

W A I V E R

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
DEC 23 2025
OFFICE OF THE CLERK

No. 25-6295

Caleb McGillvary

Nicholas Scutari, et al.

(Petitioner)

v.

(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate box:

- I am filing this waiver on behalf of all respondents.
- I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

Lum, Drasco & Positan LLC (improperly pleaded as Lum Drasco Positan); Wayne Positan; and Steven Eisenstein (improperly pleaded as Stephen Eisenstein)

Please check the appropriate box:

- I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature: 

Date: 12/23/25

(Type or print) Name Scott E. Reiser, Esq.

Mr.

Ms.

Mrs.

Miss

Firm

Lum, Drasco & Positan LLC

Address

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Roseland, New Jersey

Zip 07068

Phone

973-228-6738

Email sreiser@lumlaw.com

A copy of this form must be sent to petitioner's counsel or to petitioner if *pro se*. Please indicate below the name(s) of the recipient(s) of a copy of this form. No additional certificate of service or cover letter is required.

cc: Mr. Caleb L. McGillvary
Inmate #1222665/SBI#1023179
P.O. Box 861
Trenton, New Jersey 08625

All other parties of record (via electronic mail):

RECEIVED

DEC 30 2025

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SUPREME COURT, U.S.

LUM, DRASCO & POSITAN LLC

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December 23, 2025

Via FedEx

Clerk's Office
Supreme Court of the United States
1 First Street N.E.
Washington, D.C. 20543

*Re: Caleb McGillvary v. Nicholas Scutari, et al.
No. 25-6295*

*On Petition for Writ of Certiorari to the Third Circuit Court of Appeals
Case No. 24-2843*

Dear Sir/Madam:

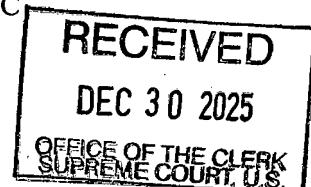
This Firm represents Respondents, Lum, Drasco & Positan LLC (improperly pleaded as Lum Drasco Positan), Wayne Positan, and Steven Eisenstein (improperly pleaded as Stephen Eisenstein), in connection with the above-referenced matter. In that regard, enclosed please find the original and one copy of a Waiver of a response to the Petition for a Writ of Certiorari filed by Petitioner, Caleb L. McGillvary, *pro se*. Should the Waiver be acceptable, please mark it "filed" and return a conformed copy to me at the Court's earliest convenience in the enclosed, postage-paid envelope.

Thank you for your attention to this matter.

Respectfully submitted,

LUM, DRASCO & POSITAN LLC


SCOTT E. REISER
A Member of the Firm



cc: Mr. Caleb L. McGillvary, *pro se* (via regular mail)
All other parties (via electronic mail)

LDP
&