

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE TRIAL COURT**

**District Court Department
Palmer Division**

BRIAN JOHNSON)
)
 PLAINTIFF)
)
 v.)
)
 PETER FREI)
)
 DEFENDANT)

COMPLAINT

1. The Plaintiff, Brian Johnson, is an individual residing at 63 Stafford Road, Holland, Hampden County, Massachusetts ("Johnson").

2. The Defendant, Peter Frei, is an individual residing at 101 Maybrook Road, Holland, Hampden County, Massachusetts ("Frei").

3. On February 19, 2011, Frei surreptitiously recorded Johnson and others by utilizing an audio recording device.

4. Frei surreptitiously recorded Johnson and others without informing Johnson or securing Johnson's permission.

MASSACHUSETTS TRIAL COURT
DISTRICT COURT DEPT.
PALMER DIVISION
2011 JUN -9 1 P 8:43
RECEIVED

COUNT I**Violation of Mass. General Laws, c. 272, §99**

5. Johnson repeats, realleges and reiterates the allegations contained in Paragraphs 1 through 4 as if fully set forth herein.

6. Frei's surreptitious recording of Johnson and others violated G.L. c. 272, §99.

7. As a result of Frei's violation of G.L. c. 272, §99, Johnson has suffered damages.

Brian Johnson, the Plaintiff, hereby requests that this Honorable Court:

1. Enter judgment in his favor on each Count in this Complaint;
 2. Award actual damages;
 3. Award punitive damages;
 4. Award reasonable attorney's fees and costs incurred in this matter;
- and

5. Award such other relief as this Court deems appropriate.

Respectfully submitted,

The Plaintiff,
Brian Johnson,
By his attorney,


Tani E. Sapirstein, Esq.
BBO No. 236850
Sapirstein & Sapirstein, P.C.
1350 Main St., 12th Floor
Springfield, MA 01103
Tel. (413) 827-7500
Fax (413) 827-7797

Dated: June 9, 2011

7/23/11

Uniform Form DCM-13

Summons

Commonwealth of Massachusetts
District Courts of Massachusetts

Hampden, ss
Brian Johnson
v.
Peter Frei

} Civil Action No. 1143CV293

SUMMONS

(Rule 4)

To defendant Peter Frei of 101 Maybrook Rd., Holland, MA
(name) (address)

You are hereby summoned and required to serve upon Tani E. Sapirstein, plaintiff's attorney, whose address is 1350 Main St. Springfield, MA 01103. If you fail to answer to the complaint which is herewith served upon you, within 20 days after service of this summons, exclusive of the day of service. You are also required to file your answer to the complaint in the office of the Clerk of this court either before service upon plaintiff's attorney, or within 5 days thereafter. If you fail to meet the above requirements, judgment by default may be rendered against you for the relief demand in the complaint. You need not appear personally in court to answer the complaint.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will be barred from making such claim in any other action.

WITNESS Patricia T. Poehler, Presiding Justice, on 6/10/11

(SEAL)

(date)
Clerk

- Note: (1) When more than one defendant is involved, the name of all defendants should appear in the action. If a separate summons is used for each defendant, each should be addressed to the particular defendant.
- (2) The number assigned to the complaint by the Clerk at commencement of the action should be affixed to this summons before it is served.

RETURN OF SERVICE

On [] I served a copy of the within summons, together with a copy of the



Office of the Sheriff

Hampden County • 1170 Main St. • P.O. Box 5005 • Springfield, MA 01101-5005 • (413) 732-5772

June 14, 2011

Hampden, ss I certify and return that on 6/13/2011 at 10:36AM I served a true and attested copy of the SUMMONS, COMPLAINT & STATEMENT OF DAMAGES in this action in the following manner: By leaving at the last and usual place of abode of PETER FREI, to wit: 101 MAYBROOK Road, HOLLAND, MA 01521, and by mailing 1st class to the above address on 6/13/2011. Attestation x 2 (\$10.00), Conveyance (\$4.50), Travel (\$17.28), Basic Service Fee (\$20.00), Mailing (\$3.00) Total Charges \$54.78

Deputy Sheriff DONALD P. CANTWELL

Donald P Cantwell

Deputy Sheriff

ATENCIÓN: Esta es una notificación oficial de la corte. Si usted no entiende el inglés, obtenga traducción.

