

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE TRIAL COURT

HAMPDEN, SS.

DISTRICT COURT DEPARTMENT
PALMER DIVISION
CIVIL ACTION NO. 1143CV0293

Brian Johnson,
Plaintiff

v.

Peter Frei,
Defendant

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**DEFENDANT'S AFFIDAVIT IN SUPPORT OF HIS OPPOSITION
TO AWARD OF PLAINTIFF'S ATTORNEY FEES.**

DECLARATION:

I Peter Frei declare and state:

1. My name is Peter Frei and I am the defendant in the above caption matter. The facts set out below are known to me personally and if called on I could testify to those facts under oath.
2. On March 20, 2013, at 12:26 p.m. I received a phone call from Mr. Michael Kennedy, a current selectman for the Town of Holland. He offered to meet with me privately and we did so about one hour later.
3. I spent two hours, from approximately 1:30 p.m. till 3:30 p.m., talking with Michael Kennedy at the Dunkin Donuts on 120 Main Street, Sturbridge, MA 01566.
4. During the conversation, I asked Mr. Kennedy whether he had knowledge of the fact that the Town of Holland was paying Brian

Johnson's legal fees or whether the other two selectmen were hiding this fact from him. Mr. Kennedy answered in the affirmative with a clear "Yes," and added that he would know now that it was a mistake to pay for Brian Johnson's legal fees.

I declare under penalty of perjury that the forgoing is true and correct.

Respectfully submitted,

March 27th, 2013

Peter Frei
101 Maybrook Road
Holland, MA 01521
Phone: (413) 245 4660

CERTIFICATE OF SERVICE:

I hereby certify that a true copy of the above document was served upon the Plaintiff by delivery by hand to his attorney, namely upon Sapirstein & Sapirstein, P.C., Tani E. Sapirstein, 1350 Main Street, 12th Floor, Springfield, MA 01103.

March 27th, 2013

Henry Rigali, BBO#420140
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