

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

DANESH NOSHIRVAN a/k/a
@THATDANESHGUY,

Plaintiffs,

vs.

JENNIFER COUTURE, et al.,

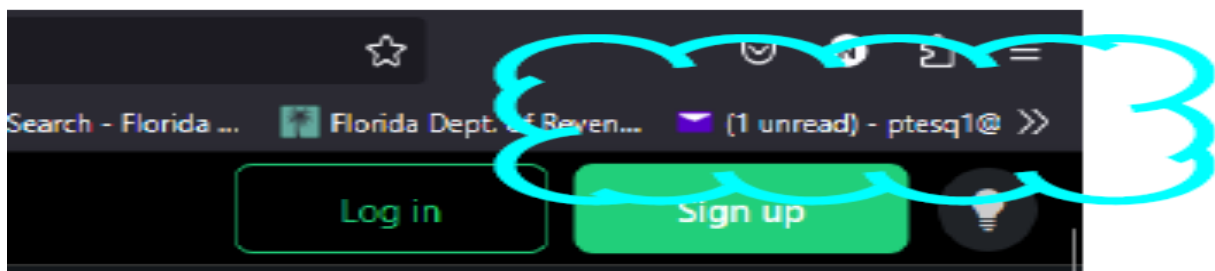
Defendants.

Civil Case No.: 2:23-cv-01218

OPPOSED

**OPPOSED MOTION FOR LEAVE TO FILE SUR-REPLY TO PLAINTIFF'S
RESPONSE [D.E. 427] AND CROSS-MOTION TO COMPEL PRODUCTION
CONCERNING PLAINTIFF'S IMPERSONATION OF TRAINOR'S EMAIL
AND DOMAIN**

Pursuant to Local Rule 3.01(d) Patrick Trainor and Law Office of Patrick Trainor (hereinafter collectively "**Trainor**") seeks leave to file a short sur-reply of no more than five (5) pages with cross-motion to compel Plaintiff to produce documents and electronically stored information related to Plaintiff's counsel's impersonation of Trainor's email address and internet domain. [D.E. 427 at 12]. As seen below, inserted on page twelve (12) of Plaintiff's motion is an image of Mr. Chiappetta's computer screen which shows him impersonating Trainor's email address and domain (ptesq.com) by using "ptesq1" to send and receive correspondence.



On June 30, 2025, Trainor emailed Mr. Chiappetta to request a meet and confer, Chiappetta opposed the motion, but he admitted to Trainor that he “...made a Yahoo.com email account in 2023 utilizing the email address ptesq1@yahoo.com . After the account was made, I never used the account. See below...Childish perhaps in retrospect. But definitely nothing nefarious as you falsely allege.” A copy of the email is attached hereto as **Exhibit A**. Chiappetta’s explanation does not explain why he was using it on June 27, 2025.

Chiappetta’s impersonation of Trainor is consistent with Noshirvan, and Chiappetta’s behavior of fabricating allegations and documents to impugn Trainor’s character. It was Chiappetta who filed the sworn Declaration of James McGibney that falsely alleged Trainor conspired with Camp to threaten and harass We Serve NJ, LLC, a New Jersey based process server. [D.E.’s 170 at 17; 170-10 and 217-3]. And it was Chiappetta who attached a forged version of the alleged “letter” McGibney arranged for We Serve to personally serve Trainor, except that the signature in Chiappetta’s version of the letter [D.E. 217-1] is printed in cursive, whereas, the original letter Trainor was served was in plain print. [D.E. 202-2]. See *Trainor’s Sur-Reply to the Opposition to His Rule 11 Motion Direct to Plaintiff’s Counsel Nicholas Chiappetta, Esq.* [D.E. 227 at 4].

To preserve the integrity of these proceedings, the Court must grant Trainor leave to file his sur-reply and cross motion to compel, or given the obscenity of this breach of decency, the Court *sua sponte* should immediately order Chiappetta to cease impersonating Trainor, to disclose and identify when he created “ptesq1,” produce

all correspondence sent and/or received using “ptesq1,” all instances where “ptesq1” has been used to create or modify online or offline accounts, and all other uses.

WHEREFORE, Plaintiff respectfully requests this Court enter an Order granting Trainor leave to file sur-reply, and/or in lieu thereof, Orders Chiappetta to disclose and identify all information about “ptesq1,” and for such other relief as the Court deems just.

Respectfully submitted,



Dated: June 30, 2025

Patrick Trainor, Esquire (Attorney ID 242682019)
LAW OFFICE OF PATRICK TRAINOR, ESQ., LLC
19 Union Avenue, Suite 201
Rutherford, New Jersey 07070
P: (201) 777-3327
F: (201) 896-7815
pt@ptesq.com
Attorney for Trainor

LOCAL RULE 3.01(g) CERTIFICATION

Patrick Trainor hereby certifies pursuant to Local Rule 3.01(g) that on June 30, 2025, he attempted to arrange a meet and confer with Plaintiff’s counsel, whereby, Plaintiff’s counsel replied that he opposes this “sur-reply/cross motion utilized to interfere with holiday weekend.



Dated: June 30, 2025

Patrick Trainor, Esquire (Attorney ID 242682019)

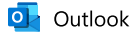
CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2025, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will electronically send notice of this filing to all parties of record in this action.

A handwritten signature in black ink, appearing to read 'Patrick Trainor', is positioned above a horizontal line.

Patrick Trainor

Exhibit A



Outlook

Re: ECF 427 Noshirvan's Counsel's use of ptesq

From Nick Chiappetta <nick@chiappettalegal.com>

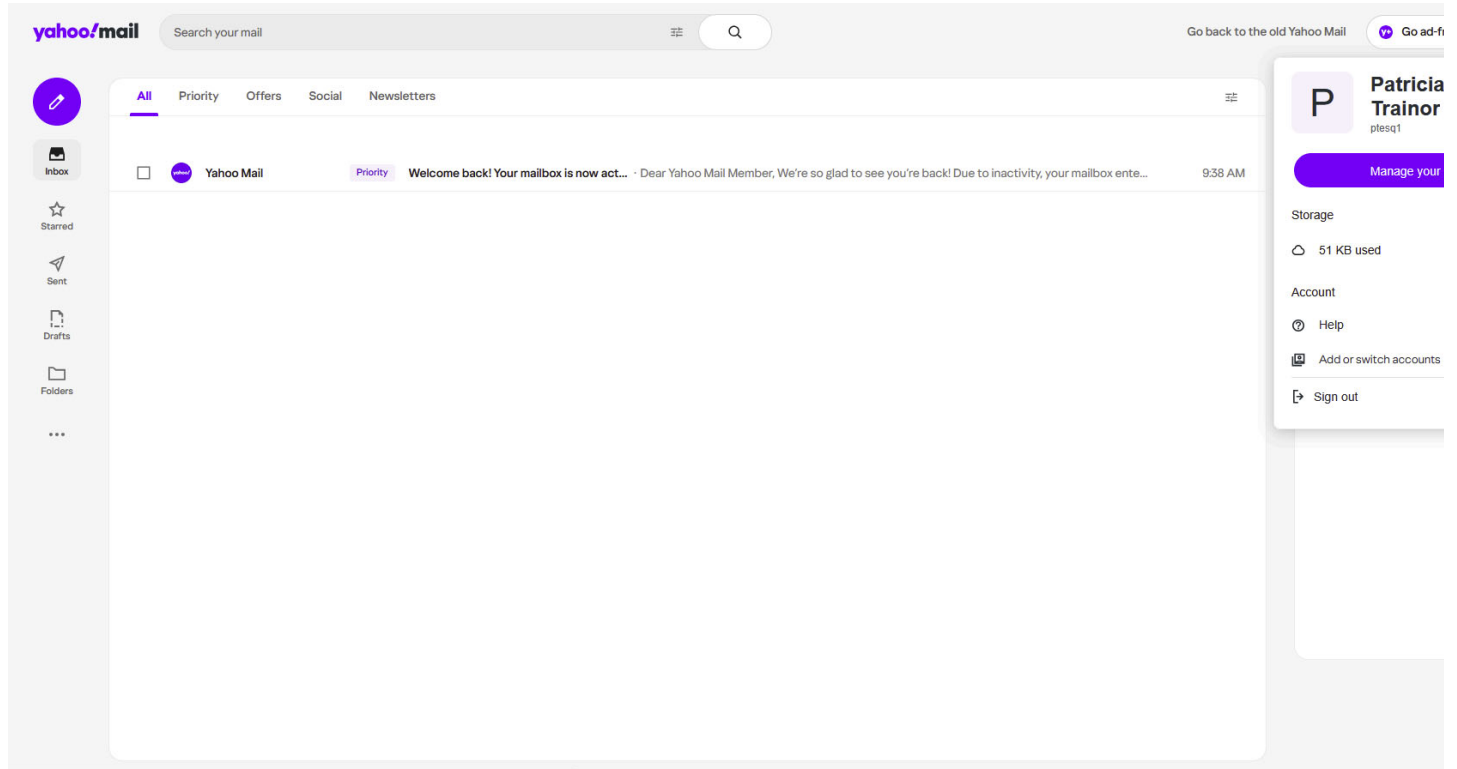
Date Mon 6/30/2025 9:49 AM

To Patrick Trainor, Esq. <pt@PTESQ.COM>

Cc Gurland, Harvey W. <hwgurland@duanemorris.com>; Jackson-Fannin, Julian A. <jjfannin@duanemorris.com>; Aaron Alfano <aalfano@rolfeshenry.com>; Vicki Modaffari <vicki@chiappettalegal.com>

Patrick,

I made a Yahoo.com email account in 2023 utilizing the email address ptesq1@yahoo.com . After the account was made, I never used the account. See below:



Childish perhaps in retrospect. But definitely nothing nefarious as you falsely allege.

Sincerely,

Nick Chiappetta | Founder
P. 561-768-4500
F. 561-768-4600
nick@chiappettalegal.com
2101 Vista Pkwy, Suite 258
West Palm Beach, Florida 33411

8401 Lake Worth Rd.,
Lake Worth, Florida 33467

By Appointment Only



Product Defect | Injury | Defamation | Insurance
www.chiappettalegal.com

NOTICE: This e-mail message and any attachment to this e-mail message contains confidential information that may be legally privileged. If you are not the intended recipient, you must not review, re-transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please notify us immediately by

return e-mail or by telephone at 561-768-4500 and delete this message. Please note that this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by the sender.

From: Patrick Trainor, Esq. <pt@PTESQ.COM>

Sent: Monday, June 30, 2025 9:39 AM

To: Nick Chiappetta <nick@chiappettalegal.com>

Cc: Gurland, Harvey W. <hwgurland@duanemorris.com>; Jackson-Fannin, Julian A. <jjfannin@duanemorris.com>; Aaron Alfano <aalfano@rolfeshenry.com>; Vicki Modaffari <vicki@chiappettalegal.com>

Subject: Re: ECF 427 Noshirvan's Counsel's use of ptesq

You really can't be as stupid as your email below. Is the image below my computer screen? No. The image below is an image of your computer screen taken from page 12 of the motion you filed wherein you are seen impersonating my email address and web domain to correspond with others.

Let me know when you are available to meet and confer. If you refuse to meet and confer simply say so.

Sincerely,

Patrick Trainor, Esq.

LAW OFFICE OF PATRICK TRAINOR, ESQ., LLC

19 Union Avenue, Suite 201

Rutherford, New Jersey 07070

P: (201) 777-3327 | F: (201) 896-7815

This electronic transmission – including any attachments – contains attorney privileged and confidential information intended for the sole use of the recipient (s) named. Any unauthorized review, use, dissemination, disclosure, distribution or copying of this transmission by any other person is strictly prohibited. If you are not an intended recipient or if you have received this communication in error, please notify us by telephone (201-777-3327).

This firm is a debt collector and may be attempting to collect a debt. Any information obtained from you will be used for that purpose. If you are currently protected by the filing of a petition in bankruptcy, the email, including attachments, if any, is for informational purposes only and should not be considered as an attempt to collect a debt.

From: Nick Chiappetta <nick@chiappettalegal.com>

Sent: Monday, June 30, 2025 9:31 AM

To: Patrick Trainor, Esq. <pt@PTESQ.COM>

Cc: Gurland, Harvey W. <hwgurland@duanemorris.com>; Jackson-Fannin, Julian A. <jjfannin@duanemorris.com>; Aaron Alfano <aalfano@rolfeshenry.com>; Vicki Modaffari <vicki@chiappettalegal.com>

Subject: Re: ECF 427 Noshirvan's Counsel's use of ptesq

I do not understand. Please explain what you mean. Are you saying that you are behind the Gab.com account depicted below?

Nick Chiappetta | Founder

P. 561-768-4500

F. 561-768-4600

nick@chiappettalegal.com

2101 Vista Pkwy, Suite 258

West Palm Beach, Florida 33411

8401 Lake Worth Rd.,

Lake Worth, Florida 33467

By Appointment Only



Product Defect | Injury | Defamation | Insurance

https://url.avanan.click/v2/r01/___www.chiappettalegal.com___YXAzOmNoaWFwcGV0dGFsZWdhbDphOm86NTNhN2Y4Mjk2NWYxNTY2NDYzY2M0MjIwMzNiZDI1ZjQ6NzoyY2RkOjE3NDdiMDMxMWVhMjFhYmEyY2IxYWRkMmUxNDE4Nzc5NWV4MTIzYTg1YWV4ZDk4NjQ3YTRmYmZiMWMxNmE0Y2M6dDpUOk4

NOTICE: This e-mail message and any attachment to this e-mail message contains confidential information that may be legally privileged. If you are not the intended recipient, you must not review, re-transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please notify us immediately by

return e-mail or by telephone at 561-768-4500 and delete this message. Please note that this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by the sender.

From: Patrick Trainor, Esq. <pt@PTESQ.COM>

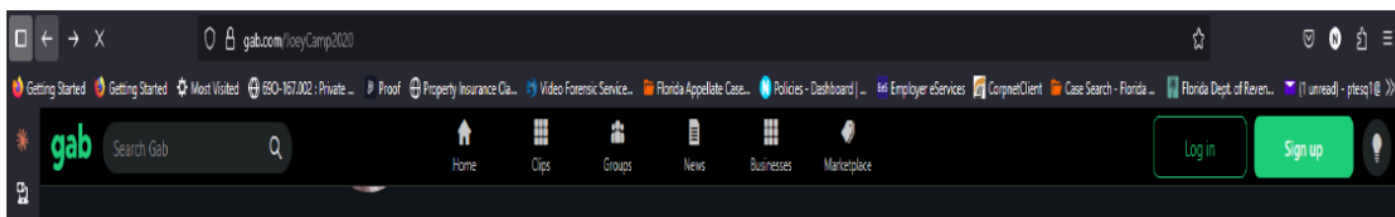
Sent: Monday, June 30, 2025 9:23 AM

To: Nick Chiappetta <nick@chiappettalegal.com>

Cc: Gurland, Harvey W. <hwgurland@duanemorris.com>; Jackson-Fannin, Julian A. <jjfannin@duanemorris.com>; Aaron Alfano <aalfano@rolfeshenry.com>

Subject: ECF 427 Noshirvan's Counsel's use of ptesq

Good morning Nick. Let me know your availability to meet and confer on a pending motion for leave to file a sur-reply/cross-motion to compel production of documents and ESI concerning impersonation of my email address and domain as seen on page 12 plaintiff's response [D.E. 427].



Sincerely,

Patrick Trainor, Esq.

LAW OFFICE OF PATRICK TRAINOR, ESQ., LLC

19 Union Avenue, Suite 201

Rutherford, New Jersey 07070

P: (201) 777-3327 | F: (201) 896-7815

This electronic transmission – including any attachments – contains attorney privileged and confidential information intended for the sole use of the recipient (s) named. Any unauthorized review, use, dissemination, disclosure, distribution or copying of this transmission by any other person is strictly prohibited. If you are not an intended recipient or if you have received this communication in error, please notify us by telephone (201-777-3327).

This firm is a debt collector and may be attempting to collect a debt. Any information obtained from you will be used for that purpose. If you are currently protected by the filing of a petition in bankruptcy, the email, including attachments, if any, is for informational purposes only and should not be considered as an attempt to collect a debt.