

COMMONWEALTH OF MASSACHUSETTS**SUPREME JUDICIAL COURT**

JEFFREY C. ALLARD,	)	
Plaintiff-Appellant,	)	
	)	Appeals Court Docket No.2026-P-0830
v.	)	(Superior Court C.A. No. 2579-CV-00263)
	)	
SANDRA JONES, et al.,	)	
Defendants-Appellees.	)	
_____	)	

PLAINTIFF-APPELLANT’S APPLICATION FOR DIRECT APPELLATE REVIEW PURSUANT TO MASS. R. APP. P. 11

Plaintiff-Appellant Jeffrey C. Allard (“Appellant”) respectfully applies pursuant to **Mass. R. App. P. 11** for direct appellate review by the Supreme Judicial Court of the judgment of dismissal entered in the Superior Court in *Allard v. Jones et al.* (C.A. No. 2579-CV-00263).

I. STATEMENT OF PRIOR PROCEEDINGS

1. Appellant filed an action in the Superior Court against Defendants Sandra Jones and Faegre Drinker Biddle & Reath LLP, asserting claims arising from the unauthorized, unadmitted practice of law conducted prior to formal *pro hac vice* admission.
2. On October 2, 2025, the Superior Court allowed Defendants’ Motion to Dismiss. Reconsideration was denied on November 18, 2025.
3. Appellant filed a timely Notice of Appeal, and the appeal was duly entered on the docket of the Appeals Court.

II. SHORT STATEMENT OF FACTS

This case arises from an out-of-state attorney managing complex litigation, preparing substantive pleadings, and directing trial strategy in Massachusetts courts over a multi-year period without prior *pro hac vice* admission under S.J.C. Rule 3:15 or statutory licensure under Mass. G.L. c. 221, § 46A. The Superior Court subsequently entered an emergency order granting *pro hac vice* status retroactively and dismissed Appellant's claims, holding that the retroactive order sanitized past unauthorized practice and that Appellant suffered no legally cognizable harm.

III. STATEMENT OF ISSUES RAISED BY THE APPEAL

1. **Whether an order granting *pro hac vice* admission under S.J.C. Rule 3:15 can operate retroactively to validate prior unauthorized practice of law under Mass. G.L. c. 221, § 46A.**
2. **Whether proceedings managed by unadmitted out-of-state counsel constitute a structural jurisdictional defect rendering resulting orders void *ab initio*.**
3. **Whether public policy permits the retroactive legalization of unauthorized practice to extinguish statutory and common-law remedies.**

IV. BRIEF ARGUMENT SHOWING WHY DIRECT APPELLATE REVIEW IS APPROPRIATE

Direct appellate review by the Supreme Judicial Court is warranted under **Mass. R. App. P. 11(a)** because this appeal raises questions of first impression, matters of substantial public interest, and issues concerning the structural integrity of Massachusetts judicial proceedings.

A. Question of First Impression Regarding S.J.C. Rule 3:15 and G.L. c. 221, § 46A

There is no controlling Supreme Judicial Court precedent addressing whether a trial court possesses equitable or statutory authority to issue a *nunc pro tunc* or retroactive *pro hac vice* order to sanitize years of unadmitted practice. Because S.J.C. Rule 3:15 was promulgated by this Court to regulate the bar and protect the public, determining the temporal scope and retroactive limits of *pro hac vice* orders is a fundamental question that requires definitive resolution by the Supreme Judicial Court.

B. Matter of Substantial Public Interest Concerning Judicial Administration

The unauthorized practice of law directly impacts the public interest, the integrity of the Massachusetts bar, and the enforceability of court judgments. Allowing trial

courts to retroactively validate unadmitted practice undermines G.L. c. 221, § 46A and creates uncertainty regarding the finality of judgments across the Commonwealth.

C. Need for SJC Oversight of Bar Regulation Standards

As the ultimate authority governing bar admissions and attorney conduct in Massachusetts, the Supreme Judicial Court is the proper forum to decide whether procedural rules can be overridden by retroactive judicial orders.

V. CONCLUSION

For the foregoing reasons, Plaintiff-Appellant Jeffrey C. Allard respectfully requests that this Honorable Court grant this Application for Direct Appellate Review and order that the appeal be transferred directly to the docket of the Supreme Judicial Court.

Jeffrey Allard, /Plaintiff/Appellant
By his attorney,
/s/ Kevin Walkowski

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CERTIFICATE OF SERVICE

I, the undersigned attorney, hereby certify that I served a copy of the foregoing document on all parties of record according to the Massachusetts Rules of Civil Procedure on all parties of record on 8/26/2026.

Via email to Tyler Young at tyler.young@faegredrinker.com

/S/ KEVIN M WALKOWSKI

Kevin M. Walkowski, Esquire

2579CV00263 Allard, M.D., Jeffrey C vs. Jones, Sandra et al

masscourts.org/eservices/searchresults.page

Party Information

Allard, M.D., Jeffrey C

- Plaintiff

Alias

Party Attorney

- Attorney
- Walkowski, Esq., Kevin M
- Bar Code
- 559242
- Address
- Kevin M. Walkowski, Esquire

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[More Party Information](#)

Jones, Sandra

- Defendant

Alias

Party Attorney

- Attorney
- Young, Esq., Tyler Adam
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- Address
- Faegre Drinker Biddle and Reath

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Faegre Drinker Biddle & Reath LLP

- Defendant

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Events

<u>Date</u>	<u>Session</u>	<u>Location</u>	<u>Type</u>	<u>Event Judge</u>	<u>Result</u>
07/09/2025 02:00 PM	Civil B - Ct. Rm. 7	SPRF-2nd FL, CR 7 (SC)	Rule 12 Hearing	Karangekis, Hon. Amy L	Not Held
07/09/2025 02:00 PM	Civil A - Ct. Rm. 4	SPRF-3rd FL, CR 4 (SC)	Rule 12 Hearing	Groce, III, Hon. Charles W.	Decision rendered
08/03/2026 02:00 PM	Civil B - Ct. Rm. 7		Final Pre-Trial Conference		Canceled

Ticklers

<u>Tickler</u>	<u>Start Date</u>	<u>Due Date</u>	<u>Days Due</u>	<u>Completed Date</u>
Service	04/10/2025	07/09/2025	90	
Answer	04/10/2025	08/08/2025	120	
Rule 12/19/20 Served By	04/10/2025	08/08/2025	120	10/07/2025
Rule 12/19/20 Filed By	04/10/2025	09/08/2025	151	10/07/2025
Rule 12/19/20 Heard By	04/10/2025	10/07/2025	180	10/07/2025
Rule 15 Served By	04/10/2025	08/08/2025	120	10/07/2025
Rule 15 Filed By	04/10/2025	09/08/2025	151	10/07/2025
Rule 15 Heard By	04/10/2025	10/07/2025	180	10/07/2025
Discovery	04/10/2025	02/04/2026	300	10/07/2025
Rule 56 Served By	04/10/2025	03/06/2026	330	10/07/2025
Rule 56 Filed By	04/10/2025	04/06/2026	361	10/07/2025
Final Pre-Trial Conference	04/10/2025	08/03/2026	480	10/07/2025
Judgment	04/10/2025	04/12/2027	732	10/07/2025

Tickler	Start Date	Due Date	Days Due	Completed Date
Under Advisement	07/09/2025	08/08/2025	30	10/07/2025
Appeal - No Transcript	03/16/2026	03/30/2026	14	

Docket Information

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
04/10/2025	Attorney appearance On this date Kevin M Walkowski, Esq. added for Plaintiff Jeffrey C Allard, M.D.		
04/10/2025	Case assigned to: DCM Track F - Fast Track was added on 04/10/2025		
04/10/2025	Original civil complaint filed.	1	Image
04/10/2025	Civil action cover sheet filed.	2	Image
04/10/2025	Demand for jury trial entered.		
04/10/2025	Claim filed under 93A		
04/11/2025	Notice of 93A complaint sent to Attorney General		
05/06/2025	Attorney appearance electronically filed. Applies To: Young, Esq., Tyler Adam (Attorney) on behalf of Faegre Drinker Biddle & Reath LLP, Jones, Sandra (Defendant)	3	Image
05/06/2025	Defendants Sandra Jones, Faegre Drinker Biddle & Reath LLP's Notice of Motion to Dismiss	4	Image
05/21/2025	Plaintiff Jeffrey C Allard, M.D.'s Motion for to amend complaint with the consent of Defendants' counsel	5	Image
05/22/2025	Endorsement on Motion of the Plaintiff to Amend Complaint with the Consent of Defendants' Counsel (#5.0): ALLOWED w/o Opposition (Emailed 05/22/25)		Image

<u>Docket</u> <u>Date</u>	<i>Docket Text</i>	<u>File</u> <u>Ref</u> <u>Nbr.</u>	<i>Image</i> <i>Avail.</i>
05/22/2025	Amended: original complaint filed by Jeffrey C Allard, M.D.	6	Image
05/23/2025	Service Returned for Defendant Jones, Sandra: Service made at last and usual;	7	Image
05/23/2025	Service Returned for Defendant Faegre Drinker Biddle & Reath LLP: Service through person in charge / agent;	8	Image
06/02/2025	Defendants Sandra Jones, Faegre Drinker Biddle & Reath LLP's Notice of Motion To Dismiss Plaintiffs Amended Complaint	9	Image
06/16/2025	Defendants Sandra Jones, Faegre Drinker Biddle & Reath LLP's Motion to Dismiss Plaintiff's Amended Complaint	10	Image
06/16/2025	Sandra Jones, Faegre Drinker Biddle & Reath LLP's Memorandum in support of Motion to Dismiss Plaintiff's Amended Complaint	10.1	Image
06/16/2025	Declaration Of Counsel Tyler Young In Support Of Defendants Motion To Dismiss Amended Complaint	10.2	Image
06/16/2025	Opposition to Defendants Sandra Jones, Faegre Drinker Biddle & Reath LLP's Motion to Dismiss Plaintiff's Amended Complaint filed by Jeffrey C Allard, M.D.	10.3	Image
06/16/2025	Reply/Sur-reply Reply In Support Of Defendants Sandra Jones And Faegre Drinker Biddle & Reath Llp's Motion To Dismiss Plaintiffs Amended Complaint	10.4	Image
06/16/2025	Declaration of compliance with Superior Court Rule 9A	10.5	Image
06/16/2025	Defendants Sandra Jones, Faegre Drinker Biddle & Reath LLP's Notice of filing	10.6	Image
06/18/2025	Defendants Sandra Jones, Faegre Drinker Biddle & Reath LLP's Notice of hearing	11	Image

<u>Docket</u> <u>Date</u>	<i>Docket Text</i>	<u>File</u> <u>Ref</u> <u>Nbr.</u>	<i>Image</i> <i>Avail.</i>
07/07/2025	Plaintiff Jeffrey C Allard, M.D.'s Notice of change of address, telephone and email Applies To: Walkowski, Esq., Kevin M (Attorney) on behalf of Allard, M.D., Jeffrey C (Plaintiff)	12	Image
07/09/2025	Event Result:: Rule 12 Hearing scheduled on: 07/09/2025 02:00 PM Has been: Not Held For the following reason: Request of Plaintiff Comments: Plaintiff's counsel did not appear and told defendant's counsel via telephone that he was satisfied with submitting the matter on the papers which the court and the defense accepted. Hon. Charles W. Groce, III, Presiding Staff: Lois Cignoli, Assistant Clerk Magistrate		
07/09/2025	Matter taken under advisement: Rule 12 Hearing scheduled on: 07/09/2025 02:00 PM Has been: Held - Under advisement Comments: Held in CR 4 FTR 4 Hon. Charles W. Groce, III, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
10/02/2025	Endorsement on Motion to dismiss Plaintiff's amended complaint (#10.0): ALLOWED See attached endorsement (em.10/7/25)		Image
10/07/2025	ORDER: that the Defendant's Motion to Dismiss (#10) is ALLOWED	13	Image
10/13/2025	Plaintiff Jeffrey C Allard, M.D.'s Motion for Reconsideration of Court Order dated 10/02/25 allowed Motion to Dismiss	14	Image
10/23/2025	Opposition to motion for reconsideration filed by Sandra Jones, Faegre Drinker Biddle & Reath LLP (Referred both to Groce, J.)	15	Image
10/30/2025	Plaintiff Jeffrey C Allard, M.D.'s Motion for leave to amend the complaint (Referred to Groce, J.)	16	Image
10/30/2025	Plaintiff Jeffrey C Allard, M.D.'s Notice of Rule 9A package filing and Rule 9C Certification	16.1	Image

<u>Docket</u> <u>Date</u>	<i>Docket Text</i>	<u>File</u> <u>Ref</u> <u>Nbr.</u>	<i>Image</i> <i>Avail.</i>
10/30/2025	Plaintiff Jeffrey C Allard, M.D.'s Motion for Reconsideration	17	<u>Image</u>
10/30/2025	Opposition to motion for reconsideration filed by Sandra Jones, Faegre Drinker Biddle & Reath LLP (Referred to Groce, J.)	17.1	<u>Image</u>
10/30/2025	Plaintiff Jeffrey C Allard, M.D.'s Notice of Rule 9A package filed	17.2	<u>Image</u>
11/04/2025	Opposition to Plaintiff's motion to amend filed by Sandra Jones, Faegre Drinker Biddle & Reath LLP	18	<u>Image</u>
11/18/2025	Plaintiff Jeffrey C Allard, M.D.'s Motion for hearing on his motion for reconsideration and leave to amend and notice of intent to appeal dismissal if confirmed	19	<u>Image</u>
11/19/2025	Opposition to Plaintiff's motion for hearing filed by Sandra Jones, Faegre Drinker Biddle & Reath LLP	20	<u>Image</u>
12/04/2025	Endorsement on Motion of the Plaintiff for leave to Amend Compliant (#16.0): No Action Taken Plaintiff's Motion for Reconsideration (#14) the Defendants' Allowed Motion to Dismiss Plaintiff's First Amended Complaint is currently under advisement (Emailed 12/04/25)		<u>Image</u>
12/09/2025	Plaintiff Jeffrey C Allard, M.D.'s Motion for leave to amend complaint	21	<u>Image</u>
12/09/2025	Jeffrey C Allard, M.D.'s Memorandum in support of Allowing Second Amended Complaint	21.1	<u>Image</u>
12/09/2025	Plaintiff Jeffrey C Allard, M.D.'s Notice of filing	21.2	<u>Image</u>
12/09/2025	Opposition to Plaintiff's Motion to Amend filed by Sandra Jones, Faegre Drinker Biddle & Reath LLP	22	<u>Image</u>

<u>Docket</u> <u>Date</u>	<i>Docket Text</i>	<u>File</u> <u>Ref</u> <u>Nbr.</u>	<i>Image</i> <i>Avail.</i>
12/10/2025	Reply/Sur-reply Plaintiff's Sur Reply To Defendants' Opposition To Plaintiff's Motion To Amend And Motion To Strike	23	Image
01/08/2026	Endorsement on Motion of the Plaintiff for Reconsideration (#14.0): DENIED (dated 01/02/26) (Emailed 01/08/26)		Image
01/08/2026	Endorsement on Motion of the Plaintiff for Reconsideration (#17.0): DENIED (See #14 also) (dated 01/02/26) (Emailed 01/08/26)		Image
01/08/2026	Endorsement on Motion for hearing on Plaintiff's Motions for Reconsideration and Leave to Amend and Notice of intent to Appeal Dismissal if confirmed (#19.0): DENIED (See #14 & 17) as to request for hearing on requests to MTN to Reconsider DENIED as well. (dated 01/02/26) (Emailed 01/08/26)		Image
03/05/2026	Notice of appeal filed. Applies To: Walkowski, Esq., Kevin M (Attorney) on behalf of Allard, M.D., Jeffrey C (Plaintiff)	24	Image
03/16/2026	Notice to Court RE: NO transcript ordered	25	Image
05/29/2026	Plaintiff Jeffrey C Allard, M.D.'s Notice to the Clerk of Courts re appeal	26	Image
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06/10/2026	Notice to Clerk of the Appeals Court of Assembly of Record	28	Image
06/10/2026	Appeal: Statement of the Case on Appeal (Cover Sheet).	29	Image
07/12/2026	Notice of Entry of appeal received from the Appeals Court No. 2026-P-830	30	Image