

IN THE CIRCUIT COURT OF PEARL RIVER COUNTY, MISSISSIPPI

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JOHN ZAWADSKI and JOHN GASPARI, )

Respondents, )

v. )

CASE NO.: 55CI1-17-cv-00019-CM

BREWER FUNERAL SERVICES, INC. )

d/b/a PICAYUNE FUNERAL HOME )

TED BREWER and HENRIETTA )

BREWER, )

Defendants. )

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**MOTION FOR SUBSTITUTION OF PARTY**

In accordance with Rule 25(a)(1) of the Mississippi Rules of Civil Procedure, COMES NOW Plaintiff JOHN GASPARI (“Plaintiff Gaspari”), and moves the Court for an order substituting the Personal Representative of the Estate of the Decedent as a party plaintiff.

In support thereof, Movant states that:

1. Movant’s uncle, Plaintiff JOHN ZAWADSKI, died on or about December 22, 2017.
2. This is an action for breach of contract, intentional infliction of emotional distress, negligent infliction of emotional distress and misrepresentation, which claims on behalf of Plaintiff Zawadski (“Decedent”) were not extinguished by his death.
3. A will was executed by decedent on September 12, 2014 naming Robert Huskey or, in the event of his demise, Plaintiff Gaspari, as Executor of his estate.

WHEREFORE, Movant requests that the Court enter an order that John E. Gaspari II (“Plaintiff Gaspari”) be substituted in this action in the place of Decedent as Executor of the Estate of John Zawadski.

This, the 30<sup>th</sup> day of January, 2018.

Respectfully submitted,

/s/ Elizabeth Littrell

Elizabeth Littrell

LAMBDA LEGAL DEFENSE & EDUCATION FUND, INC.

Georgia Bar No. 454949\*

730 Peachtree Street, NE, Suite 640

Atlanta, GA 30308

Telephone (404) 897-1880

Facsimile (404) 897-1884

blittrell@lambdalegal.org

Robert McDuff

Miss. Bar No. 2532

767 N. Congress St.

Jackson, MS 39202

Facsimile: 601-969-0804

Telephone: (601) 969-0802

*Attorneys for Plaintiffs.*

*\*Admitted Pro Hac Vice.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this day I electronically filed the foregoing pleadings with the Clerk of the Court using the MEC filing system which sent notification of such filing to the following:

Silas W. McCharen, Esq.  
Emily Wilkins

This, the 30th day of January, 2018.

/s/ Elizabeth Littrell  
Elizabeth Littrell