

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE TRIAL COURT

HAMPDEN, ss.

District Court Department
Palmer Division
Civil Action No.: 1143CV293

BRIAN JOHNSON

PLAINTIFF/
DEFENDANT-IN-COUNTERCLAIM

v.

PETER FREI

DEFENDANT/
PLAINTIFF-IN-COUNTERCLAIM

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PRETRIAL MEMORANDUM
OF PLAINTIFF/DEFENDANT-IN-COUNTERCLAIM

A. CLAIMS AND DEFENSES

Plaintiff/Defendant-in-Counterclaim:

There are no pending claims.

B. WITNESSES

Plaintiff/Defendant-in-Counterclaim:

Brian Johnson
c/o Tani Sapirstein, Esq.
Sapirstein & Sapirstein, P.C.
1331 Main Street, 2nd Floor
Springfield, MA 01103

Peter Frei
101 Maybrook Road
Holland, MA 01105

C. FACTS ESTABLISHED BY PLEADINGS, STIPULATION OR ADMISSION

Brian Johnson, Plaintiff/Defendant-in-Counterclaim, prevailed on his claim for violation of G.L. ch. 272, §99 at trial. The trial judge (Poehler, J.) directed a verdict in favor of Johnson. This decision was affirmed by the Appellate Division of the District Court but later reversed by the Appeals Court and remanded for trial.

D. ITEMIZED LIST OF SPECIALIZED DAMAGES, IF ANY

Plaintiff/Defendant-in-Counterclaim:

Costs of defense.

E. ESTIMATED LENGTH OF TRIAL

Plaintiff/Defendant-in-Counterclaim:

One (1) day.

F. CERTIFICATION BY COUNSEL THAT THEIR CLIENT(S) HAVE BEEN APPRISED OF ESTIMATED LITIGATION COSTS

Plaintiff/Defendant-in-Counterclaim:

Counsel for the Plaintiff/Defendant-in-Counterclaim, has apprised the Plaintiff/Defendant-in-Counterclaim of the estimated litigation costs.

Respectfully submitted,

The Plaintiff/Defendant-in-Counterclaim,
Brian Johnson,
By his attorney,

Tani E. Sapirstein
Tani E. Sapirstein, Esq.
BBO No. 236850
Sapirstein & Sapirstein, P.C.
1331 Main St., 2nd Floor
Springfield, MA 01103
Tel. (413) 827-7500
Fax (413) 827-7797

Dated: May 7, 2019

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above document was served upon the following via first class mail, postage prepaid, to:

Mr. Peter Frei
101 Maybrook Road
Holland, MA 01521

Dated: May 7, 2019

Tani E. Sapirstein
Tani E. Sapirstein