the Best of our Beliefs!

Respectfully,



Thomas J. Crean and Susan Crean,  
[Pro Se Disabled Senior Petitioners]  
101 Middlefield Avenue  
Waterbury, CT 06705  
1-203-528-3731

Dated: 12/26/2017

Enclosures - \*\*\*\*Listed in Certificate of Service (preceding P's Motion of  
Reconsideration for retaining Leave to Proceed "in forma Pauperis")...and  
Time Extension Motion and Request for "Summary Judgment" Certificate  
of Compliance is enclosed\*\*\*\*

1) Copy of 12/11/2017 US Supreme Court Order from Scott S. Harris,  
Clerk of the Court -

\*\*\*2) Original (signed) Motions with enclosures to:  
Associate Justice Ruth Bader Ginsberg; AND, Clerks of the Court  
Scott S. Harris and Jeff Atkins.

**Cc: 1) Ten [10] Copies of P's Time Extension Motion and Request for  
"Summary Judgment"**

**2) One copy to:**

**Barry G. Margolis, Attorney for Respondents  
Abrams, Garfinkel, Margolis, Bergson, LLP  
1430 Broadway, 17th Floor  
New York, NY 10018  
1 (212) 201-1170**

**CERTIFICATE OF COMPLIANCE**

**No. 17-6583 - 11/1/2017**

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**IN THE  
SUPREME COURT OF THE UNITED STATES**

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**IN RE: THOMAS J. CREAN and SUSAN CREAN,  
[PRO SE SENIOR] PETITIONERS.**

**v.**

**125 WEST 76<sup>TH</sup> STREET REALTY CORP. [NY, NY]; and,  
BOARD PRESIDENT ALYSON REIM FRIEDMAN,  
RESPONDENTS.**

As required by Supreme Court Rule 33.(h), Petitioners certify that our **URGENT MOTION to EXTEND TIME WITH REQUEST for** → **SUMMARY JUDGMENT in Petitioners FAVOR contains approximately 1,334 words (or less) on [7] SEVEN pages (not including any Appendices), and less excluding the parts of the petition that are exempted by Supreme Court Rule 33.1(d).**

**We declare under penalty of perjury that the foregoing is true and correct to the Best of our Beliefs.**



**Thomas J. Crean and Susan Crean  
101 Middlefield Avenue  
Waterbury, CT 06705  
1-203-528-3731**

**Date: 11/26/2017**



Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001

Scott S. Harris  
Clerk of the Court  
(202) 479-3011

December 11, 2017

Mr. Thomas J. Crean  
101 Middlefield Avenue  
Waterbury, CT 06705

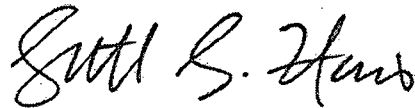
Re: Thomas J. Crean, et al.  
v. 125 West 76th Street Realty Corp., et al.  
No. 17-6583

Dear Mr. Crean:

The Court today entered the following order in the above-entitled case:

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until January 2, 2018, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott S. Harris", written in a cursive style.

Scott S. Harris, Clerk

OFFICE OF THE CLERK  
SUPREME COURT OF THE UNITED STATES  
WASHINGTON, DC 20543-0001

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