

0984CV00576 Lopez, Pedro et al vs. Comm of Mass et al

- Case Type:
- Actions Involving the State/Municipality
- Case Status:
- Closed
- File Date
- 02/11/2009
- DCM Track:
- A - Average
- Initiating Action:
- Certiorari Action, G. L. c. 249 § 4
- Status Date:
- 01/14/2019
- Case Judge:
-
- Next Event:
-

[All Information](#)
[Party](#)
[Event](#)
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[Docket](#)
[Disposition](#)

Docket Information

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
02/11/2009	Complaint	1	
02/11/2009	Origin 1, Type E03, Track A.		
02/11/2009	Civil action cover sheet filed (N/A)	2	
02/27/2009	SERVICE RETURNED: Comm of Mass(Defendant) (in hand)	3	
02/27/2009	SERVICE RETURNED: Paul Dietl Per Admr(Defendant) (in hand)	4	
06/04/2009	Case status changed to 'Needs review for answers' at service deadline review		
06/30/2009	Default re: Comm of Mass; Paul Dietl Per Admr (no answer by 1-88 deadline); Pltf directed to move for appropriate judgement by 07/30/2009. Copies mailed.	5	
06/30/2009	Case status changed to 'Needs damage assessment scheduled' at answer deadline review		
07/17/2009	Defendants' Rule 55 (c) Assented to MOTION to set aside entry of default	6	
07/17/2009	Affidavit of Charles M Wyzanski	7	
07/22/2009	Motion (P#6) ALLOWED (Thomas A. Connors) (Dated 7/21/09) Notices mailed 7/21/2009		
11/18/2009	State Defendants' MOTION to stay pending resolution of the parallel federal action (w/o opp)	8	
11/27/2009	Motion (P#8) ALLOWED Counsel are ordered to report to this Court when the Parallel has reached its outcome (Thomas E. Connolly, Justice) Notices mailed 11/25/2009		
11/27/2009	Motion (P#8) ALLOWED Counsel are orderd to report to this Court when the Parallel action has reach its outcome (Thomas E. Connolly, Justice) Notices mailed 11/27/2009		
02/11/2010	Joint MOTION to Lift Stay	9	
02/18/2010	Motion (P#9) ALLOWED for the reasons submitted. Defts may have until 3/10/10 to file a response to the complaint. (Paul E. Troy, Justice) Notices mailed 2/17/2010 (entered 2/12/10)		
03/10/2010	Defendants' Notice of intent to file motion to dismiss		
04/09/2010	Defendants' motion to dismiss under Mass. R. Civ.P. 12(b) for lack of jurisdiction or, in the alternative, under Mass.R.Civ.P. 12(b)(6) for failure to state a claim upon which relief can be granted (With opposition)]	10	

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
04/14/2010	Court received a letter to the Honorable Regina Quinlan from the depts requesting leave to file a reply memorandum, filed & APPROVED on 4/12/10 (Regina Quinlan, Justice) notices mailed 4/13/10	11	
04/28/2010	Court received letter addressed to Hon. Regina L Quinlan from defendants requesting leave to file a reply memorandum in excess of ten pages - ALLOWED (Quinlan, J) Dated 4/26/10 Notice sent 4/27/10	12	
05/17/2010	Defendants reply in support of Motion to Dismiss	13	
05/18/2010	Amended complaint of Plffs	14	
06/02/2010	Request of plffs to file a sur-reply to deft's motion to dismiss & Approved (Quinlan,J) Notice sent 6/1/10 (entered 6/1/10)	15	
06/10/2010	Defendants' notice of service of motion to dismiss amended complaint		
07/12/2010	Letter to Judge Connolly requesting leave to file the attached four-page reply memorandum in support to their motion to dismiss the amended complaint	16	
07/12/2010	Defendant Comm of Mass, Paul Dietl Per Admr's MOTION to Dismiss (MRCP 12b) (1) Amended Complaint of Plaintiffs for lack of jurisdiction or in the alternative under MRCP 12(b)(6) for failure to state a claim upon which relief can be granted w/opposition	17	
07/13/2010	Motion (P#6) After review, motion ALLOWED. Reply may be filed (Thomas E. Connolly, Justice). Notices mailed 7/16/2010		
07/13/2010	Request (P#16) ALLOWED (Thomas E. Connolly, Justice) Notices mailed 7/16/2010		
07/20/2010	Plaintiffs' Unopposed MOTION to file Amended Complaint	18	
07/26/2010	Motion (P#18) ALLOWED (Thomas E. Connolly, Justice) Notices mailed 7/26/2010 dated 7/22/10		
07/26/2010	Amended complaint of Plaintiffs Filed by leave of court (Connolly, J.). dated 7/22/10	19	
07/29/2010	Hearing on (P#10) Motion to Dismiss held, matter taken under advisement. (Thomas E. Connolly, Justice)		
01/10/2011	Motion (P#17) After hearing and review of all submissions and cases submitted (for which the Court thanks the parties)Attorneys Defendants Motion to Dismiss Amended Compolaint under MRCP 12 (b_)(1) for lack of jurisdiction is ALLOWED for the reasons stated in the deft's memorandum of law in support of Motion to Dismiss Amended Complaint and in the defendant's reply insupport of Motion to Dismiss Furthermore the depts alternative Motion to Dismiss under MRCP 12(b)(6) for failure to state a claims upon lwhich relief may be granted is ALLOWED for the reasons stated n the deft Memorandum of law in support of Motion to Dismiss and n the depts reply in support of motion to Dismiss (Connolly, J.). dated 1/2/11 Notice sent 1/7/11		
01/10/2011	JUDGMENT ON MOTION TO DISMISS (MASS R CIV P 12(b) That the complaint of plffs is hereby Dismissed against the depts entered on docket pursuant to Mass R Civ P 58(a) and notice sent to parties pursuant to Mass R Civ P 77(d)	20	
02/03/2011	Plaintiff Pedro Lopez, Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr's notice of appeal	21	
02/07/2011	Notice to Justice Thomas Connolly of the filing of Notice of Appeal		
02/07/2011	Notice of service of the filing of Notice of Appeal to: Harold L. Lichten, Esquire, Shannon E. Lisa-Riordan, Esquire, Joseph L.. Sulman, Esquire, Lichten & Liss-Riordan, P.C.; Charles M. Wyzanski, Esquire, Sookyoung Shin, Esquire, Mass Attorney General's Office; Comm of Mass; Paul Dietl, Per Admin; Office of Attorney General Human Resources		
02/10/2011	Certification Pursuant to Mass R App P 8(b)(1) and 9(c)(2) The plaintiff's Attorney Shannon Liss-Riordan that they have not ordered and do not intend to order any transcripts of the Superior Court proceedings	22	
05/04/2011	Notice of assembly of record on Appeal		
05/13/2011	Notice of Entry (2011-P-0822) in accordance with Massachusetts Rule of Appellate Procedure 10(a)(3), please note that the above-referenced case was entered in this Court on May 11, 2011	23	

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
06/27/2011	Notice of docket entry received from Appeals Court: DAR ALLOWED (on 6/23/2011). Case to SJC.	24	
07/15/2011	Notice of Entry (SJC-11013) Pursuant to Mass R. A. P. 10(a)(3), you are hereby notified that, on July 13, 2011, the above-referenced case was entered ion the docket of the SJC	25	
04/16/2013	Rescript received from SJC: We affirm the dismissal of the plaintiffs' claims under G.L. c. 151B, ss4(1), 4(5), and G.L.c.93, s102. We vacate the judgment dismissing the plaintiffs' G.L.c. 151B, s4(4A), claim, and we remand the case to the Superior Court for further proceedings consistent with this opinion.	26	
05/21/2013	Court received Letter to Justice Troy requesting leave to file a concise reply brief in further support of their motion for class certification. Request ALLOWED plff shall have fourteen days from receipt of this allowance to file a reply of not over 6 pages. Thereafter defts may have fourteen days to file a sur-reply of not over 6 pages if they feel it is warranted (Troy, J.). dated 5/17/13 Notice sent 5/20/13	27	
05/22/2013	ORDER to change data base information Discovery 11/12/14 Rule 56 Motion Serve 12/12/14 Filed by 1/11/15 Final PTC 5/11/15 (entered 5/21/13	28	
06/26/2013	Court received Defts; sur-reply to plff's motion for class certification	29	
07/11/2013	ANSWER by Comm of Mass, Office of the Attorney Paul Dieti, Per Admr to COMPLAINT (claim of trial by jury reqstd)	30	
09/10/2013	Defendant Comm of Mass, Office of the Attorney Paul Dieti, Per Admr's MOTION to stay Proceedings pending resolution of the Parallel Federal Action w/opposition	31	
09/13/2013	Court received plff's notice of supplemental authority in support of plff's motion for class certification	32	
09/16/2013	Hearing on Motion to Stay and Motion for Class Certification held, matter taken under advisement. (Judith Fabricant, Justice)		
09/18/2013	MEMORANDUM OF DECISION AND ORDER ON DEFENDANT'S MOTIOIN TO STAY STATE COURT PROCEEDINGS PENDING RESOLUTION OF THE PARALLEL FEDERAL ACTION AND PLAINTIFF'S MOTION FOR CLASS CERTIFICATION COCLUSION ANE ORDER Defendant's Motion to Stay State Court proceedings pending resolution of the parallel Federal Action is DENIED Plaintiff's Motion for class certification is ALLOWED for purposes of liability only, subject to further consideration if and when the case reaches the stage of remedy. Counsel are directed to confer in a good faith effort to reach agreement on a proposed scheduling order to be submitted to the Court for approval within the next fourteen days. If counsel cannot agree they shall contact the clerk to request scheduling of a conference pursuant to MRCP 16 for the earliest available date (Judith Fabricant, Justice). Copies mailed 9/17/13 dated 9/16/13	33	
10/30/2013	Plaintiffs' MOTION to compel production of documents (w/opposition)	34	
12/23/2013	RULING ON PLAINTIFF'S MOTION TO COMPEL: After hearing the plaintiff's motion is ALLOWED. The requeste discovery is to be provided pursuant to the following schedule: 1.) Material refecting the names, races, and test scores of each applicant for the police promotional examination for the years 2005 to 2008 is to be provided by January 13, 2014. 2.) Material relating to the construction of those examinations, including the methodology employed, is to be provided by January 13, 2014. 3.) Written or recorded communications, including electronic mail, of employees of the defendant's Human Resources Department which relates to the construction, administration, and the results of those examinations, are to be provided by February 13, 2014. The parties are to enter a mutually agreeable confidentiality agreement prior to furnishing of these materials relating to any of those items which may be subject to privacy or confidentiality restrictions under the laws of the Commonwealth. So Ordered (Thomas A. Connors, Justice) Dated: December 19, 2013 Notice sent 12/20/13	35	
01/24/2014	Letter to Judge Fabricant Request of pffs for leave to file a 5 page reply memorandum & Allowed (Fabricant,J) Notice Sent 1/23/14 (entered 1/22/14)	36	
01/30/2014	Stipulation and Order for the Protection of Confidential Material - ORDER OF THE COURT: The above Stipulation for the Protection of Confidential Material is allowed, and its terms are to be entered as	37	

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	an order of this Court. (Judith Fabricant, Justice) Dated: 1/28/14 Notice sent 1/30/14 (See P#37 for complete stipulation and order)		
02/03/2014	Plaintiffs' MOTION to substitute named plff and for leave to file third amended complaint and memorandum in support htereof (w/opposition)	38	
02/07/2014	Motion (P#38) ALLOWED (Judith Fabricant, Justice) Notices mailed 2/7/2014 (entered 2/4/14)		
02/07/2014	Third Amended complaint of Plffs, filed on 2/6/13	39	
02/14/2014	Defendants' Emergency MOTION for a two week extension of time to comply with Part 3 of the Court's December 19, 2013 Order (filed 2/14/14) - ALLOWED (Judith Fabricant, Justice) Dated: 2/14/14 Notice sent 2/14/14	40	
03/20/2014	Amended stipulation and order for the protection of confidential material & Allowed as modified (Fabricant,J) Notice Sent 3/20/14(entered 3/18/14)	41	
03/20/2014	ORDER of the Court Amended stipulation for the protection of confidential material is ALLOWED and its terms are to be entered as an order of this Court provided that any material filed with the Court is open to public inspection unless impounded by Court order pursuant to the Uniform Rules of Impoundment Procedure Trial Court rule V111 (Fabricant,J) Notice sent 3/20/14 (entered 3/18/14)	42	
09/26/2014	Defendants' MOTION to compel responses to defts' first request for production of documents (w/opposition)	43	
10/03/2014	Motion (P#43) The Court is not persuaded that the requests in issue are reasonably calculated to lead to the discovery of admissable evidence. Accordingly, DENIED (Judith Fabricant, Justice) Dated 9/30/14 Notices mailed 10/2/2014		
10/27/2014	JOINT Motion of parties to extend tracking order deadlines	44	
10/30/2014	Motion (P#44) ALLOWED (Thomas A. Connors, Justice) Dated 10/29/14 Notices mailed 10/29/2014		
10/30/2014	Request To Change Data Base Information: Track unchanged but the following deadlines are extended: Discovery: 4/12/15; Rule 56 Motion Serve by: 8/12/15 File by: 9/12/15; Final PTC: 1/10/16 By the Court (Thomas A. Connors, Justice) Dated: 10/29/14 Notice sent 10/29/14	45	
04/02/2015	JOINT Motion of parties to Stay State Court Proceedings Pending Final Resolution of the Paralel Federal Action	46	
04/09/2015	Motion (P#46) Upon consideration, this motion is ALLOWED to the extent that all proceedings in this case are stayed until December 1, 2015. The parties shall appear on that date at 2:00pm for a status conference (Brian A. Davis, Justice). (entered 4/7/15) Notices mailed 4/9/2015		
11/30/2015	The following form was generated: Notice to Appear Sent On: 11/30/2015 16:10:13		
11/30/2015	Event Result: The following event: Status Review scheduled for 12/01/2015 02:00 PM has been resulted as follows: Result: Held as Scheduled Reason: Joint request of parties		
12/07/2015	Appearance entered On this date Ronald F Kehoe, Esq. dismissed/withdrawn as Private Counsel for Defendant Comm of Mass		
12/07/2015	Appearance entered On this date Ronald F Kehoe, Esq. dismissed/withdrawn as Private Counsel for Defendant Office of the Attorney Paul Dieti, Per Admr		
03/10/2016	Event Result: The following event: Conference to Review Status scheduled for 03/10/2016 02:00 PM has been resulted as follows: Result: Rescheduled Reason: Joint request of parties		
03/10/2016	The following form was generated: Notice to Appear Sent On: 03/10/2016 09:55:10		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
03/10/2016	The following form was generated: Notice to Appear Sent On: 03/10/2016 09:55:19		
03/14/2016	Plaintiff Pedro Lopez's Joint Motion to continue the March 10, 2016 Status Conference pending final resolution of the Parallel Federal Action	47	
03/25/2016	Endorsement on Motion to continue / reschedule an event (#47.0): the March 10, 2016 status conference pending final resolution of the parallel federal action ALLOWED Dated 3/18/16 Notice sent 3/24/16		
07/11/2016	Event Result: The following event: Conference to Review Status scheduled for 07/14/2016 02:00 PM has been resulted as follows: Result: Rescheduled Reason: Request of Defendant		
07/11/2016	The following form was generated: Notice to Appear Sent On: 07/11/2016 11:53:48		
07/28/2016	Plaintiff Pedro Lopez's Assented to Motion to continue / reschedule an event 07/28/2016 02:00 PM Conference to Review Status Pending Final Resolution of the parallel federal action Applies To: Lopez, Pedro (Plaintiff); Tatum, Spencer (Plaintiff); Brown, Gwendolyn (Plaintiff); Rosario Jr, Louis (Plaintiff); Baez (As Amended), Francisco (Plaintiff); Comm of Mass (Defendant)	48	
07/28/2016	Event Result: The following event: Conference to Review Status scheduled for 07/28/2016 02:00 PM has been resulted as follows: Result: Rescheduled Reason: Joint request of parties		
07/29/2016	Endorsement on Motion to continue / reschedule an event status conference pending final resolution of the parallel federal action (#48.0): ALLOWED Dated: 7/28/16 Notice sent 7/29/16		
08/17/2016	The following form was generated: Notice to Appear Sent On: 08/17/2016 10:25:03		
10/07/2016	Plaintiffs, Defendant Pedro Lopez, Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended), Comm of Mass, Office of the Attorney Paul Dieti, Per Admr's Joint Motion to continue / reschedule an event 10/11/2016 02:00 PM Conference to Review Status pending final resolution of the parallel federal action	49	
10/11/2016	Event Result: The following event: Conference to Review Status scheduled for 10/11/2016 02:00 PM has been resulted as follows: Result: Rescheduled Reason: Joint request of parties		
10/14/2016	The following form was generated: Notice to Appear Sent On: 10/14/2016 10:29:15		
10/17/2016	Endorsement on Motion to Continue Status Conference (#49.0): ALLOWED Under condition. New Date Set. Extension 30 days (dated 10/13/16) notice sent 10/17/16		
11/15/2016	Plaintiff Pedro Lopez's Joint Motion to continue the November 16, 2016 Status conference pending Final Resoluton of the Parallel Federal Action	50	
11/15/2016	Attorney appearance On this date Jennifer H. Flynn, Esq. added for Defendant Office of the Attorney Paul Dieti, Per Admr		
11/16/2016	Event Result: The following event: Conference to Review Status scheduled for 11/16/2016 02:00 PM has been resulted as follows: Result: Not Held Reason: Plaintiff/Petitioner failed to appear		
11/21/2016	Endorsement on Motion to continue / reschedule an event the November 16, 2016 Status Conference pending final resolution of the parallel federal action (#50.0): ALLOWED Dated: 11/17/16 Notice sent 11/21/16		
03/21/2017	The following form was generated:		

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	Notice to Appear Sent On: 03/21/2017 11:25:48		
01/23/2018	The following form was generated: Notice to Appear Sent On: 01/23/2018 11:59:14		
02/22/2018	Event Result:: Conference to Review Status scheduled on: 02/22/2018 02:00 PM Has been: Held as Scheduled Hon. Anthony M. Campo, Presiding Staff: Norman W Huggins, Assistant Clerk Magistrate		
04/23/2018	Attorney appearance On this date Jennifer H Flynn, Esq. dismissed/withdrawn as Private Counsel for Defendant Comm of Mass		
06/27/2018	Defendants Comm of Mass, Office of the Attorney Paul Dieti, Per Admr's Motion for judgment on the pleadings MRCP 12(c)	51	
06/27/2018	Opposition to Defendants' motion for judgment on the pleadings filed by Pedro Lopez, Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended)	52	
06/29/2018	The following form was generated: Notice to Appear Sent On: 06/29/2018 16:02:05		
06/29/2018	The following form was generated: Notice to Appear Sent On: 06/29/2018 16:02:20		
10/03/2018	Event Result:: Hearing for Judgment on Pleading scheduled on: 10/03/2018 02:00 PM Has been: Rescheduled For the following reason: By Court prior to date Hon. Anthony M. Campo, Presiding Staff: Norman W Huggins, Assistant Clerk Magistrate		
01/11/2019	ORDER: Endorsement Regarding :Defendants' Motion for Judgment on the Pleadings" (p#51) It is ORDERED that the defendants' Motion be ALLOWED, and that judgment shall enter in Favor of the Defendants on both counts of the Plaintiffs' Third Amended Complaint (see P#53 for full decision) (dated 1/7/19) notice sent 1/11/19	53	 Image
01/14/2019	JUDGMENT on the Pleadings entered: After hearing and consideration thereof; It is ORDERED and ADJUDGED: that for the reasons stated in the Court's January 7, 2019 ruling on Defendants' Motion for Judgment on the Pleadings, judgment enters in favor of the Defendants on both counts of the Plaintiffs' Third Amended Complaint and this matter is dismissed. entered on docket pursuant to Mass R Civ P 58(a) and notice sent to parties pursuant to Mass R Civ P 77(d)	54	 Image
01/23/2019	Notice of appeal filed. Notice sent 1/23/19 Applies To: Tatum, Spencer (Plaintiff); Brown, Gwendolyn (Plaintiff); Rosario Jr, Louis (Plaintiff); Baez (As Amended), Francisco (Plaintiff)	55	 Image
02/07/2019	General correspondence regarding second notice sent to appellant regarding transcript.		
02/26/2019	Attorney appearance On this date Kate R Isley, Esq. added for Defendant Comm of Mass		
02/26/2019	Attorney appearance On this date Kate R Isley, Esq. added for Defendant Office of the Attorney Paul Dieti, Per Admr		
04/25/2019	Appeal: Party's Letter received re: no transcript on appeal Applies To: Tatum, Spencer (Plaintiff); Brown, Gwendolyn (Plaintiff); Rosario Jr, Louis (Plaintiff); Baez (As Amended), Francisco (Plaintiff)	56	 Image
05/15/2019	Notice of assembly of record sent to Counsel		
05/15/2019	Notice to Clerk of the Appeals Court of Assembly of Record		
06/05/2019	Notice of Entry of appeal received from the Appeals Court In accordance with Massachusetts Rule of Appellate Procedure 10(a)(3), please note that the above-referenced case (2019-P-0835) was entered in this Court on May 31, 2019.	57	 Image

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08/19/2020	Rescript received from Appeals Court; judgment REVERSED So much of the judgment entered January 14, 2019, as dismissed count I of the plaintiffs' third amended complaint stating claims for interference arising under G. L. c. 151B, s 4 (4A), is REVERSED. In all other respects, the judgment is affirmed. The case is remanded to the Superior Court for further proceedings consistent with the memorandum and order of the Appeals Court..	58	 Image
06/16/2021	Plaintiff, Defendant Pedro Lopez, Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended), Comm of Mass, Office of the Attorney Paul Dieti, Per Admr's Submission of Joint Status Report and Request for Status Conference	59	 Image
06/21/2021	The following form was generated: Notice to Appear Sent On: 06/21/2021 13:46:47 Notice Sent To: Stephen S Churchill, Esq. Fair Work, P.C. 192 South St Suite 450, Boston, MA 02111 Notice Sent To: Harold Lichten, Esq. Lichten and Liss-Riordan P.C. 729 Boylston St Suite 2000, Boston, MA 02116 Notice Sent To: Shannon Liss-Riordan, Esq. Lichten and Liss-Riordan, P.C. 729 Boylston St Suite 2000, Boston, MA 02116 Notice Sent To: Joseph Lear Sulman, Esq. Law Office of Joseph L. Sulman 391 Totten Pond Rd Suite 402, Waltham, MA 02451 Notice Sent To: Benjamin Weber, Esq. Lichten and Liss-Riordan PC 729 Boylston St Suite 2000, Boston, MA 02116 Notice Sent To: Daniel Gordon Cromack, Esq. Office of the Attorney General Trial Division One Ashburton Place, Boston, MA 02108 Notice Sent To: Jeffrey Thomas Collins, Esq. Office of the Attorney General One Ashburton Place Rm 1813, Boston, MA 02108 Notice Sent To: Kate R Isley, Esq. Office of the Attorney General One Ashburton Place Rm 1813, Boston, MA 02108 Notice Sent To: Jennifer H Flynn, Esq. Executive Office of the Trial Court 1 Center Plaza 9th Floor, Boston, MA 02108		
06/28/2021	Attorney appearance On this date Daniel Gordon Cromack, Esq. dismissed/withdrawn as Private Counsel for Defendant Comm of Mass		
06/28/2021	Defendant Comm of Mass's Notice of Withdrawal		 Image
07/13/2021	Attorney appearance On this date Zachary L Rubin, Esq. added for Plaintiff Spencer Tatum		 Image
07/13/2021	Attorney appearance On this date Zachary L Rubin, Esq. added for Plaintiff Gwendolyn Brown		
07/13/2021	Attorney appearance On this date Zachary L Rubin, Esq. added for Plaintiff Louis Rosario Jr		
07/13/2021	Attorney appearance electronically filed.		 Image
07/13/2021	Attorney appearance On this date Shannon Liss-Riordan, Esq. added for Plaintiff Francisco Baez (As Amended)		
07/13/2021	Attorney appearance On this date Tara L Boghosian, Esq. added for Plaintiff Pedro Lopez		
07/13/2021	Attorney appearance On this date Tara L Boghosian, Esq. added for Plaintiff Spencer Tatum		
07/13/2021	Attorney appearance On this date Tara L Boghosian, Esq. added for Plaintiff Gwendolyn Brown		
07/13/2021	Attorney appearance On this date Tara L Boghosian, Esq. added for Plaintiff Louis Rosario Jr		
07/13/2021	Attorney appearance On this date Tara L Boghosian, Esq. added for Plaintiff Francisco Baez (As Amended)		
07/14/2021	Event Result:: Conference to Review Status scheduled on: 07/14/2021 10:00 AM Has been: Held via Video/Teleconference Hon. Elaine M Buckley, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
07/14/2021	The following form was generated: Notice to Appear for Final Pre-Trial Conference Sent On: 07/14/2021 10:23:03 Notice Sent To: Stephen S Churchill, Esq. Fair Work, P.C. 192 South St Suite 450, Boston, MA 02111 Notice Sent To: Harold Lichten, Esq. Lichten and Liss-Riordan P.C. 729 Boylston St Suite 2000, Boston, MA 02116		

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	Notice Sent To: Shannon Liss-Riordan, Esq. Lichten and Liss-Riordan, P.C. 729 Boylston St Suite 2000, Boston, MA 02116 Notice Sent To: Jeffrey Thomas Collins, Esq. Office of the Attorney General One Ashburton Place Rm 1813, Boston, MA 02108 Notice Sent To: Jennifer H Flynn, Esq. Executive Office of the Trial Court 1 Center Plaza 9th Floor, Boston, MA 02108 Notice Sent To: Kate R Isley, Esq. Office of the Attorney General One Ashburton Place Rm 1813, Boston, MA 02108		
07/15/2021	Plaintiff Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended)'s Request for Special Assignment pursuant to standing Order N.9-80 (as amended)	60	 Image
07/15/2021	Exhibits/Appendix		 Image
07/19/2021	ORDER: Scheduling Order Notice 7/16/21	61	 Image
08/03/2021	ORDER: FOR SPECIAL ASSIGNMENT: SPENCER TATUM, GWENDOLYN BROWN, LOUIS ROSARIO JR, and FRANCISCO BAEZ, individually and on behalf of a class of individuals similarly situated vs. COMMONWEALTH OF MASSACHUSETTS and PAUL DIETL, in his capacity as Personnel Administrator for the Commonwealth of Massachusetts Human Resources Division It is ORDERED that the Honorable Douglas H. Wilkins, Associate Justice of the Superior Court, is specially assigned to hear the above-captioned case for all purposes. The Civil Clerk's office will notify all counsel of record. (Heidi E. Brieger, Chief Justice) Dated: 7/30/21 Notice sent 8/2/21	62	 Image
08/27/2021	Event Result: Conference to Review Status scheduled on: 08/27/2021 09:00 AM Has been: Held as Scheduled Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
09/15/2021	ORDER: SCHEDULING ORDER: (See P# for complete order) Dated: September 1, 2021 Notice sent 9/15/21	63	 Image
09/27/2021	Plaintiff Pedro Lopez, Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended)'s Notice of Motion for Admission Pro Hav Vice	64	 Image
09/27/2021	Affidavit Of Zachary L Rubin	65	 Image
09/27/2021	Affidavit Of Dana E Lossia	66	 Image
09/27/2021	Proposed Filings/Orders		 Image
09/28/2021	Plaintiff Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended)'s Notice of Motion for Admission Pro Hac Vice of Rebekah Cook-Mack	67	 Image
10/15/2021	Endorsement on Notice of Motion for Admission Pro Hac Vice (#64.0): ALLOWED (dated 9/30/21) notice sent 10/13/21		 Image
10/15/2021	ORDER: Order Allowing Pro Hac Vice Admission of Dana E Lossia	68	 Image
10/18/2021	Attorney appearance electronically filed.		 Image
10/18/2021	Attorney appearance On this date Jeffrey Thomas Collins, Esq. dismissed/withdrawn as Private Counsel for Defendant Comm of Mass		 Image
10/18/2021	Attorney appearance On this date Jeffrey Thomas Collins, Esq. dismissed/withdrawn as Private Counsel for Defendant Office of the Attorney Paul Dieti, Per Admr		
11/29/2021	ORDER: SCHEDULING ORDER: (See P#63 for complete order) Endorsement on Paper #63 - The Court's Order of 9/1/21 revised as follows: "The parties shall appear for a final pre-trial conference @2PM on 5/19/22 in Courtroom 720, Middlesex Superior Court, Woburn, in anticipation of a trial on or after 6/6/22. By the Court Dated: 11/29/21 Notice sent 11/29/21		 Image
11/29/2021	Event Result: Jury Trial scheduled on: 06/13/2022 09:00 AM Has been: Rescheduled For the following reason: By Court prior to date Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate Melissa Juarez, Assistant Clerk Magistrate		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
12/03/2021	Endorsement on Submission of ORDER: SCHEDULING ORDER (#63.0): Other action taken (date 11/29/21) The courts order of 9/1/21 is revised as follows'; "the parties shall appear for a final pre trial conference @ 2p on 5/19/22 in courtroom 720, Middlesex Superior Court, WOBURN, in anticipation of a trial on or after 6/6/22. Notice 12/1/21		 Image
01/04/2022	Answer to amended complaint	69	 Image
01/12/2022	Attorney appearance electronically filed.		 Image
01/12/2022	Attorney appearance electronically filed.		 Image
01/12/2022	Attorney appearance On this date Eric Martignetti, Esq. added for Defendant Comm of Mass		 Image
01/12/2022	Attorney appearance On this date Eric Martignetti, Esq. added for Defendant Office of the Attorney Paul Dieti, Per Admr		
01/14/2022	Event Result:: Rule 16 Conference scheduled on: 01/14/2022 10:00 AM Has been: Held via Video/Teleconference Hon. Douglas H Wilkins, Presiding Staff: Christine M Hayes, Assistant Clerk		
01/21/2022	Plaintiff Pedro Lopez, Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended)'s Notice of Withdrawal Applies To: Boghosian, Esq., Tara L (Attorney) on behalf of Lopez, Pedro (Plaintiff)		 Image
01/21/2022	Attorney appearance On this date Tara L Boghosian, Esq. dismissed/withdrawn for Plaintiff Pedro Lopez		
01/21/2022	Attorney appearance On this date Tara L Boghosian, Esq. dismissed/withdrawn for Plaintiff Spencer Tatum		
01/21/2022	Attorney appearance On this date Tara L Boghosian, Esq. dismissed/withdrawn for Plaintiff Gwendolyn Brown		
01/21/2022	Attorney appearance On this date Tara L Boghosian, Esq. dismissed/withdrawn for Plaintiff Louis Rosario Jr		
01/21/2022	Attorney appearance On this date Tara L Boghosian, Esq. dismissed/withdrawn for Plaintiff Francisco Baez (As Amended)		
01/25/2022	Attorney appearance On this date James Bor-Zale, Esq. added for Defendant Comm of Mass		
01/25/2022	Attorney appearance On this date James Bor-Zale, Esq. added for Defendant Office of the Attorney Paul Dieti, Per Admr		
01/26/2022	Attorney appearance On this date James Bor-Zale, Esq. dismissed/withdrawn for Defendant Comm of Mass		
01/26/2022	Attorney appearance On this date James Bor-Zale, Esq. dismissed/withdrawn for Defendant Office of the Attorney Paul Dieti, Per Admr		
01/26/2022	Attorney appearance electronically filed.		 Image
02/28/2022	Endorsement on Motion for Admission Pro Hac Vice of Rebekah Cook-Mack (#67.0): ALLOWED (date 2/17/22)) Notice 2/17/22		 Image
02/28/2022	ORDER: Order regarding PHV Pro Hac Vice Allowed Date 2/17/22 Notice 2/17/22	70	 Image
02/28/2022	Plaintiff(s) Spencer Tatum, Gwendolyn Brown motion filed to compel Discovery responses	71	 Image
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03/01/2022	Event Result:: Motion Hearing scheduled on: 03/01/2022 03:00 PM Has been: Held via Video/Teleconference Hon. Douglas H Wilkins, Presiding Staff: Christine M Hayes, Assistant Clerk		

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03/16/2022	Endorsement on motion to compel (#71.0): discovery responses DENIED After hearing, the court denies the motion to the extent that it seeks post-2012 data or analysis. The documents are not likely to lead to the discovery of admissible evidence where (1) the issue is not intentional discrimination, but actual knowledge of a discriminatory impact and (2) though likely relevant to remedy, the first phase trial does not address remedy and there will be a phase 2 only if plaintiffs prevail in phase 1. Where the documents appear to be public documents and obtainable through a public records request, this ruling does not in any way suggest a ground for denying such a request. The parties have resolved the other previously contested aspects of this motion. (Wilkins, J) Dated: 3/11/22 Notice sent 3/14/22		 Image
03/31/2022	Attorney appearance On this date Matthew P Carrieri, Esq. added for Plaintiff Spencer Tatum		
03/31/2022	Attorney appearance On this date Matthew P Carrieri, Esq. added for Plaintiff Gwendolyn Brown		
03/31/2022	Attorney appearance On this date Matthew P Carrieri, Esq. added for Plaintiff Louis Rosario Jr		
03/31/2022	Attorney appearance On this date Matthew P Carrieri, Esq. added for Plaintiff Francisco Baez (As Amended)		
04/04/2022	Event Result:: Rule 16 Conference scheduled on: 04/04/2022 03:00 PM Has been: Held via Video/Teleconference Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
04/27/2022	Attorney appearance On this date Erica Morin, Esq. added for Defendant Comm of Mass		
04/27/2022	Attorney appearance On this date Erica Morin, Esq. added for Defendant Office of the Attorney Paul Dieti, Per Admr		
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04/27/2022	Affidavit of Robert Stroup	75	 Image
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05/05/2022	Endorsement on Motion to Extend the Time to Serve Replies to Motions in Limine and Pre -Trial Motion s to May 9th (#76.0): ALLOWED (dated 4/5/22)		
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05/10/2022	Opposition to To Defendants' Motion in Limine to Preclude Expert Testimony of Joel P Wiesen PhD filed by Plaintiffs (with exhibits A-C, exhibits not scanned)	78	 Image
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05/10/2022	Defendants Comm of Mass, Office of the Attorney Paul Dieti, Per Admr's Motion in Limine to Preclude Named Plaintiff Gwendolyn Brown, and any Boston Sub-Class Members she purports to Represent, from Recovering for the Boston Exams and Memorandum in Support (with exhibits 1-8, exhibits not scanned)	83	 Image
05/10/2022	Opposition to to Motion in Limine to Preclude Named Plaintiff Gwendolyn Brown, and any Boston Sub-Class Members she purports to Represent, from Recovering for the Boston Exams filed by Plaintiffs	84	 Image

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05/10/2022	Opposition to to Motion in limine to Preclude Spender Tatum form Recovery and to Strike him as a Named Plaintiff filed by Plaintiffs	90	 Image
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05/10/2022	Defendants Comm of Mass, Office of the Attorney Paul Dieti, Per Admr's Motion in limine to Bifurcate the Trial	92	 Image
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05/10/2022	Plaintiffs Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended)'s Motion in limine to Allow Introduction of Prior Court Filings in Which Defendant was a Party (with exhibits 1-6, exhibits not scanned)	96	 Image
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05/10/2022	Plaintiffs Comm of Mass, Office of the Attorney Paul Dieti, Per Admr's Motion in limine to Admit Relevant Newspaper Articles (with exhibits 1-4, exhibits not scanned)	98	 Image
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	Exclude Testimony Concerning Boston Police Department's 2014 Promotional Examination (with exhibits 1-2, exhibits not scanned)		
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05/10/2022	Reply/Sur-reply Plaintiffs' Reply in Support of Motions in Limine to Admit Prior Court Decisions, Court Filings, Expert Reports, and Newspaper Articles	108	 Image
05/12/2022	Endorsement on Motion for Admission Pro Hac Vice (#73.0): ALLOWED (dated 5/3/22) notice sent 5/6/22		 Image
05/12/2022	ORDER: re: Pro Hac Vice Admission of Robert H Stroup (see P#109) (dated 5/3/22) notice sent 5/6/22	109	 Image
05/13/2022	Event Result:: Motion Hearing scheduled on: 05/13/2022 02:00 PM Has been: Held as Scheduled Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
05/16/2022	Event Result:: Jury Waived Trial scheduled on: 06/06/2022 09:00 AM Has been: Rescheduled For the following reason: By Court prior to date Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
05/19/2022	Event Result:: Final Pre-Trial Conference scheduled on: 05/19/2022 02:00 PM Has been: Rescheduled For the following reason: By Court prior to date Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
05/27/2022	Event Result:: Jury Waived Trial scheduled on: 06/20/2022 09:00 AM Has been: Rescheduled For the following reason: By Court prior to date Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
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06/17/2022	Plaintiffs, Defendants Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended), Comm of Mass, Office of the Attorney Paul Dieti, Per Admr's Assented to Motion of Stephen Churchill to Withdraw His Appearance	111	 Image
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06/21/2022	Event Result:: Jury Waived Trial scheduled on: 06/21/2022 09:00 AM Has been: Held as Scheduled Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
06/22/2022	Event Result:: Jury Waived Trial scheduled on: 06/22/2022 09:00 AM Has been: Held as Scheduled Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
06/23/2022	Event Result:: Jury Waived Trial scheduled on: 06/23/2022 09:00 AM Has been: Held as Scheduled Hon. Douglas H Wilkins, Presiding		

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	Staff: Melissa Doris, Assistant Clerk Magistrate		
06/24/2022	Event Result:: Jury Waived Trial scheduled on: 06/24/2022 09:00 AM Has been: Held as Scheduled Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
06/27/2022	Plaintiff Spencer Tatum's Submission of Lopez Exhibits Marked at Trial, Volumes I-III with gaps	113	 Image
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07/21/2022	Defendants Comm of Mass, Office of the Attorney Paul Dieti, Per Admr's EMERGENCY Motion to continue Trial Date	115	 Image
07/22/2022	Event Result:: Motion Hearing scheduled on: 07/22/2022 02:00 PM Has been: Held as Scheduled Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
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08/08/2022	Defendants Comm of Mass's Motion for Directed Verdict filed DENIED. (dated 7/26/22) notice sent 8/08/22	116	 Image
09/15/2022	Proposed Filings/Orders		 Image
09/15/2022	Office of the Attorney Paul Dieti, Per Admr's Memorandum -- Post Trial Memorandum	117	 Image
09/15/2022	Pedro Lopez, Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended)'s Memorandum --Post Trial Memorandum	118	 Image
09/15/2022	Opposition to to HRD's Arguments Raised in is Motion for Directed Verdict filed by Plaintiffs	119	 Image
09/15/2022	Docket Note: Plaintiff to provide copy of efiled p#118 due to size		
09/30/2022	Event Result:: Jury Waived Trial scheduled on: 09/30/2022 02:00 PM Has been: Held via Video/Teleconference Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
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10/27/2022	Findings of Fact and Rulings of Law: on Phase I (liability). Judge: Wilkins, Hon. Douglas H	120	 Image
11/03/2022	Event Result:: Conference to Review Status scheduled on: 11/03/2022 10:00 AM Has been: Held via Video/Teleconference Hon. Douglas H Wilkins, Presiding Staff: Christine M Hayes, Assistant Clerk		
11/03/2022	ORDER: Scheduling Order See paper #121 (11/3/22) (Notice sent 11/4/22)	121	 Image
12/20/2022	Plaintiff Spencer Tatum's Notice of Filing		 Image
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	Plaintiff's Proposal of Options		
12/20/2022	Exhibits/Appendix		
	Defendants' Non Binding Response to Plaintiffs' Proposal for Injunctive Relief		Image
12/30/2022	Attorney appearance On this date Kay H Hodge, Esq. added for Other interested party City of Boston		
12/30/2022	Attorney appearance On this date John Matthew Simon, Esq. added for Other interested party City of Boston		
12/30/2022	Other Interested Party City of Boston's Motion of Quash Parties' Subpoenas for Documents	122	
12/30/2022	City of Boston's Memorandum in opposition to Motion to Quash Subpoenas for Documents	123	
12/30/2022	Opposition to to Motion to Quash Subpoenas filed by Plaintiffs	124	
01/03/2023	General correspondence regarding Letter to the Court from the Plaintiffs' requesting Judicial Notice	125	
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01/04/2023	ORDER: Order on Motion to Quash Rule 45 Subpoena (see P#126) Dated 1/4/23, notice sent by email	126	
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	Commonwealth of Massachusetts Human Resource Division' s Supplemental response to plaintiff's Proposal for Damage		Image
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03/06/2023	Proposed Filings/Orders		
	Plaintiffs' Proposed Findings of Fact on Remedy		Image
03/08/2023	ORDER: the final pre-trial conference scheduled for 3/10/23 @ 830AM will be conducted via Zoom. Staff: Melissa Doris, Assistant Clerk Magistrate	128	
03/09/2023	Conference Memorandum	129	
	Applies To: Tatum, Spencer (Plaintiff); Brown, Gwendolyn (Plaintiff); Rosario Jr, Louis (Plaintiff); Baez (As Amended), Francisco (Plaintiff); Comm of Mass (Defendant); Office of the Attorney Paul Dietl, Per Admr (Defendant)		Image
03/10/2023	Event Result:: Final Trial Conference scheduled on: 03/10/2023 08:30 AM Has been: Held as Scheduled Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
03/10/2023	Event Result:: Jury Waived Trial scheduled on: 03/20/2023 09:00 AM Has been: Rescheduled For the following reason: By Court prior to date Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
03/21/2023	ORDER: The jury-waived trial scheduled for 3/27/23 @ 9:00AM will be conducted via Zoom. Staff: Melissa Doris, Assistant Clerk Magistrate Judge: Wilkins, Hon. Douglas H	130	
03/23/2023	Event Result:: Conference to Review Status scheduled on: 03/23/2023 10:00 AM Has been: Held via Video/Teleconference Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		

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03/23/2023	Event Result:: Jury Waived Trial scheduled on: 03/27/2023 09:00 AM Has been: Canceled For the following reason: Case Settled Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
03/23/2023	ORDER: The settlement conference scheduled for 3/31/23 @ 10:00AM will be conducted via Zoom. Staff: Melissa Doris, Assistant Clerk Magistrate Judge: Wilkins, Hon. Douglas H	131	
03/31/2023	Event Result:: Hearing on Proposed Settlement scheduled on: 03/31/2023 10:00 AM Has been: Held via Video/Teleconference Comments: Held in Courtroom 313 C Session Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
03/31/2023	Settlement agreement filed, approved by the Court. (dated 3/31/23) Judge: Wilkins, Hon. Douglas H Applies To: Tatum, Spencer (Plaintiff); Brown, Gwendolyn (Plaintiff); Rosario Jr, Louis (Plaintiff); Baez (As Amended), Francisco (Plaintiff); Comm of Mass (Defendant)	132	 Image
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05/01/2023	Comm of Mass, Office of the Attorney Paul Dieti, Per Admr's Memorandum in opposition to Plaintiffs' Requested Injunctive Relief	134	 Image
05/08/2023	Response to Plaintiffs' Request for Attorneys' Fees and Costs filed by Comm of Mass, Office of the Attorney Paul Dieti, Per Admr	135	 Image
05/09/2023	Plaintiffs Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended)'s Submission of Supplemental Report Prior to Final Approval Hearing	136	 Image
05/10/2023	Event Result:: Hearing on Proposed Settlement scheduled on: 05/10/2023 11:00 AM Has been: Held as Scheduled Hon. Douglas H Wilkins, Presiding Staff: Melissa Doris, Assistant Clerk Magistrate		
05/11/2023	ORDER: Order Approving Class Action Settlement See paper #137 (Dated 5/11/23)	137	 Image
07/18/2023	Plaintiffs Spencer Tatum, Gwendolyn Brown, Louis Rosario Jr, Francisco Baez (As Amended)'s EMERGENCY Motion to Enforce The Settlement Agreement And/or For A Temporary Injunction	137.1	 Image
07/20/2023	Event Result:: Hearing on Preliminary Injunction scheduled on: 07/31/2023 03:00 PM Has been: Rescheduled For the following reason: Request of Defendant Hon. Rosemary Connolly, Presiding Staff: Paul Kenneally, Assistant Clerk		
07/31/2023	Opposition to Plaintiff's Motion for Preliminary Injunction filed by Comm of Mass, Office of the Attorney Paul Dieti, Per Admr	138	 Image
07/31/2023	Exhibits/Appendix Exhibit A		 Image
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08/01/2023	Event Result:: Hearing on Preliminary Injunction scheduled on: 08/02/2023 03:00 PM Has been: Rescheduled For the following reason: By Court prior to date Hon. Rosemary Connolly, Presiding Staff: Paul Kenneally, Assistant Clerk		
08/01/2023	Reply/Sur-reply Plaintiff's Reply in support of Emergency Motion to Enforce the Settlement Agreement and/or for a Temporary Injunction	139	 Image
08/01/2023	Exhibits/Appendix Exhibit A		 Image
08/02/2023	Event Result:: Hearing on Preliminary Injunction scheduled on: 08/02/2023 02:00 PM Has been: Held as Scheduled Hon. Rosemary Connolly, Presiding Staff: Paul Kenneally, Assistant Clerk		
08/10/2023	MEMORANDUM & ORDER: OF DECISION ON PLAINTIFFS' EMERGENCY MOTION TO ENFORCE THE SETTLEMENT AGREEMENT AND/OR FOR A TEMPORARY INJUNCTION: ORDER - For the foregoing reasons, Plaintiffs' Emergency Motion to Enforce the Settlement Agreement and/or for a Temporary Injunction is DENIED. Dated: August 10, 2023 (See P#140 for complete decision) Judge: Connolly, Hon. Rosemary Notice sent 08/10/23 Notice sent 8/10/23	140	 Image
08/15/2023	Other Interested Party Jonathan Blodgett, David Bettencourt, Michael Bettencourt, Mark Saia, Daniel Gagnon's Motion to Intervene Based upon the Court's Ruling denying the Plaintiff's Preliminary Injunction this Motion is DENIED. (Dated 8/14/2023) Notice sent 8/16/23	141	 Image
08/15/2023	Notice of appeal filed 8/14/23 Notice sent 8/15/23 Applies To: Tatum, Spencer (Plaintiff); Brown, Gwendolyn (Plaintiff); Rosario Jr, Louis (Plaintiff); Baez (As Amended), Francisco (Plaintiff)	142	 Image
09/05/2023	ORDER: VACATING SPECIAL ASSIGNMENT It is hereby ORDERED that the previous special assignment of the above-captioned case to the Honorable Douglas H. Wilkins (ret.), Associate Justice of the Superior Court, is vacated. The Clerk's office will notify all counsel of record. (Heidi E. Brieger, Chief Justice) Dated: August 24, 2023 Notice sent 9/5/23	143	 Image
09/05/2023	Notice of docket entry received from Appeals Court Please take note that on August 29, 2023, the following entry was made on the docket of the above-referenced case: ORDER RE#1: The plaintiffs have filed a petition, pursuant to pursuant to G. L. c. 231, s. 118, first par., seeking review of the 8/10/23 order of the Suffolk Superior Court denying their emergency motion to enforce the settlement agreement and/or for a temporary injunction requesting that the Human Resource Division be enjoined from excluding class members from taking its new examination in September 2023. After careful review of the petition, memorandum, supporting documents and the Commonwealth's response, the petition is denied. To obtain relief under G. L. c. 231, s. 118, first par., the petitioner faces a substantial burden and must demonstrate that the challenged order is the product of a clear error of law or an abuse of discretion. See Jet-Line Services, Inc. v. Board of Selectmen of Stoughton, 25 Mass App. Ct. 645, 646 (1988). In particular, when reviewing a trial court order denying a preliminary injunction, the single justice must exercise care not to substitute his or her judgment for that of the trial court judge when the record discloses reasoned support for the judge's action. See Edwin R. Sage Co. v. Foley, 12 Mass App. Ct. 20, 26 (1981). In civil cases where the moving party seeks to enjoin a government agency, the moving party must demonstrate a likelihood of success on the merits, whether it will suffer irreparable harm without the requested injunctive relief, and whether such harm outweighs any harm to the opposing party that would follow from the entry of the injunction. See Tri-Nel Mgt., Inc. v. Board of Health of Barnstable, 433 Mass 219, 219 (2001). The plaintiffs have not met their heavy burden. Based on the record before me, it does not appear that the Superior Court judge committed an error of law or abused her discretion when she denied their motion. Therefore, the petition is denied. (D'Angelo, J.). Notice/attest/Connolly, J. (FILED 8/29/23)	144	 Image

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
09/13/2023	Other Interested Party Rebekah Cook Mack (PHV Attorney for plaintiffs)'s Notice of Withdrawal of Appearance of Rebecca Cook-Mack		 Image

For Land Court only: Name search is currently unavailable. Case type and case number searches are available. For a Land Court name search, contact the Land Court Recorder's Office at 617-788-7470. We apologize for the inconvenience. ✖