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No. 25-1174

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SUPREME COURT, U.S.

In the Supreme Court of the United States

RAHUL CHATURVEDI,
Petitioner,

v.

BRIDGEOVER COPORATION, ET AL.,
Respondents.

ON PETITION FOR WRIT OF CERTIORARI
TO THE COMMONWEALTH OF MASSACHUSETTS
APPEALS COURT

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Whether the Supremacy Clause and the Defend Trade Secrets Act (18 U.S.C. § 1835(b)) preempt state court orders that compel the public disclosure of federally protected trade secrets as a condition of asserting a defense, thereby nullifying the mandatory procedural safeguards Congress prescribed?

2. Whether a state court violates the Due Process Clause by imposing an unconstitutional condition that forces a litigant to choose between (a) forfeiting federally protected trade secret rights as the price of defending property interests, or (b) facing punitive sanctions, including incarceration, by conditioning liberty on payment of funds the litigant is legally barred from accessing and that the same court has found the litigant lacks the ability to pay?

PARTIES TO THE PROCEEDINGS

Petitioner Rahul Chaturvedi, an individual and the Defendant-Appellant in the state court proceedings below.

Respondents are Bridge Over Corporation; Siddharth Siddharth, individually and as Trustee of the Cloud Nine Trust; and Meera Siddharth, who were plaintiffs-appellees in the proceedings below.

RELATED PROCEEDINGS

Massachusetts Appeals Court:

Bridge Over Corp & others v. Rahul Chaturvedi, No. 2024-P-1162 (Jul. 10, 2025)
(dismissed)

Bridge Over Corp & others v. Rahul Chaturvedi, No. 2024-P-1162 (Jan. 15, 2025)
(emergency stay denied)

Siddharth Siddharth v. Rahul Chaturvedi,
No. 2024-P-1166 (Jan. 7, 2025) (emer-
gency stay denied)

Supreme Judicial Court of Massachusetts:

Bridge Over Corp & others v. Rahul Chaturvedi, No. FAR-30465 (Sep. 4, 2025,
discretionary review denied.)

Siddharth Siddharth v. Rahul Chaturvedi,
No. DAR-30084 (Mar. 17, 2025, discre-
tionary review denied, related to Ap-
peals Court No. 2024-P-1166.)

Supreme Judicial Court, Suffolk County

In re Rahul Chaturvedi, No. SJ-2025-0484
(Dec. 16, 2025) (supervisory relief de-
nied)

Supreme Judicial Court of Massachusetts

Bridge Over Corp & others v. Rahul Chaturvedi, No. DAR-30083 (Mar. 17, 2025)
(discretionary review denied, related to Appeals Court No. 24-P-1162.)

Norfolk County Superior Court

Bridge Over Corp & others v. Rahul Chaturvedi, No. 2182CV00699 ([disposition date]) ([disposition summary])

Falmouth District Court, Barnstable County

Siddharth Siddharth v. Rahul Chaturvedi, No. 2489SP000012 ([disposition date]) ([disposition summary])

Barnstable Superior Court (Massachusetts)

Siddharth Siddharth v. Rahul Chaturvedi, No. 1772CV00144 ([disposition date]) ([disposition type])

Arvind Kumar Jaiswal v. Rahul Chaturvedi, No. 2372CV00018 ([disposition date]) ([disposition summary])

United States District Court (D. Mass.):

Chaturvedi v. Jaiswal et al., No. 25-CV-13632-AK

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The Massachusetts Appeals Court's order dismissing the appeal and denying review of an interlocutory order in *Bridge Over Corp. & others v. Rahul Chaturvedi*, No. 2024-P-1162 (July 10, 2025), is reproduced in the Appendix at App.4. The Supreme Judicial Court of Massachusetts denied discretionary review in *Bridge Over Corp. & others v. Rahul Chaturvedi*, FAR-30465 (Sept. 4, 2025). That order is reproduced in the Appendix at App.1.

JURISDICTION

This petition seeks review of the final judgment of the Massachusetts Appeals Court in No. 2024-P-1162, which controls timeliness under Supreme Court Rule 13. The Supreme Judicial Court of Massachusetts denied discretionary review on September 4, 2025. By order in No. 25A630, Justice Jackson extended the time to file a petition for a writ of certiorari to February 1, 2026. This Court has jurisdiction under 28 U.S.C. §1257(a).

STATUTORY PROVISIONS INVOLVED

The relevant constitutional, statutory, and regulatory provisions involved in this case are:

1. U.S.Const., Art. I, § 8, cl. 8 (IP Clause).
2. U.S.Const., Art. III, §§ 1–2 (Judicial power).
3. U.S.Const., Art. VI, cl. 2 (Supremacy Clause).
4. U.S.Const., Amdt. V (Due Process).
5. U.S.Const., Amdt. XIV, § 1 (Due Process, as applied to the States).

6. 18 U.S.C. §§ 1831–1839, *et seq.* (Defend Trade Secrets Act).
7. 50 U.S.C. §4801, *et seq.* (Export Control Reform Act), incl. § 4819.
8. 15 C.F.R. §734.13(b) (deemed exports).
9. 28 U.S.C. §§ 1257 and 1331 (jurisdiction).

The relevant portions of these provisions are reproduced in the Appendix at App.25–33.

STATEMENT OF THE CASE

A. Nature of Cross-Docket Structural Defects and Escalating Irreparable Harm

These proceedings reflect a systemic failure to apply federal preemption and due-process constraints to state-court adjudication involving trade secrets and identifiers protected by the Defend Trade Secrets Act, 18 U.S.C. §§ 1831–1836, *et seq.*, including identifiers defined in §1839(3). Beginning in 2024, state courts compelled expansive discovery compliance under express declarations of contempt and incarceration without applying the mandatory procedural safeguards required by §1835(b). (See *infra* § B.)

1. The Systemic Refusal to Apply Federal Preemption

Although the asserted identifiers fall within the statutory definition of trade secrets and related identifiers under §1839(3), no court applied the confidentiality framework Congress mandated. Discovery instead proceeded without sealing, protective orders, or in-camera review, notwithstanding repeated invocation of §1835(b).

2. The Predicate Breach and Refusal to Assign Attribution

Although an impoundment order was entered at the outset of discovery, it was not enforced, and motions to seal or enter an enforceable protective order were denied. As a result, materials containing asserted identifiers entered the record without restrictions on access, reuse, or attribution. (App.12 # 9.)

By July 2025, the record reflected filings submitted under unauthorized digital identities using federally protected information obtained through this compromised discovery. When Petitioner proffered evidence attributing these filings to specific actors, the court summarily denied the motion. (App.11 # 8.) This refusal to secure the record against known im-posters verified the “deemed-export” risk under the Export Administration Regulations, as control over the identifiers was lost to unverified third parties.

3. Post Petition Acceleration and Escalation

Following Petitioner’s invocation of this Court’s jurisdiction on or about September 5, 2025, the state proceedings accelerated in both pace and severity. By December 2025, a structural convergence of the two state proceedings closed a trap on Petitioner’s federal rights:

- (i) Norfolk Superior Court: declared that Petitioner must choose between “public disclosure” or forfeiture of property rights and loss at trial. (Infra §§ F, G.)

- (ii) Falmouth District Court: simultaneously conditioned Petitioner's liberty on payments he has been enjoined from funding since 2024, disregarding a judicial finding of no ability to pay from early 2025. (Infra § D.)

This post-petition acceleration was accompanied by escalation across related proceedings, including out-of-court threats and intimidation.

4. The Exhaustion of Remedies and Federal Abstention

The Supreme Judicial Court denied extraordinary relief without a hearing, reasoning those appellate remedies existed, notwithstanding that no statutory avenue permits appeal from the Falmouth orders and that the Appeals Court had already dismissed interlocutory review from Norfolk. App. 3. Parallel municipal criminal-court proceedings, including a hearing on January 13, 2026, failed to restrain the continued use of unauthorized identities or the dissemination of protected materials. On January 14, 2026, the U.S. District Court reaffirmed its denial of emergency relief under the All Writs Act, declining to enforce § 1835(b) on abstention grounds. App.19–24; see also App.76–81.

5. Imminent Mootness and Spoliation

Trial and enforcement deadlines have been compressed toward February 17, 2026, creating a risk of res judicata and issue preclusion before federal review

can occur, while impounded exhibits face compelled public disclosure. Between January 23 and January 28, 2026, transactional evidence was spoliated despite pending litigation-hold requests issued in August 2025. (See *infra* § E.)

B. Norfolk Superior Court Proceedings and Discovery Record

1. The Underlying Secured Interests and Material Default

The Norfolk Superior Court action (No. 2182CV00699) concerns Petitioner's secured interests in electronic chattel arising from a licensing framework governed by loan, security, and confidentiality agreements. In related federal proceedings (*Chaturvedi v. Siddharth, et al.*, No. 1:20-cv-11880, D. Mass.), Arvind Kumar Jaiswal—acting in concert with Respondents and other former licensees—disregarded formal notices identifying risks of material default. This conduct triggered the agreements' algorithmic "Material Default" protocols, contractually authorizing Petitioner to assume possessory control of the defaulted electronic chattel. Petitioner therefore filed UCC-1 financing statements in July 2021 to perfect these security interests.

2. The Ex Parte Dissolution and Lack of Candor Regarding Notice (November 10, 2021)

Mr. Jaiswal subsequently filed a federal action in the District of Massachusetts, (No. 1:21-cv-11403) but did not effect service of process. On November 10,

2021, following remand from the District of Massachusetts back to state court based on a pleaded federal securities question, Respondents appeared *ex parte* in Norfolk Superior Court. When the court expressly inquired about Petitioner's absence—"And do we know he got notice?"—counsel evaded the question, stating he "hate[d] to make an assumption" based on Petitioner's pro se status. Relying on this assumption rather than proof of service, the court dissolved the perfected liens as "unopposed," without reviewing Petitioner's docketed Answer or the governing agreements. App.34–36. The Massachusetts Appeals Court subsequently denied interlocutory review. App.6.

3. The Dispute Over the Governing Agreements

Throughout the proceedings, Respondents denied the existence of the licensing agreements and demanded open disclosure of the transactional documents underlying the UCC-1 filings. These denials contradicted extensive extrinsic evidence submitted in parallel federal and state proceedings, including matters before the United States Panel on Multidistrict Litigation (MDL-3016). Crucially, Respondents' counsel expressly declined to review the agreements under confidentiality, insisting instead on public disclosure. App. 38; Appendix H § I.A(5)(b); see also App.73, Integrity Statement § D.

4. The Refusal to Apply 18 U.S.C. §1835(b)

The disputed agreements contain source code, methodologies, and technical identifiers that fall

squarely within the definition of trade secrets under 18 U.S.C. §1839(3). At the outset of discovery in 2024, Petitioner moved to seal the record and for entry of an enforceable protective order, expressly pleading that the materials possessed independent economic value and required the mandatory procedural safeguards of §1835(b).

C. Cross-Docket Dissemination and Acknowledged Impersonation

1. Unrestricted Dissemination and Unauthorized Access

Following the denial of §1835(b) safeguards, materials containing the asserted identifiers were filed in the Norfolk and Falmouth dockets without restrictions on access, reuse, or attribution. Consequently, filings incorporating these protected materials appeared outside the docket, submitted under unauthorized identities. Petitioner proffered evidence that more than thirty prejudicial submissions in the Norfolk docket—and over seventy similar submissions across multiple courts and law enforcement agencies—demonstrated that unauthorized actors were utilizing protected discovery to manufacture a prejudicial record. These filings, purporting to originate from foreign attorneys and forensic experts, were relied upon to support discovery expansion and enforcement activity.

2. Divergent Judicial Responses to Impersonation

The state courts addressed these unauthorized filings with structurally divergent rulings that compounded the confusion:

- (a) Falmouth & Appeals Court: In late 2025, both the Falmouth District Court and the Massachusetts Appeals Court vacated unauthorized and impersonating filings, implicitly acknowledging their illegitimate origin. However, these vacatur occurred only after the materials had already been relied upon to support adverse rulings. (App. 15–16 at ##14, 15, 17.)
- (b) Norfolk Superior Court: In contrast, the Norfolk Superior Court granted these same unauthorized actors filing status as “interested parties” without any motion, showing, or determination under Mass. R. Civ. P. 24.

3. The Summary Denial of Attribution (October 7, 2025)

When Petitioner filed an emergency motion to correct the record—accompanied by a proffer attributing these filings to the Respondents’ concert of action—the Norfolk Court summarily denied the motion from the bench at a status conference held that same day, without analysis. (App.11 at #8; App.52).

4. The “Red Herring” Characterization (December 29, 2025)

At a subsequent trial-readiness hearing, the Court characterized certain “incomprehensible” filings in the record as attributable to the Petitioner. When Petitioner objected—referencing the October 7 proffer and the network of 70+ unauthorized submissions—the Court dismissed the issue of cross-docket contamination as “red herrings” and proceeded to set trial dates on the corrupted record. App. 72, Appendix H § I.B(9)(g).

D. Falmouth Supplementary Process and December 18, 2025 Quid Pro Quo

1. The Initiation and Asset Freeze (2024)

Following the foreclosure of pledged collateral—valued at over \$5 million but foreclosed for \$1—Respondents instituted supplementary process proceedings in the Falmouth District Court on August 9, 2024 (No. 2489SP000012). While the issuance of the execution remained under appeal, Respondents secured an order on December 19, 2024, freezing the Petitioner’s sole non-exempt assets. Following the Appeals Court’s denial of emergency stays regarding DTSA-protected material (App.5 at #2; App.9 at #3), Respondents utilized the supplementary process to launch expansive discovery, employing threats of incarceration to compel disclosure.

2. The Judicial Finding of “No Ability to Pay” (April 2025)

During the examination hearing on April 3, 2025, the Falmouth Court conducted an exhaustive examination of the Petitioner’s finances, including his complete tax returns from 2017–2023 and extensive deposition testimony. Based on this record, the Court expressly found that the Petitioner had “no ability to pay” the underlying judgment.

3. The Commingling Impounded Evidence

Despite the “no ability to pay” finding, discovery continued. The record reveals that impounded exhibits from the Norfolk Superior Court action were commingled into the Falmouth deposition record and subsequently circulated, violating the protective mandates of both proceedings. The Falmouth Court declined to consider the deposition transcript of January 23, 2025, which evidenced this wholesale contamination. See App.44–47.

4. The December 18, 2025 Hearing and Protective Motion

On December 16, 2025, Respondents filed a contempt motion demanding the incarceration of non-party witnesses for failure to produce protected identifiers. A day prior, Petitioner had filed a motion for protective relief, citing increased threats and intimidation. At the hearing, Petitioner stipulated to readiness to comply subject to necessary protective orders and affirmed his standing to enforce the protections of 18 U.S.C. §1839(3). The Court, however, construed

this assertion of federal statutory privilege as obstruction. (App. 54–61.)

5. The “Quid Pro Quo”

Disregarding its own prior finding of “no ability to pay”—and without issuing any superseding finding of changed financial circumstances—the Court imposed a punitive sanction requiring payments of \$2,000 per month under threat of incarceration. Crucially, the Court explicitly articulated a quid pro quo conditioning liberty on either financial impossibility or the waiver of rights:

“You have to make a decision... provide the information [...] or you pay some money.” (App. 58.)

Despite imposing these sanctions, the Court simultaneously refused to lift the asset freeze that had paralyzed the Petitioner for nearly a year, denying a motion to unfreeze on January 9, 2026. (App. 42 at #8).

E. Express Non-Application of Federal Statutory Definition of Protected Material

1. The Invocation of Federal Safeguards

Throughout the Norfolk and Falmouth proceedings, Petitioner invoked the federal statutory framework governing trade secrets, specifically 18 U.S.C. §§ 1835(b) and 1839(3). Petitioner asserted that the materials at issue—non-public technical identifiers, source code, and methodologies used in interstate and foreign commerce—satisfied the statutory definition and therefore triggered the mandatory confidentiality protections imposed by federal law.

2. The Rejection of Supremacy: “I don’t care about 18 U.S.C.”

The Norfolk Superior Court explicitly rejected the application of these federal statutes to state proceedings.

October 7, 2025: After dismissing the relevance of the pending Supreme Court application (No. 25A630) and crediting Respondents’ testimony that the matters were unrelated, the Court ordered: “Get it all out in the open. Make your case...” (App. 50–52.)

December 29, 2025: The Court declared: “There is no confidentiality... You may have a private contract. But there is no legal confidentiality... I don’t care about 18 U.S.C. We are in state court.” App. 66.

3. The Construction of Federal Privilege as Obstruction (Falmouth)

A parallel refusal to apply federal law occurred in the Falmouth District Court. On December 18, 2025, the Court adjudicated Petitioner’s assertion of his sole standing under §1835(b) as the “obstruction” of testimony from non-party witnesses. (App. 59.) Despite the Petitioner docketing an affirmation of readiness to comply subject to enforceable protections (control points against the documented impersonation attacks), the Court rejected in camera review or sealing. Instead, as detailed supra, the Court reduced the federal right to a monetary transaction, ordering the Petitioner to “pay some money” in exchange for the confidentiality that §1835(b) mandates as a matter of law. (App. 58; see Petition § D.)

SUMMARY OF REASONS FOR GRANTING THE PETITION

Congress enacted the Defend Trade Secrets Act to establish mandatory procedural safeguards governing adjudication of trade secrets and related identifiers in interstate and foreign commerce. Central to that framework is 18 U.S.C. §1835(b), which requires any court exercising jurisdiction—state or federal—to enter orders necessary to preserve confidentiality pending adjudication. The proceedings below reflect a systemic refusal to apply that federal mandate.

Despite repeated invocation of §1835(b) and record evidence that the materials at issue satisfy the statutory definition in §1839(3), state courts compelled expansive discovery under threat of contempt and incarceration, denied sealing and protective relief, failed to enforce impoundment orders, and treated invocation of federal confidentiality protections as adverse conduct. Those rulings nullify the uniform national framework Congress enacted and conflict with federal decisions uniformly treating §1835(b) as nondiscretionary.

Since the filing of Petition in No. 25-636 before this Court, the structural conflict has matured into an express repudiation of federal law. State courts have stated on the record that federal trade-secret protections are irrelevant in state proceedings, conditioned liberty and property rights on public disclosure of DTSA-protected material, and accelerated adjudication toward *res judicata* while dissemination and spoliation continue. What was previously a failure to apply §1835(b) has become an affirmative refusal to recognize federal supremacy, leaving no forum—state or

federal—willing to enforce the statute Congress enacted.

All alternative avenues of relief have been exhausted or rendered illusory. The Appeals Court dismissed interlocutory review notwithstanding irreparable harm. The Supreme Judicial Court denied extraordinary relief without a hearing, directing Petitioner to appellate remedies that do not exist by statute. The federal district court declined emergency enforcement of §1835(b) on abstention grounds, despite the absence of any state forum applying federal law.

Absent this Court's intervention, the federal confidentiality mandate will continue to erode, and DTSA-protected technologies will face irreversible disclosure. The resulting divergence implicates all three paths for review under S. Ct. R. 10. Only this Court can restore uniformity, enforce Congress's mandatory protections, and prevent irreparable loss of federally protected trade secrets before meaningful review can occur.

REASONS FOR GRANTING THE PETITION

I. The Structural Nullification of Mandatory Federal Safeguards

Congress enacted the DTSA to ensure nationwide uniformity in protecting trade secrets used in interstate and foreign commerce. The statute confers a private right of action under 18 U.S.C. §1836 (b)(1). It directs courts to "take such action as may be necessary and appropriate to preserve the confidentiality of trade secrets." §1835(b).

State court procedures that compel disclosure of the very materials Congress sought to protect, without

applying the federal safeguards of 18 U.S.C. §1835(b), defeat the uniform scheme Congress designed. The Massachusetts proceedings reflect this divergence: orders compelling public production of Petitioner's federally protected licensing agreements and algorithms were entered without findings of necessity or the confidentiality conditions the statute requires. When Petitioner invoked §1835(b), the assertion of federal protection itself was treated adversely. The resulting compelled disclosure of trade secrets and export-controlled materials exemplifies the fragmentation that Congress enacted the DTSA to prevent.

Such state-level discretion recreates the same disuniformity this Court corrected in *Sears, Roebuck & Co. v. Stiffel Co.*, 376 U.S. 225 (1964), and *Compco Corp. v. Day-Brite Lighting, Inc.*, 376 U.S. 234 (1964). Those decisions required national consistency in protecting innovation and remain the doctrinal foundation for enforcing the DTSA's federal procedural floor.

This petition presents an unresolved and substantial federal question: whether the mandatory confidentiality protections of 18 U.S.C. §1835(b) apply to state courts exercising concurrent jurisdiction under the DTSA. Although forty-seven States have adopted the Uniform Trade Secrets Act (UTSA), that statute contains no analogue to §1835(b)'s nondiscretionary federal confidentiality requirement. The question—whether §§ 1835(a), and 1835(b) bind state courts exercising concurrent jurisdiction—remains unresolved nationwide. Massachusetts, whose 1780 Constitution informed the federal charter, is one of only three States that still rely primarily on common-law doctrine, highlighting the procedural gap that only this Court can close.

The compelled disclosures here also involved materials subject to federal export-control regulation under 15 C.F.R. §734.13(b) and 50 U.S.C. §§ 4801, *et seq.*, highlighting the national interest in a single federal confidentiality standard. As recent decisions such as *Abitron Austria GmbH v. Hetronic Int'l, Inc.*, 600 U.S. 412 (2023), and *Vidal v. Elster*, 602 U.S. 286 (2024) reaffirm, Congress alone defines the territorial and procedural scope of federal intellectual-property statutes. Clarifying that 18 U.S.C §1835(b) imposes a non-discretionary duty on every tribunal exercising concurrent jurisdiction is essential to preserve the uniform federal framework Congress designed.

II. The Supremacy Crisis and Institutional Erosion

Trade secrets and the contracts securing them are constitutionally protected property. *Ruckelshaus v. Monsanto Co.*, 467 U.S. 986 (1984). When state procedures compel disclosure or judicial annulment of those interests without factual findings or protective safeguards, the deprivation is unconstitutional. *Connecticut v. Doehr*, 501 U.S. 1 (1991); *Mathews v. Eldridge*, 424 U.S. 319 (1976).

Each *Mathews* factor favors heightened protection. The Barnstable County trial courts' record shows a seal motion taken under advisement and denied the same day without findings; the private interest—the secrecy and economic value of federally protected trade secrets—is substantial; the risk of error is elevated where unverified filings affected the records; and the State's administrative burden to apply 18 U.S.C. 1835 (b) is minimal. This Court has long held

that due-process protections extend to valuable property interests regardless of form. *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532 (1985). Trade secrets and contractual interests, therefore, merit the same procedural safeguards as all other forms of constitutionally protected property. Once compelled, disclosure of a trade secret cannot be undone, making pre-deprivation process indispensable.

Although an impoundment order was nominally entered in 2024, it lacked the accountability, seal, and enforcement mechanisms mandated by 18 U.S.C. §1835(b). No certification or verification accompanied subsequent disclosures, and violations drew no sanction. This pattern highlights why §1835(b)'s mandatory federal safeguards are indispensable: state-court "impoundment" without enforceable confidentiality is functionally similar to compelled disclosure.

State procedures that disregard §1835(b)'s mandatory safeguards transform the judicial process into a mechanism of taking rather than adjudication. The Due Process Clause forbids such deprivation of federally protected property without verified procedures and independent findings. Uniform enforcement of §§ 1835(a) and 1835(b) is constitutionally required to ensure that trade secrets and contract rights receive the same procedural protection as all other property interests. The due-process concerns are established by this Court's decision in *Reece v. Georgia*, which held that a litigant is denied due process when state procedures deprive him of a meaningful opportunity to present or review the record necessary for appellate adjudication. 350 U.S. 85 (1955) Here, the operative licensing and security agreements—containing the federally protected property interests—never reached

any tribunal in verified form. Like the incomplete record in *Reece*, that omission foreclosed meaningful review of the federal question, producing a judgment on an artificially truncated record and leaving the constitutional and statutory issues unreviewable through the normal state appellate process.

III. Structural Due Process and Integrity-Tainted Proceedings Require This Court's Supervisory Review

As in the Barnstable proceedings of 2023, the Norfolk and Falmouth proceedings from 2024 onward demonstrate how the absence of § 1835(b)'s mandatory safeguards permit structural failure. Despite an impoundment entered on the docket on August 21, 2024, the court declined to require any accounting of subsequent circulation. A motion requesting an affidavit identifying those circulations was denied on September 10, 2024, despite the absence of any opposition by the plaintiff. The same impounded materials were later commingled with discovery in the Falmouth court during a deposition on January 23, 2025, and circulated through impersonated filings and extrajudicial channels. Expanded materials were again demanded under threat of contempt in 2025 and disseminated to third parties. Stay motions filed in the Massachusetts Appeals Court proceedings and in the trial courts were summarily denied.

At the October 7, 2025, status hearing, the Norfolk trial judge stated: "Get it all out in the open. Make your case. Have everyone take an oath and swear to tell the truth, and let's see what happens." (App.27.) Although the case involved federally governed

licensing and security agreements whose adjudication required the confidentiality protections of § 1835(b), the court—without discovery, findings, or protective order—eliminated all jury issues and converted the matter into a bench-only damages trial set for February 2026. In doing so, it bypassed both the statutory question of law (the right to file UCC-1 financing statements after default) and the factual question (the existence and enforceability of the underlying loan and security agreements). Mirroring the procedural distortion that occurred in 2025, the trial court in Barnstable County, despite repeated efforts from 2019 to 2021, in motions, removal to federal court, a single justice appellate relief, and the post-trial motion to vacate the judgment, Petitioner's testimony and documentary evidence—including proof of more than the face value in payments and the respondent's own defaulted obligations—were disregarded (App.28-31). The ruling thus eliminated Petitioner's contractual claims without due process or the confidentiality protections mandated by § 1835(b).

The record reflected no recoverable injury beyond the statutory \$500-per-filing limit under the UCC (M.G.L. c. 106, § 9-625(c)(2)). At the same time, evidence showed that the same party had profited by millions from defaulted pledged collateral. By eliminating the underlying statutory right to file UCC-1 statements in the licensing agreements—where federally protected material is embodied—and by rewarding the misuse of discovery, the proceedings operated as compelled disclosure rather than adjudication. Such distortions are precisely the structural defects that the DTSA, and particularly § 1835(b), were enacted to foreclose.

Moreover, judgments obtained through falsified or unverified appearances strike at the foundation of judicial integrity. *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944); *Aoude v. Mobil Oil Corp.*, 892 F.2d 1115 (CA1 1989). This Court's "fraud-on-the-court" trilogy—*Keystone Driller Co. v. General Excavator Co.*, 290 U.S. 240 (1933); and *Precision Instrument Mfg. Co. v. Automotive Maintenance Mach. Co.*, 324 U.S. 806 (1945)—confirms that fabricated evidence and false appearances corrupt the judicial process itself and warrant vacatur of affected judgments. Those same structural concerns are present here, where impersonated filings and unverified pleadings led to dispositive rulings without further verification. Impersonated parties filed pleadings that remained on the docket; protective-order motions were denied without findings; and dispositive rulings issued on an unverified record. Such defects inflict systemic due-process injury, not merely private loss.

The Court in *Vidal* emphasized the integrity of federal statutory schemes. Just as Congress may impose viewpoint-neutral, integrity-preserving conditions on participation in a federal protection scheme, a State may not distort its own judicial machinery to confer the privileges of official process—docketing, authentication, and coercive authority—on unverified or irregular filings that defeat the federally mandated safeguards of § 1835(b). Such proceedings present structural due-process concerns warranting this Court's intervention.

IV. Madisonian Crucible and the Miranda Analogue for Procedural Safeguards

The Framers envisioned both state and federal courts as laboratories for justice, not instruments of arbitrary deprivation. *The Federalist No. 51* (Madison). When non-Article III tribunals adjudicate federally protected property rights without appellate corrections or the procedural safeguards mandated by 18 U.S.C. §1835 (b), the “crucible for arriving at the contested truth” fails to function properly. In the Norfolk County trial court proceedings (extension for time to file petition for certiorari, applied on November 22, 2025), the trial court captured its own error when it remarked, “Get it all out in the open”—a dictum that epitomizes the breakdown of controlled adjudication (App.27). Openness without verification is not transparency but disorder; it defeats §1835(b)’s requirement of controlled confidentiality. As *Allstate Ins. Co. v. Fougere*, 79 F.4th 172 (CA1 2023), and *Steves & Sons, Inc. v. JELD-WEN, Inc.*, 70 F.4th 874 (CA4 2023), illustrate, Article III courts treat those safeguards as mandatory. Yet in state systems where appellate oversight is discretionary and comity restrains review; no mechanism reliably ensures that truth is tested on a verified record. The resulting vacuum perverts the Madisonian design, transforming state procedure into an instrument for weaponizing discovery rather than adjudicating facts. This petition, therefore, asks the Court to reconcile the DTSA’s federal procedural floor with the Framers’ expectation that judicial truth-testing—not procedural exposure—defines due process.

Just as *Miranda v. Arizona*, 384 U.S. 436 (1966), established prophylactic warnings to ensure that individual rights are not forfeited through ignorance or coercion, § 1835(b) functions as a statutory safeguard analogous to prophylactic warnings for federally protected materials. Its command that courts “shall enter such orders as may be necessary and appropriate to preserve the confidentiality of trade secrets” creates a procedural warning system before any compelled disclosure can occur. The safeguard is not optional: Congress required affirmative judicial findings and protective orders precisely because, once a trade secret is exposed, the right is extinguished beyond appellate remedy.

The record below demonstrates why heightened procedural integrity is indispensable. Across the connected dockets, more than seventy impersonated filings—including impersonations of an attorney and of Petitioner himself—were entered and acted upon before authentication in the Massachusetts Appeals Court. (App.22-23) When Petitioner established on October 6, 2025, that an impersonated entry had infected the Appeals Court docket, the same identities obtained e-filing status in Norfolk and were listed as “interested parties.” Related filings in trial courts in Falmouth and Norfolk counties in October 2025 followed the same pattern. (App.24-25) Absent the verification and controlled-disclosure procedures that § 1835(b) requires, the state system conferred the judicial process on unverified submissions—eroding both procedural due process and the federal safeguards that Congress mandated to protect trade secret property.

The Framers' Madisonian model, like the *Miranda* safeguard in criminal procedure, presumes structural protections that prevent such contamination of the adjudicative record. State proceedings that compel disclosure without invoking this statutory trigger replicate the pre-*Miranda* defect—presuming voluntariness where the process itself lacks the warnings and structure necessary to make a knowing waiver possible. The result is a systemic deprivation of property without due process, contrary to the very premise of procedural fairness that *Miranda* constitutionalized for personal liberty and that Congress codified in §1835(b) for intellectual property.

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VI. Federal Floor, Field Occupation, and Incorporation Under the Defend Trade Secrets Act

Congress enacted the Defend Trade Secrets Act to establish a national framework governing the protection of trade secrets in interstate and foreign commerce and to guarantee a minimum level of

confidentiality in every tribunal. When Congress legislates comprehensively, “it leaves no room for the States to supplement [it].” *Rice v. Santa Fe Elevator Corp.*, 331 U.S. 218 (1947). Section 1835(b) directs that “a court shall enter such orders as may be necessary and appropriate to preserve the confidentiality of trade secrets.” That command is unconditional. State-court procedures that compel unprotected disclosure of federally protected materials conflict with the federal scheme and are pre-empted under the Supremacy Clause. *Hines v. Davidowitz*, 312 U.S. 52 (1941); *Florida Lime & Avocado Growers v. Paul*, 373 U.S. 132 (1963).

Section 1835(b) therefore functions as a mandatory federal procedural safeguard that binds every tribunal exercising concurrent jurisdiction, regardless of whether the cause of action arises under the DTSA or state law. Yet absent guidance from this Court, state trial courts have continued to disregard that duty, while federal courts hesitate to intervene out of respect for comity. Only this Court can confirm that Congress’s confidentiality mandate establishes a federally enforceable floor.

Although *Viking River Cruises, Inc. v. Moriana*, addressed pre-emption in the FAA context, it reaffirmed the fundamental principle that state procedures may not obstruct a comprehensive federal scheme. 596 U.S. 639 (2022) Here, state discovery orders requiring public disclosure of federally protected materials conflict directly with Congress’s procedural design in § 1835(b) and impede the federal statute’s operation. *Glacier Northwest, Inc. v. Teamsters Local 174*, 598 U.S. 771 (2023), likewise reiterated that federal law pre-empted conflicting state rules. Denying §1835(b) pre-emptive

force would strip Congress of the authority to ensure uniform confidentiality protections for trade secrets moving in interstate commerce.

The harmony between state trade-secret protections and federal patent policy recognized in *Kewanee Oil Co. v. Bicron Corp.*, 416 U.S. 470 (1974), reinforces—not limits—the pre-emptive force of § 1835(b). *Kewanee* upheld complementary state remedies only because no conflict existed. This case presents the opposite situation: a direct procedural conflict between state-court discovery practices and a federal nondiscretionary confidentiality mandate that only this Court can resolve.

The Court's decision in *Abitron*, 600 U.S. 412 (2023), confirms that Congress alone defines the substantive and territorial scope of statutes regulating commerce and intellectual-property rights. That principle applies here. When Congress extends a statute to interstate or foreign commerce, as in § 1836(b)(1), the federal scheme occupies the field to the extent of the domain Congress identified and leaves no room for inconsistent state procedures. Just as *Abitron* preserved congressional control over the Lanham Act's reach, the DTSA's confidentiality mandate applies uniformly wherever qualifying trade secrets are at issue.

Lower courts applying the DTSA have begun to diverge. The First Circuit has treated state and federal trade-secret protections as parallel in definition, noting that “the DTSA and Massachusetts common law overlap in their definitions of trade secrets.” *Allstate Ins. Co. v. Fougere*, 79 F.4th 172, 188 (CA1 2023). The Fourth Circuit has recognized that § 1835(b) imposes mandatory procedural safeguards. *Steves and Sons, Inc. v. JELD-WEN, Inc.*, 70 F.4th 874 (CA4 2023). In

contrast, Massachusetts trial courts have disregarded § 1835(b) altogether. This inconsistency produces the type of fragmentation this Court has repeatedly held incompatible with federal statutes establishing a uniform national system. *Hines*, 312 U.S. 52; *Arizona v. United States*, 567 U.S. 387 (2012).

The stakes extend well beyond this dispute. In a period marked by rapid advances in artificial intelligence, cryptography, and other sensitive technologies, trade-secret litigation sits at the intersection of innovation policy and national security. Without uniform adherence to the federal procedural floor—such as that reflected in the Federal Judicial Center’s Trade Secret Case Management Guide—courts risk inadvertent dissemination of export-controlled materials and “deemed export”-violations under 15 C.F.R. 734.13(b) and 50 U.S.C. §§ 4801 et seq.

Uniform observance of Congress’s procedural safeguards is therefore indispensable. *Arizona*, 567 U.S. 387; *Hines*, 312 U.S. 52; *Kewanee*, 416 U.S. 470; *Bonito Boats, Inc. v. Thunder Craft Boats, Inc.*, 489 U.S. 141 (1989); *Abitron*, 600 U.S. 412. Together, these decisions demonstrate that once Congress occupies a domain of innovation or commercial regulation—as it has under the DTSA—state procedures that dilute or contradict federal safeguards are inconsistent with the federal scheme.

VII. Scholarly and Legislative Context: The Scope and Operation of § 1835(b)

Since the enactment of the DTSA in 2016, courts and commentators have disagreed over whether Congress created a comprehensive federal framework or

merely a supplemental cause of action that coexists with state law. That unresolved debate makes clear the need for this Court's clarification that 18 U.S.C. 1835 (b) establishes a mandatory federal confidentiality procedure binding on all tribunals exercising concurrent jurisdiction. See Bruns, *Trade Secret: Criticism of the DTSA's Failure to Preempt State Law*, 32 Berkeley Tech. L.J. 469 (2017); Lemley, *The Surprising Virtues of Treating Trade Secrets as Intellectual Property*, 61 Stan. L. Rev. 311 (2008); Hanson, *Improving the DTSA*, 2 Notre Dame J. Emerg. Tech. 164 (2021).

A. Congress Narrowed the Federal Field

Congress confined federal jurisdiction to trade secrets "related to a product or service used in, or intended for use in, interstate or foreign commerce." 18 U.S.C. §1836(b)(1). That limitation excludes purely local disputes and targets only those secrets whose protection implicates national economic and security interests. Congress thus created a selective, high-threshold class of federally cognizable trade secrets.

B. Federal Procedural Supremacy is Built In

Congress coupled this narrow substantive scope with an express procedural mandate: courts "shall enter such orders as may be necessary and appropriate to preserve the confidentiality of trade secrets." 18 U.S.C. §1835(b). That command is not discretionary but a uniform federal floor that attaches whenever qualifying trade secrets appear before any tribunal.

Enforcing §1835(b) does not enlarge federal reach; it ensures fidelity to Congress's procedural design.

C. Private Party Rights Complement, Not Duplicate, the Economic Espionage Act

Before 2016, only the government could act under the Economic Espionage Act (EEA), 18 U.S.C. §§ 1831–1832. The Defend Trade Secrets Act added a parallel civil cause of action for private owners of federally qualifying trade secrets, 18 U.S.C. §1836(b), allowing private enforcement of the same federal protections that previously existed only in criminal form. Section 1835(b)'s mandatory confidentiality requirement operates in tandem with §1836(b)'s civil right of action: information that triggers federal criminal protection under the EEA must receive nondiscretionary procedural protection when adjudicated in civil court. Recognizing the pre-emptive force of §1835(b) therefore honors Congress's integrated legislative design.

D. The Anti-Preemption Literature Addresses a Different Problem

Academic warnings about "field pre-emption" concerned displacement of state remedies for purely intrastate disputes. This case implicates none of those concerns. The trade secrets here operate in interstate and foreign commerce, have been reviewed by a federal agency, and fall squarely within Congress's intended zone of protection. Petitioner seeks only enforcement of that limited federally defined class—not expansion of federal jurisdiction.

E. The Proper Frame: Enforcement, Not Expansion

The question presented is not whether Congress should have preempted more broadly, but whether the courts—including state courts exercising concurrent jurisdiction—must respect the procedural supremacy Congress already imposed. Congress itself performed the filtering that anti-preemption commentators feared by limiting the statute to commerce-related secrets and distinguishing the DTSA’s private right from the EEA’s criminal provisions. The issue is compliance, not enlargement: whether courts will honor the federal command that they “shall [...] preserve the confidentiality of trade secrets.” §1835(b). Enforcing that safeguard is fidelity to the statute, not preemption by expansion. §1835(b)’s mandate is controlling within that domain.

F. Doctrinal Significance

The persistent division among courts and scholars satisfies S. Ct. R. 10(c). Clarification that §1835(b) imposes a nondiscretionary federal floor will resolve this conflict, restore uniform protection for federally recognized trade secrets property, and prevent continued erosion of Congress’ carefully calibrated national framework. Modern constitutional jurisprudence likewise confirms that once Congress establishes a federal procedural safeguard, States may not dilute it. *Ramos v. Louisiana*, 590 U.S. 83 (2020) (holding that unanimity in jury verdicts applies to the States through incorporation). The DTSA’s confidentiality mandate operates as the civil property analogue of that

incorporated safeguard, ensuring consistent protection of federally defined rights in every forum.

The ongoing uncertainty among lower courts and state tribunals demonstrates the need for this Court's intervention. Absent a uniform rule, compelled disclosure of federally protected material will continue to inflict irreparable harm. The next section addresses why protective federal jurisdiction is not only appropriate but necessary to prevent further loss of trade secrets and export-controlled information.

VIII. Protective Filing, Federal Interest, and Irreparable Harm

Under *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469 (1975), this Court retains jurisdiction to review a federal question that is otherwise insulated from review through the continuation of state proceedings, repetitive denials of meaningful relief, or state-court procedures that—by design or consequence—render the federal issue effectively unreviewable at the end of the state process. The circumstances here squarely fit within *Cohn's* second and third categories: the federal confidentiality question has repeatedly escaped review despite years of motions, removals, sealed submissions, and interlocutory petitions, and further state proceedings threaten to moot or frustrate the federal right before any Article III tribunal can apply 18 U.S.C. §1835 (b).

Where Congress has imposed a mandatory procedural safeguard to prevent irreparable loss of federally protected rights, abstention doctrines cannot be applied to nullify that command. *Dombrowski v. Pfister* holds that federal intervention is warranted

where state processes operate in bad faith or under extraordinary circumstances that chill or extinguish federal rights before review. The First Circuit has likewise recognized that abstention yields where ongoing state proceedings would defeat the exercise of federally conferred rights or render federal review ineffective. *Respect Maine PAC v. McKee*, 622 F.3d (CA1 2010). Here, §1835(b) reflects Congress's judgment that post-hoc review is inadequate once disclosure occurs; abstention that permits compelled exposure therefore directly contradicts the statute's design and cannot stand.

This petition is filed protectively to preserve the Court's jurisdiction under *Cohn*, 420 U. S. 469 (1975), and to prevent the federal questions presented from becoming unreviewable through the continuation of state proceedings. Related petitions and motions remain pending, but none can avert the imminent risk of compelled disclosure of DTSA-protected materials without the safeguards Congress required in 18 U.S.C. §1835 (b).

Protective filing is therefore necessary to prevent the loss of federal rights that cannot be vindicated after disclosure. This Court has long recognized that certain injuries—particularly compelled exposure of privileged or confidential material—are irreparable and evade ordinary review. *Mohawk Indus., Inc. v. Carpenter*, 558 U.S. 100, 109 (2009);¹ *United States v.*

¹ Although *Mohawk* concerned attorney-client privilege, its reasoning makes clear that compelled disclosure of confidential materials constitutes an immediate and irreparable harm. The decision reinforces that the proper safeguard lies in pre-disclosure protective measures, the same nondiscretionary process

Reynolds, 345 U.S. 1 (1953). *Dombrowski v. Pfister*, further confirms that federal intervention is appropriate where state processes operate in bad faith or under extraordinary circumstances that defeat federal protections. 380 U.S. 479 (1965) Although *Younger v. Harris* limits federal interference in ordinary state proceedings, *Younger* expressly preserves jurisdiction where federal rights would otherwise be lost. The present petition is therefore filed to preserve federal review before compelled disclosure extinguishes the protections Congress required under § 1835(b). 401 U.S. 37 (1971)

Related proceedings in the federal courts, Supreme Judicial Court for Massachusetts, Barnstable, Norfolk, and Falmouth Divisions of the Massachusetts Trial Court have each presented the same federal confidentiality question, resulting in repeated denials of protective orders under 18 U.S.C. 1835 (b). Those cases, now pending or concluded in various appellate stages, demonstrate recurrence across multiple proceedings.

IX. Importance of Review Under S. Ct. R. 10

This petition satisfies S. Ct. R. 10(a), (b), and (c). It presents recurring conflicts between state procedural practices and a comprehensive federal statute with nationwide consequences for trade-secret protection, export-control compliance, and technologies moving in interstate and foreign commerce. This Court's review is especially warranted where abstention doctrines are applied to defeat a nondiscretionary federal

Congress codified in 18 U.S.C. §1835(b) to prevent permanent loss of trade-secret protection

safeguard Congress enacted to prevent irreparable harm. See *Dombrowski*, 380 U.S. 479.

First, S. Ct. R. 10(a) supplies a primary basis for review. The state courts' refusal to apply Congress's nondiscretionary confidentiality mandate in 18 U.S.C. §§ 1835(a), 1835 (b) cannot be reconciled with this Court's Supremacy Clause precedents, which require state procedures to yield where Congress has created a uniform federal scheme. *Rice*, 331 U.S. 218; *Hines*, 312 U.S. 52 (1941); *Kewanee*, 416 U.S. 470 (1974); *Bonito*, 489 U.S. 141 (1989). Section 1835(b) establishes a federal procedural floor that state courts may not dilute or disregard. The decisions below conflict with the federal statute by allowing state procedures to frustrate its operation.

Second, S. Ct. R.10(b) independently supports review. The decisions below diverge from the consistent approach taken in the federal courts, which have treated §1835(b) as a compulsory safeguard binding any tribunal exercising concurrent jurisdiction under the DTSA. That departure from federal authority presents the type of conflict Rule 10(b) identifies as warranting this Court's intervention.

Third, S. Ct. R. 10 (c) is satisfied because courts have reached conflicting results on the same important federal question. The First Circuit has recognized substantial overlap between state and federal trade secret standards. *Fougere*, 79 F.4th at 187-88. The Fourth Circuit has treated § 1835(b) as a mandatory federal command. *Steves*, 70 F.4th 874 (CA4 2023). In contrast, Massachusetts trial courts did not apply §1835(b) in these proceedings. This inconsistency produces the very fragmentation this Court has held incompatible with federal statutes

establishing a national system governing matters of commerce and innovation. *Arizona v. United States*, 567 U.S. 387 (2012).

The questions presented are structural and recur across jurisdictions. They determine whether Congress's nondiscretionary confidentiality mandate will be applied uniformly, and whether federally protected technologies—many with export-control significance—will receive the procedural safeguards Congress required. Because the conflict implicates matters of interstate commerce and federally protected technologies and the integrity of federal trade-secrets enforcement, the Court may invite the Solicitor General's views on the federal interest in the consistent application of § 1835(b).

CONCLUSION

This Court should grant certiorari.

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Dated: February 2, 2026 *Pro Se Petitioner*

No. _____

In the Supreme Court of the United States

RAHUL CHATURVEDI,
Petitioner,

v.

BRIDGEOVER COPORATION, ET AL.,
Respondents.

ON PETITION FOR WRIT OF CERTIORARI
TO THE COMMONWEALTH OF MASSACHUSETTS
APPEALS COURT

APPENDIX

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