


<b>NOTICE TO THE PARTIES</b>		DOCKET NUMBER <b>2268SU000004</b>	<b>Trial Court of Massachusetts District Court Department</b>	
CASE NAME <b>Town of Bolton v. Alan DiPietro and Occupants</b>				
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF NOTICE IS ISSUED <b>Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740</b>			COURT NAME & ADDRESS <b>Clinton District Court 300 Boylston Street Clinton, MA 01510</b>	
<b>TO THE PARTIES TO THIS CASE:</b>				
<p>The enclosed indicates the Court's action in this matter.</p> <p>Plaintiff's Motion for Summary Judgment was ALLOWED on 2/16/23. Dennis P. Sargent, First Justice</p> <p>Please find enclosed Memorandum of Decision and Order on Plaintiff's Motion for Summary Judgment.</p> <p><b>**Judgments are being mailed in separate envelopes.</b></p>				
DATE ISSUED <b>February 21, 2023</b>		CLERK-MAGISTRATE/ASST. CLERK <b>Leonard F Tomaiolo</b>		

COMMONWEALTH OF MASSACHUSETTS  
DISTRICT COURT DEPARTMENT OF THE TRIAL COURT

WORCESTER, SS.

Clinton District Court  
No. 2268SU0004  
No. 2268SU0005  
No. 2268SU0006  
No. 2268SU0007  
No. 2268SU0008

\_\_\_\_\_  
TOWN OF BOLTON, )  
                  Plaintiff )  
                                  ) )  
vs.                                  ) )  
                                  ) )  
ALAN DIPIETRO and )  
OCCUPANTS          ) )  
                                  Defendants )  
\_\_\_\_\_) )

**MEMORANDUM OF DECISION AND ORDER ON  
PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT**

1. *Background.* On June 17, 2022, the Town of Bolton (“Plaintiff”), filed five Summary Process Complaints against Alan Dipietro and Occupants (“Defendant”), in the Clinton District Court. These five complaints involved five parcels of property owned by the defendant in the Town of Bolton, which the plaintiff executed and recorded instruments of taking/tax takings for unpaid real estate taxes. The plaintiff commenced and completed an action in the Massachusetts Land Court to foreclose the right to redeem the tax takings. The Land Court issued a foreclosure judgment transferring absolute title to the five properties to the Town of Bolton. The defendant filed with the Court a summary process legal brief, Statement of Material Facts, Defenses and Counterclaims,<sup>1</sup> Exhibit List, Exhibits and a Jury

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<sup>1</sup> On January 13, 2023, the defendant filed a copy of a Complaint for Declaratory Relief and Damages [JURY TRIAL DEMANDED] in the Clinton District Court, that he filed against the plaintiff, Town of Bolton, regarding the subject properties, in the United States District Court for the District of Massachusetts.

Request, consisting of twenty-six pages. The Exhibits submitted by the defendant were labeled A-Z, and AA -AZ, for a total of 52 Exhibits.

On September 9, 2022, a hearing was held in the Clinton District Court regarding these five summary process complaints. At this hearing the Court ordered any Motion for Summary Judgment must be filed with the Court by October 3, 2022. A hearing on the motion would be held on October 13, 2022. On September 29, 2022, the plaintiff filed a Motion for Summary Judgment on its summary process complaints for possession and on the defendant's counterclaims on the grounds that there are no genuine issues as to any material facts and the plaintiff is entitled to judgment as a matter of law. Both parties appeared at the October 13, 2022 hearing. The defendant opposed the motion at the hearing.

For the foregoing reasons, the Court **ALLOWS** the plaintiff's motion for summary judgment on all five summary process complaints for possession and on defendant's counterclaims.

2. Undisputed facts. The following facts necessary to resolve the legal issues raised in the motion for summary judgment are based on facts set forth in the record that the Court concludes are not in dispute.

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This federal action was filed on January 10, 2023. This federal lawsuit consists of six counts: (1) violation of the Fifth Amendment just compensation clause; (2) violation of the reasonable compensation clause of Part 1, Article X, of Massachusetts Declaration of Rights (G.L. c. 79 § 14); (3) violation of excessive fines clause under the Eighth Amendment; 42 U.S.C. § 1983; (4) violation of the excessive fines clause under Part 1, Article XXVI, of the Massachusetts Constitution's Declaration of Rights; (5) violation of equal taxation guarantee under Part 1, Article X, of the Massachusetts Constitution's Declaration of Rights; (6) Unjust Enrichment and (7) Declaration Relief Allegations (M.G.L. c. 231A § 1).

In *Tyler v. Hennepin County*, 26 F.4<sup>th</sup> 789 (8<sup>th</sup> Cir) (2022), *cert. granted*, 143 S.Ct. 644 (Jan.13, 2023), the Eighth Circuit Court of Appeals affirmed a judgment which allowed a Motion to Dismiss a case from the United States District Court for the District of Minnesota. This decision held that the county's retention of surplus equity from the county's tax foreclosure sale to satisfy delinquent property tax debt and retention of surplus equity did not violate the takings clause. This case is pending in the United States Supreme Court.

On June 20, 2014 Alan Dipietro (“Defendant”) acquired title/ownership of five properties located on Teele Road, known as 110 Teele Road in Bolton, Massachusetts through a deed recorded on June 23, 2014 in Book 52462, Page 364 at the Worcester District Registry of Deeds. See Exhibit A of Motion for Summary Judgment. These five properties are identified on the Town of Bolton Assessors’ records as parcel numbers 003.E-0000-0033.0, 004.E-0000-0043.0, 004.E-0000-0044.0, 004.E-0000-0045.0, and 004.E-0000-0046.0 (“the Properties”).

On September 8, 2017, the plaintiff placed a lien on four of the five properties by executing and recording an instrument of taking/tax taking for unpaid 2016 real estate taxes. On September 25, 2017, these tax takings were recorded at the Worcester District Registry of Deeds in Book 59271, Page 98, 99, 100 and 101. See Summary Judgment Motion, Exhibit B.

On July 13, 2018, the plaintiff placed a lien on the remaining fifth property by executing and recording an instrument of taking/tax taking for unpaid 2016 real estate taxes. On August 17, 2018, this tax taking was recorded at the Worcester District Registry of Deeds in Book 59271, Page 13. See Summary Judgment motion, Exhibit C.

On September 12, 2019, the plaintiff filed a complaint in the Massachusetts Land Court seeking to foreclose the defendant’s right to redeem the tax takings. The tax lien complaint was filed as case no. 19TL 001139. On December 6, 2019, a notice of filing complaint for the Land Court foreclosure case was recorded at the Worcester District Registry of Deeds in Book 61541, Page 239. See Summary Judgment motion, Exhibit D.

On December 14, 2021, the Land Court issued a foreclosure judgment transferring absolute title to the five properties to the plaintiff. On January 6, 2022, the foreclosure

judgment was recorded at the Worcester District Registry of Deeds in Book 66901, Page 304. See Summary Judgment motion, Exhibit E.

On April, 1, 2022, the defendant was served with notices to quit for the properties. See Summary Judgment motion, Exhibit F. On June 6, 2022, the defendant was served with five separate summary process summons and complaints for the subject properties. See Summary Judgment motion, Exhibit G. On June 17, 2022, the subject summary process actions were filed in the Clinton District Court as case numbers 2268SU0004, 2268SU0005, 2268SU0006, 2268SU0007, and 2268SU0008. On July 13, 2022, the defendant filed an answer in the five summary process cases and asserted a claim for a jury trial. See Summary Judgment motion, Exhibit H and defendant's summary process legal brief, Statement of Material Facts, Defenses and Counterclaims, Exhibit List, Exhibits and a Jury Request on September 30, 2022, consisting of twenty-six pages. The Exhibits submitted by the defendant were labeled A-Z, and AA -AZ, for a total of 52 Exhibits. The defendant continues to occupy the premises.

On July 13, 2022, the defendant filed discovery requests in all five subject cases consisting of interrogatories to be answered by the plaintiff and requests for production of documents. See Summary Judgment motion, Exhibit I. On July 26, 2022, the plaintiff filed its response to the defendant's interrogatories and requests for production of documents.

3. *Discussion.* a. *Summary Judgment standard.* The standard of review on summary judgment "is whether, viewing the evidence in the light most favorable to the non-moving party, all material facts have been established and the moving party is entitled to a judgment as a matter of law." *Augat, Inc. v. Liberty Mut. Ins. Co.*, 410 Mass. 117, 120 (1991). See Mass. R. Civ. P. 56 (c). In making the determination as to whether the moving party has

met his burden, the Court may consider the pleadings, depositions, answers to interrogatories, admissions, memoranda of law, and affidavits. *Community National Bank v. Dawes*, 369 Mass. 550, 553-56 (1976). An affidavit is not required to accompany a summary judgment motion. Mass. R. Civ. P. 56(e) (Evidence includes “pleadings, depositions, answers to interrogatories and responses to requests for admission ... Together with affidavits, if any ...”).

The “Court should grant a motion for summary judgment if there are genuine disputes of fact, as long as those disputes are not ‘material.’” *Hogan v. Riemer*, 35 Mass. App. Ct. 360, 364 (1993). “A fact is material if its relevant to the outcome of the case.” *Carey v. New England Organ Bank*, 446 Mass. 270, 278 (2006); and *Dennis v. Kaskel*, 79 Mass. App. Ct. 736, 741 (2011). “The Court does not pass upon credibility of witnesses or the weight of the evidence [or] make [its] own decision of facts. *Shawmut Worcester County Bank, N.A. v. Miller*, 398 Mass. 273, 281 (1986). *Ellis v. Safety Ins. Co.*, 41 Mass. App. Ct. 630, 632 (1996); and *Parent v. Stone & Webster Engr. Corp.*, 408 Mass. 108, 112-113 (1990). All evidentiary inferences must be resolved in favor of the non-moving party. See *Simplex Techs, Inc. v. Liberty Mut. Ins. Co.*, 429 Mass. 196, 197 (1999); *Ellis v. Safety Ins. Co.*, 41 Mass. App. Ct. at 632; and *Parent v. Stone & Webster Engr. Corp.*, 408 Mass. at 112-113.

Once the moving party meets its initial burden of proof, the burden shifts to the non-moving party “to show with admissible evidence the existence of a dispute as to material facts.” *Godbout v. Cousens*, 396 Mass. 254, 261 (1985); and *Ng Bros. Const., Inc. v. Craqneey*, 436 Mass. 638, 648 (2002). The non-moving party cannot meet this burden solely with “vague and general allegations of expected proof.” *Labrecque v. Parsons*, 74 Mass. App. Ct. 766, 768 (2009) (opposing party cannot rest on conclusory statements or bare

assertions); *Community National Bank v. Dawes*, 369 Mass. at 554; *Ng Brothers Construction, Inc. v Cranney*, 436 Mass. at 648 (“[a]n adverse party may not manufacture disputes by conclusory factual assertions; such attempts to establish issues of fact are not sufficient to defeat summary judgment”). In applying this standard to this case, the Court finds that the plaintiff has met his burden to show that there is no genuine issue of material fact in dispute and the plaintiff is entitled to a judgment as a matter of law for the reasons discussed *infra*.

b. *Tax Title Process*. A brief overview of the tax taking process provides context for this Summary Process case. “General Laws c. 60 allows municipalities to take tax title to a property following the nonpayment of property taxes as ‘security for the repayment of [the overdue] taxes.’ G. L. c. 60, § 54. Execution of an instrument of taking perfects the municipality’s tax lien on the property, ‘effectively transfer[ring] control of the property from the delinquent taxpayer to the city or town.’” *Tallage Lincoln, LLC v. Williams*, 485 Mass. 449, 463 (2020). Following a tax title taking, the taxpayer retains a statutory right to redeem – ‘an absolute right to regain title to the property upon payment of the full amount [owed], including taxes, fees, costs, and interest.’ *Id.* at 467, citing G. L. c. 60, § 62. If the right to redeem is not exercised within six months of the tax title taking, the municipality can begin proceedings to foreclose the right of redemption. G. L. c. 60, § 65.

“Once a petition for foreclosure is filed, the taxpayer is notified of the obligation to appear and answer the petition. G.L. c. 60, §§ 65, 66. The taxpayer’s failure to respond or redeem permits the assigned party to move to foreclose the taxpayer’s right of redemption. G.L. c. 60, § 67. If the court renders a judgment of foreclosure, ‘strict foreclosure’ results and the assigned [the municipality] takes absolute title to the property free and clear from

any and all encumbrances. *Ithaca Finance, LLC v. Leger*, 99 Mass. App. Ct. 368, 369 (2021), citing *Tallage v. Lincoln, LLC v. Williams*, 485 Mass. at 452, and G.L. c. 60, §§ 64, 69. Thus, if the taxpayer does not respond or fails to redeem the property within the statutory time period, the taxpayer risks judgment foreclosing the right of redemption. G. L. c. 60, § 69.” *Town of Bourne v. Coffey*, 101 Mass. App. Ct. 496, 498-499 (2022), *rev denied*, 490 Mass. 1107 (2022).

G.L. c. 60, § 69 states in part as follows:

If a default is entered under section sixty-seven, or if redemption is not made within the time and upon the terms fixed by the court under the preceding section, or if at the time fixed for the hearing the person claiming the right to redeem does not appear to urge his claim, or if upon hearing the court determines that the facts shown do not entitle him to redeem, a decree shall be entered which shall forever bar all rights of redemption ...

“Although G.L. c. 60, § 69, states that entry of the foreclosure judgment ‘shall forever bar all rights of redemption,’ the taxpayer may move to vacate the judgment if he or she pays the redemption amount, plus interest, within one year. G.L. c. 60, § 69A. After one year, the judgment is final and can be vacated only upon a showing of a denial of due process.” *Tallage v. Lincoln, LLC v. Williams*, 485 Mass. at 453; and *Ithaca Fin., LLC v. Lopez*, 95 Mass. App. Ct. 241, 243 (2019) (“Absent a showing of a due process violation, strict adherence to this one-year period is mandatory”). “This relief is ‘extraordinary in nature and ought to be granted only after careful consideration and in instances where [it is] required to accomplish justice.’” *Town of Ware v. Owners Unknown*, 99 Mass. App. Ct. 1116 (No. 20-P-685, March 19, 2021) (Unpublished Rule 23.0 Decision). “Notice is constitutionally sufficient if it is ‘reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their



objections.”” *Town of Ware v. Owners Unknown*, 99 Mass. App. Ct. 1116 (No. 20-P-685, March 19, 2021) (Unpublished Rule 23.0 Decision).

On December 14, 2021, the Massachusetts Land Court issued a foreclosure judgment pursuant to G.L. c. 60, § 69, ordering all rights of redemption, that the defendant may have under the statute, are forever foreclosed, and barred. See Summary Judgment motion Exhibit D. Here, this foreclosure judgment was entered by the Land Court after the defendant actively participated both *pro se* and through legal counsel. Based upon the summary judgment record before the Court -- in which there is no allegation made by the defendant that the plaintiff failed to comply with requirements of G.L. c 60 -- the Court finds the defendant has failed to demonstrate a violation of his rights to substantive or procedural due process. See, *Ithaca Finance, LLC v. Leger*, 99 Mass. App. Ct. 368 (2021) (vacating a Land Court order allowing a motion for relief from foreclosure judgment because the Appeals Court found that the taxpayer was afforded constitutionally acceptable notice of petition to foreclosure her right of redemption to the property).

The effect of this Land Court judgment, which bars the defendant’s rights of redemption, transfers absolute title to the property, that is, the judgment is a “strict foreclosure.” See *Town of Bourne v. Coffey*, 101 Mass. App. Ct. at 502 n.9<sup>2</sup>, *Johnson v. McMahon*, 344 Mass. 348 (1962) (If the land court enters a decree barring all rights of

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<sup>2</sup> This note states:

Judgment under G. L. c. 60, § 69, transfers absolute title to the property, a “strict foreclosure.” *Tallage Lincoln, LLC*, 485 Mass. at 452, 151 N.E.3d 344. “[T]his process is different in several important ways from a foreclosure by power of sale, which is how mortgage foreclosures generally proceed.” *Id.* “[A]fter a strict foreclosure, the taxpayer loses any equity he or she has accrued in the property, no matter how small the amount of taxes due or how large the amount of equity.” *Id.* at 453. The instant case illustrates this point. At the time the tax taking was executed, the total sum owed to the town was \$1,167.44, while the property was valued at \$258,000.

redemption under G.L. c. 60, § 69, the title of the town thereby becomes absolute under this section of the statute), and G.L. c. 60, § 64, entitled “absolute title after foreclosure.”<sup>3</sup> “Strict foreclosure ...does not involve any type of sale; rather, the foreclosure judgment extinguishes the taxpayer’s remaining interest in the property – the right of redemption – and converts the municipality’s .. tax title into absolute title. In addition, as previously noted, the foreclosing party takes title free and clear of all encumbrances, including mortgages and other liens. Consequently, after a strict foreclosure, the taxpayer loses any equity he or she has accrued in the property, no matter how small the amount of taxes due or how large the amount of equity.” *Tallage Lincoln, LLC v. Williams*, 485 Mass. at 452-453.

As such, the Court finds that the Town of Bolton has absolute title to the five properties in question under the provisions of G.L. c. 60, §§ 64 and 69 by virtue of the issuance of the foreclosure judgment duly recorded at the Worcester District Registry of Deeds.

c. *Plaintiff’s right to possession of the premises pursuant to G.L. c. 239, § 1 et seq.*

After the issuance of the foreclosure judgment by the Land Court, the plaintiff properly served the defendant with notices to quit for each of the five properties (“NTQs”) giving the defendant a deadline of thirty days from April 1, 2022 to vacate the properties. (See Summary Judgment motion, Exhibit F). The NTQs were issued by the plaintiff and served on the defendant for the sole purpose of taking possession of the properties. In accordance with G.L. c. 239, § 1, *et seq.*, “all that a post-foreclosure owner is required to do to recover

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<sup>3</sup> G.L. c. 60, § 64, states:

The title conveyed by a tax collector's deed or by a taking of land for taxes shall be absolute after foreclosure of the right of redemption by decree of the land court as provided in this chapter. The land court shall have exclusive jurisdiction of the foreclosure of all rights of redemption from titles conveyed by a tax collector's deed or a taking of land for taxes, in a proceeding provided for in sections sixty-five to seventy-five, inclusive.

possession of the foreclosed premises from a former owner who holds over after the foreclosure is to provide such former owner with some reasonable advance notice to vacate the premises and, if s/he fails to vacate within the specified period of time, to bring a summary process action pursuant to G.L. c. 239, § 1 *et seq.*” See *Town of Hull, Massachusetts v. William A. Travis*, 19H83PO2701PL, *Attorney General v. Dime Savings Bank of New York, FSB*, 413 Mass. 284, 291 (1992).

In this case, the defendant does not dispute the fact that the Land Court entered its judgment in accordance with Massachusetts Law, nor does he dispute that he did not have an opportunity to be heard in his case before the Land Court, which has exclusive jurisdiction over the foreclosure of rights of redemption. G.L. c. 60, § 64. The Court finds that the plaintiff has established its prima facie case for possession of all five properties through competent admissible evidence in the summary judgment record. “If a plaintiff makes a prima facie case, it is incumbent on a defendant to counter with his own affidavit or acceptable alternative demonstrating at least the existence of a genuine issue of material fact to avoid summary judgment.” *Federal National Mortgage Association v. Hendricks*, 463 Mass. 635, 642 (2012). The defendant has not pointed to any evidence in the summary judgment record sufficient to raise a genuine disputed issue of material fact regarding the plaintiff’s right to possession. Therefore, in accordance with G.L. c. 239, § 1 and G.L. c. 60, §§ 64 and 69, the Court finds that there is no genuine issue of material fact in dispute between the parties regarding the Land Court judgment and the plaintiff’s right to possession of the properties at issue.

d. *Defendant’s counterclaims.* Because the plaintiff acquired title to the five properties through a tax lien foreclosure judgment issued within the exclusive jurisdiction of the Land

Court to adjudicate the foreclosure and the foreclosure of the defendant's right of remediation, the Court finds the Town of Bolton has legal title to the premises. As such, the Court finds the defenses claimed in the defendant's answer (See Summary Judgment motion, Exhibit H) have no relevance to the five summary process cases pending before this Court.

The Court further finds that at no time has there been a landlord/tenant relationship between the Town of Bolton and the defendant. Because the Land Court has exclusive original jurisdiction of matters involving proceedings for foreclosure of and for redemption from tax titles under G.L. c. 60, *et seq.*, this Court does not have the authority to review the validity of the Town of Bolton's title to the five parcels of land acquired through the issuance of the foreclosure judgment in the Land Court via proceedings that are not alleged to have violated the applicable statutory process for the tax taking by the town and the foreclosure of the defendant's rights of redemption. At the motion hearing, the defendant acknowledged the Land Court judgment adhered to and was issued in accordance with G.L. c. 60, *et seq.*

Lastly, the defendant and his counsel in the Land Court proceedings were afforded every opportunity to challenge the validity, constitutionality and factual basis for the tax taking by the Town of Bolton and the foreclosure of the defendant's rights of redemption. No appeal has been entered regarding the Land Court judgment. Likewise, the defendant has not filed, as of the date of the hearing on this motion, a petition to vacate the foreclosure decree in the Land Court pursuant to G.L. c. 60, § 69. "On such a petition, the '[Land Court] decree may be vacated in the discretion of the court.'" See *Town of Bourne v. Coffey*, 101 Mass. App. Ct. at 499.

In conclusion, based upon the undisputed facts set forth in the summary judgment record, the Court rules as a matter of law that: (1) the plaintiff and defendant never previously

entered into a tenancy, either formally or informally, nor do they have such a relationship in which the defendant's counterclaims may apply; (2) the parties have never exchanged money or attempted to exchange money for use and occupancy. As a result, the defenses and counterclaims alleged by the defendant are not relevant to action pending before this Court; (3) the Town of Bolton complied with the requirements of G.L. c. 60 with regard to its tax taking of these five parcels of land and the foreclosure of the rights of redemption of the defendant; (4) that the defendant had the opportunity, either *pro se* or via counsel, to contest the validity of the town's tax takings and to contest the constitutionality of G.L. c. 60 before the Land Court entered its strict foreclosure decree; (5) the defendant did not timely avail himself of his right to appeal the Land Court foreclosure decree; (6) the defendant, after the foreclosure of his rights of redemption in the Land Court, failed to exercise his final opportunity to regain title to the five properties by filing a petition to vacate the foreclosure decree in the Land Court pursuant to G.L. c. 60, § 69; (7) the plaintiff is entitled to judgment of possession pursuant to G.L. c. 239, § 1, which provides that "if a tax title has been foreclosed by decree of the land court, ... the person entitled to the land [here the Town of Bolton] ... may recover possession thereof under this chapter." *Town of Salisbury v. Tomaselli*, 2020 WL 3445407, Appellate Division of the District Court Department, Northern District, Nestor, J. May 21, 2020, citing *Property Acquisition Group, LLC v. Ivester*, 95 Mass. App. Ct. 170 (2019); and *Singh v. 207-211 Main Street, LLC.*, 78 Mass. App. Ct. 901 (2010); and (8) the defenses and counterclaims filed by the defendant are not applicable and relevant to the plaintiff's summary process action for possession under G.L. c. 239, § 1.

Based upon the Summary Judgment record before the Court, the Court finds the plaintiff has shown that the defendant has no reasonable expectation of producing evidence that is necessary to establish each element of his counterclaims. The defendant has failed to provide concrete evidence that supports a contrary determination. See *Kourouvacilis v. Gen. Motors Corp.*, 410 Mass. 706, 716 (1991) and *Ng Bros. Const., Inc. v. Craqney*, 436 Mass. at 648. The defendant “cannot rest on conclusory statements or bare assertions.” *Labrecque v. Parsons*, 74 Mass. App. Ct. at 768. As such, the Court finds the plaintiff is entitled to summary judgment on the plaintiff’s claim for possession and on the defendant’s counterclaims.

### **ORDER FOR JUDGMENT**

Based upon all the credible evidence submitted as part of the summary judgment record and after considering the governing law, it is **ORDERED** that:

1. Judgment enters for the plaintiff, Town of Bolton, on all five complaints against the defendant, Alan DiPietro and Occupants on plaintiff’s claim for possession of the premises;
2. Judgment enters for the plaintiff, Town of Bolton, on the defendant, Alan DiPietro’s counterclaims;
3. Execution for possession shall issue to the plaintiff, Town of Bolton, in accordance with Uniform Summary Process Rule 13<sup>4</sup> and G.L. c. 239, §§ 5, 9 and 10,<sup>5</sup> and

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<sup>4</sup> Uniform Summary Process Rule 13, states: Execution shall issue upon application, but not prior to the termination of the time limits imposed by applicable law and by the relevant provisions of Rules 60 and 62 of the Massachusetts Rules of Civil Procedure.

<sup>5</sup> “Section 5 of Chapter 239 of the General Laws prohibits the issuance of execution in a summary process action prior to the expiration of ten days after the entry of judgment. If appeal is claimed, Mass. R. Civ. P.

4. In accordance with Mass. R. Civ. P. 42(c) these five summary process complaints are consolidated into one action under 2268SU004, because: (1) they all involve the same question of law and fact in the same district court division; (2) neither party will be prejudiced by the consolidation; and (3) such order is made to avoid unnecessary cost or delay to the parties. See also, *Unifund CCR Partners v. Mendel*, 2007 Mass. App. Div. 38.

2-16-23

Dated: February 16, 2023




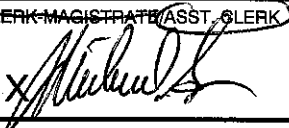
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Dennis P. Sargent  
First Justice  
Clinton District Court



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62(d) stays execution pending appeal.” See Uniform Summary Process Rule 13, Editor’s Notes  
COMENTARY.



“The provisions of G.L. c. 239, §§ 9 and 10 regarding application for stay for judgment and execution.” See  
Uniform Summary Process Rule 13, Editor’s Notes COMENTARY.



<b>JUDGMENT FOR PLAINTIFF(S) FOR POSSESSION AND RENT</b>		DOCKET NUMBER <b>2268SU000004</b>	<b>Trial Court of Massachusetts District Court Department Summary Process Session</b>	
Town of Bolton v. Alan DiPietro and Occupants				
SUBJECT PREMISES 110 Teele Road , Bolton, MA 01740				
PLAINTIFF(S) WHO ARE PARTIES TO THIS JUDGMENT Town of Bolton			COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510	
DEFENDANT(S) WHO ARE PARTIES TO THIS JUDGMENT Alan DiPietro and Occupants			NEXT COURT EVENT (IF ANY) <b>No Future Event Scheduled</b>	
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF JUDGMENT IS ISSUED Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740			FURTHER ORDERS OF THE COURT Judgment is for possession of the premises only.	
<b>JUDGMENT FOR PLAINTIFF(S) FOR POSSESSION AND RENT</b>				
On the above action , by summary judgment, the issues having been duly tried or heard, and a finding or verdict having been duly rendered, IT IS ORDERED AND ADJUDGED by the Court (Hon. Dennis P Sargent ) that the plaintiff(s) named above recover of the Defendant(s) named above possession of the subject premises shown above and, for unpaid rent, use and occupation, the "Judgment Total" shown below plus other costs as may be taxed pursuant to law, with postjudgment interest thereon pursuant to G.L. c. 235, § 8 at the "Annual Interest Rate" shown below from the "Date Judgment Entered" shown below until the date of payment.				
<b>NOTICE OF ENTRY OF JUDGMENT</b>				
Pursuant to Mass. R. Civ. P. 54, 58, 77(d) and 79(a) and Uniform Summary Process Rule 10(d), this Judgment has been entered on the docket on the "Date Judgment Entered" shown below, and this notice is being sent to all parties.				
1. Date of Breach, Demand or Complaint			06/17/2022	
2. Date Judgment Entered			02/21/2023	
3. Number of Days of Prejudgment Interest (line 2 - Line1)			249	
4. Annual Interest Rate of 0.00/365.25 = Daily Interest rate			.000000	
5. Single Damages			\$	
6. Prejudgment Interest (lines 3x4x5)			\$	
7. Double or Treble Damages Awarded by Court (where authorized by law)			\$	
8. Costs Awarded by Court			\$.00	
9. Attorney Fees Awarded by Court (where authorized by law)			\$	
10. <b>JUDGMENT TOTAL PAYABLE TO PLAINTIFF(S)</b> (Lines 5+6+7+8+9)			<b>\$0.00</b>	
DATE JUDGMENT ENTERED 02/21/2023	<small>CLERK MAGISTRATE/ASST. CLERK</small> 			


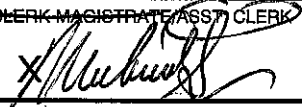




<b>JUDGMENT FOR PLAINTIFF(S) ON COUNTERCLAIM</b>		DOCKET NUMBER <b>2268SU000004</b>	<b>Trial Court of Massachusetts District Court Department Summary Process Session</b>	
CASE NAME Town of Bolton v. Alan DiPietro and Occupants				
SUBJECT PREMISES 110 Teele Road , Bolton, MA 01740				
DEFENDANT(S) BRINGING COUNTERCLAIM  Alan DiPietro and Occupants			COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510	
PLAINTIFF(S) AGAINST WHOM COUNTERCLAIM WAS BROUGHT  Town of Bolton			NEXT COURT EVENT (IF ANY)  <b>No Future Event Scheduled</b>	
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF JUDGMENT IS ISSUED Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740			FURTHER ORDERS OF THE COURT	
<b>JUDGMENT FOR PLAINTIFF(S) ON COUNTERCLAIM</b>				
On the counterclaim brought by the Defendant(s) named above against the Plaintiff(s) named above, by summary judgment, the issues having been duly tried or heard, and a finding or verdict having been duly rendered, IT IS ORDERED AND ADJUDGED by the Court (Hon. Dennis P Sargent) that judgment enter in favor of the Plaintiff(s) named above, that the Defendant(s) named above take nothing, and that the Plaintiff(s) recover of the Defendant(s) his(her)(their) costs pursuant to law.				
<b>NOTICE OF ENTRY OF JUDGMENT</b>				
Pursuant to Mass. R. Civ. P. 54, 58, 77(d) and 79(a), this Judgment has been entered on the docket on the "Date Judgment Entered" shown below, and this notice is being sent to all parties.				
DATE JUDGMENT ENTERED 02/21/2023		 CLERK-MAGISTRATE/ASST. CLERK		



<b>JUDGMENT FOR PLAINTIFF(S) FOR POSSESSION AND RENT</b>		DOCKET NUMBER <b>2268SU000005</b>	<b>Trial Court of Massachusetts District Court Department Summary Process Session</b>	
Town of Bolton v. Alan DiPietro and Occupants				
SUBJECT PREMISES 110 Teele Road , Bolton, MA 01740				
PLAINTIFF(S) WHO ARE PARTIES TO THIS JUDGMENT Town of Bolton			COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510	
DEFENDANT(S) WHO ARE PARTIES TO THIS JUDGMENT Alan DiPietro and Occupants			NEXT COURT EVENT (IF ANY) <b>No Future Event Scheduled</b>	
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF JUDGMENT IS ISSUED Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740			FURTHER ORDERS OF THE COURT Judgment is for possession of the premises only.	
<b>JUDGMENT FOR PLAINTIFF(S) FOR POSSESSION AND RENT</b>				
On the above action , by summary judgment, the issues having been duly tried or heard, and a finding or verdict having been duly rendered, IT IS ORDERED AND ADJUDGED by the Court (Hon. Dennis P Sargent ) that the plaintiff(s) named above recover of the Defendant(s) named above possession of the subject premises shown above and, for unpaid rent, use and occupation, the "Judgment Total" shown below plus other costs as may be taxed pursuant to law, with postjudgment interest thereon pursuant to G.L. c. 235, § 8 at the "Annual Interest Rate" shown below from the "Date Judgment Entered" shown below until the date of payment.				
<b>NOTICE OF ENTRY OF JUDGMENT</b>				
Pursuant to Mass. R. Civ. P. 54, 58, 77(d) and 79(a) and Uniform Summary Process Rule 10(d), this Judgment has been entered on the docket on the "Date Judgment Entered" shown below, and this notice is being sent to all parties.				
1. Date of Breach, Demand or Complaint			06/17/2022	
2. Date Judgment Entered			02/21/2023	
3. Number of Days of Prejudgment Interest (line 2 - Line1)			249	
4. Annual Interest Rate of 0.00/365.25 = Daily Interest rate			.000000	
5. Single Damages			\$	
6. Prejudgment Interest (lines 3x4x5)			\$	
7. Double or Treble Damages Awarded by Court (where authorized by law)			\$	
8. Costs Awarded by Court			\$.00	
9. Attorney Fees Awarded by Court (where authorized by law)			\$	
10. <b>JUDGMENT TOTAL PAYABLE TO PLAINTIFF(S)</b> (Lines 5+6+7+8+9)			\$0.00	
DATE JUDGMENT ENTERED 02/21/2023	CLERK/MAGISTRATE/ASST. CLERK 			


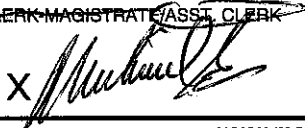
<b>JUDGMENT FOR PLAINTIFF(S) ON COUNTERCLAIM</b>		DOCKET NUMBER <b>2268SU000005</b>	<b>Trial Court of Massachusetts District Court Department Summary Process Session</b>	
CASE NAME Town of Bolton v. Alan DiPietro and Occupants				
SUBJECT PREMISES 110 Teele Road , Bolton, MA 01740				
DEFENDANT(S) BRINGING COUNTERCLAIM  Alan DiPietro and Occupants			COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510	
PLAINTIFF(S) AGAINST WHOM COUNTERCLAIM WAS BROUGHT  Town of Bolton			NEXT COURT EVENT (IF ANY)  <b>No Future Event Scheduled</b>	
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF JUDGMENT IS ISSUED Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740			FURTHER ORDERS OF THE COURT	
<b>JUDGMENT FOR PLAINTIFF(S) ON COUNTERCLAIM</b>				
On the counterclaim brought by the Defendant(s) named above against the Plaintiff(s) named above, by summary judgment, the issues having been duly tried or heard, and a finding or verdict having been duly rendered, IT IS ORDERED AND ADJUDGED by the Court (Hon. Dennis P Sargent) that judgment enter in favor of the Plaintiff(s) named above, that the Defendant(s) named above take nothing, and that the Plaintiff(s) recover of the Defendant(s) his(her)(their) costs pursuant to law.				
<b>NOTICE OF ENTRY OF JUDGMENT</b>				
Pursuant to Mass. R. Civ. P. 54, 58, 77(d) and 79(a), this Judgment has been entered on the docket on the "Date Judgment Entered" shown below, and this notice is being sent to all parties.				
DATE JUDGMENT ENTERED 02/21/2023		 <small>CLERK-MAGISTRATE/ASST. CLERK</small>		

<b>JUDGMENT FOR PLAINTIFF(S) FOR POSSESSION AND RENT</b>		DOCKET NUMBER <b>2268SU000006</b>	<b>Trial Court of Massachusetts District Court Department Summary Process Session</b>	
Town of Bolton v. Alan DiPietro and Occupants				
SUBJECT PREMISES 110 Teele Road , Bolton, MA 01740				
PLAINTIFF(S) WHO ARE PARTIES TO THIS JUDGMENT Town of Bolton			COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510	
DEFENDANT(S) WHO ARE PARTIES TO THIS JUDGMENT Alan DiPietro and Occupants			NEXT COURT EVENT (IF ANY) <b>No Future Event Scheduled</b>	
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF JUDGMENT IS ISSUED Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740			FURTHER ORDERS OF THE COURT Judgment is for possession of the premises only.	
<b>JUDGMENT FOR PLAINTIFF(S) FOR POSSESSION AND RENT</b>				
On the above action , by summary judgment, the issues having been duly tried or heard, and a finding or verdict having been duly rendered, IT IS ORDERED AND ADJUDGED by the Court (Hon. Dennis P Sargent ) that the plaintiff(s) named above recover of the Defendant(s) named above possession of the subject premises shown above and, for unpaid rent, use and occupation, the "Judgment Total" shown below plus other costs as may be taxed pursuant to law, with postjudgment interest thereon pursuant to G.L. c. 235, § 8 at the "Annual Interest Rate" shown below from the "Date Judgment Entered" shown below until the date of payment.				
<b>NOTICE OF ENTRY OF JUDGMENT</b>				
Pursuant to Mass. R. Civ. P. 54, 58, 77(d) and 79(a) and Uniform Summary Process Rule 10(d), this Judgment has been entered on the docket on the "Date Judgment Entered" shown below, and this notice is being sent to all parties.				
1. Date of Breach, Demand or Complaint			06/17/2022	
2. Date Judgment Entered			02/21/2023	
3. Number of Days of Prejudgment Interest (line 2 - Line1)			249	
4. Annual Interest Rate of 0.00/365.25 = Daily Interest rate			.000000	
5. Single Damages			\$	
6. Prejudgment Interest (lines 3x4x5)			\$	
7. Double or Treble Damages Awarded by Court (where authorized by law)			\$	
8. Costs Awarded by Court			\$.00	
9. Attorney Fees Awarded by Court (where authorized by law)			\$	
10. <b>JUDGMENT TOTAL PAYABLE TO PLAINTIFF(S)</b> (Lines 5+6+7+8+9)			<b>\$0.00</b>	
DATE JUDGMENT ENTERED <b>02/21/2023</b>		CLERK/MAGISTRATE/ASST. CLERK 		


<b>JUDGMENT FOR PLAINTIFF(S) ON COUNTERCLAIM</b>		DOCKET NUMBER <b>2268SU000006</b>	<b>Trial Court of Massachusetts District Court Department Summary Process Session</b>	
CASE NAME Town of Bolton v. Alan DiPietro and Occupants				
SUBJECT PREMISES 110 Teele Road , Bolton, MA 01740				
DEFENDANT(S) BRINGING COUNTERCLAIM  Alan DiPietro and Occupants			COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510	
PLAINTIFF(S) AGAINST WHOM COUNTERCLAIM WAS BROUGHT  Town of Bolton			NEXT COURT EVENT (IF ANY)  <b>No Future Event Scheduled</b>	
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF JUDGMENT IS ISSUED Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740			FURTHER ORDERS OF THE COURT	
<b>JUDGMENT FOR PLAINTIFF(S) ON COUNTERCLAIM</b>				
On the counterclaim brought by the Defendant(s) named above against the Plaintiff(s) named above, by summary judgment, the issues having been duly tried or heard, and a finding or verdict having been duly rendered, IT IS ORDERED AND ADJUDGED by the Court (Hon. Dennis P Sargent) that judgment enter in favor of the Plaintiff(s) named above, that the Defendant(s) named above take nothing, and that the Plaintiff(s) recover of the Defendant(s) his(her)(their) costs pursuant to law.				
<b>NOTICE OF ENTRY OF JUDGMENT</b>				
Pursuant to Mass. R. Civ. P. 54, 58, 77(d) and 79(a), this Judgment has been entered on the docket on the "Date Judgment Entered" shown below, and this notice is being sent to all parties.				
DATE JUDGMENT ENTERED 02/21/2023		CLERK/MAGISTRATE/ASST. CLERK 		

<b>JUDGMENT FOR PLAINTIFF(S) FOR POSSESSION AND RENT</b>		DOCKET NUMBER <b>2268SU000007</b>	<b>Trial Court of Massachusetts District Court Department Summary Process Session</b>	
Town of Bolton v. Alan DiPietro and Occupants				
SUBJECT PREMISES 110 Teele Road , Bolton, MA 01740				
PLAINTIFF(S) WHO ARE PARTIES TO THIS JUDGMENT Town of Bolton			COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510	
DEFENDANT(S) WHO ARE PARTIES TO THIS JUDGMENT Alan DiPietro and Occupants			NEXT COURT EVENT (IF ANY) <b>No Future Event Scheduled</b>	
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF JUDGMENT IS ISSUED Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740			FURTHER ORDERS OF THE COURT Judgment is for possession of the premises only.	
<b>JUDGMENT FOR PLAINTIFF(S) FOR POSSESSION AND RENT</b>				
On the above action , by summary judgment, the issues having been duly tried or heard, and a finding or verdict having been duly rendered, IT IS ORDERED AND ADJUDGED by the Court (Hon. Dennis P Sargent ) that the plaintiff(s) named above recover of the Defendant(s) named above possession of the subject premises shown above and, for unpaid rent, use and occupation, the "Judgment Total" shown below plus other costs as may be taxed pursuant to law, with postjudgment interest thereon pursuant to G.L. c. 235, § 8 at the "Annual Interest Rate" shown below from the "Date Judgment Entered" shown below until the date of payment.				
<b>NOTICE OF ENTRY OF JUDGMENT</b>				
Pursuant to Mass. R. Civ. P. 54, 58, 77(d) and 79(a) and Uniform Summary Process Rule 10(d), this Judgment has been entered on the docket on the "Date Judgment Entered" shown below, and this notice is being sent to all parties.				
1. Date of Breach, Demand or Complaint			06/17/2022	
2. Date Judgment Entered			02/21/2023	
3. Number of Days of Prejudgment Interest (line 2 - Line1)			249	
4. Annual Interest Rate of 0.00/365.25 = Daily Interest rate			.000000	
5. Single Damages			\$	
6. Prejudgment Interest (lines 3x4x5)			\$	
7. Double or Treble Damages Awarded by Court (where authorized by law)			\$	
8. Costs Awarded by Court			\$0.00	
9. Attorney Fees Awarded by Court (where authorized by law)			\$	
10. <b>JUDGMENT TOTAL PAYABLE TO PLAINTIFF(S)</b> (Lines 5+6+7+8+9)			<b>\$0.00</b>	
DATE JUDGMENT ENTERED 02/21/2023	CLERK-MAGISTRATE/ASST. CLERK 			

<b>JUDGMENT FOR PLAINTIFF(S) ON COUNTERCLAIM</b>		DOCKET NUMBER <b>2268SU000007</b>	<b>Trial Court of Massachusetts District Court Department Summary Process Session</b>	
CASE NAME Town of Bolton v. Alan DiPietro and Occupants				
SUBJECT PREMISES 110 Teele Road , Bolton, MA 01740				
DEFENDANT(S) BRINGING COUNTERCLAIM  Alan DiPietro and Occupants			COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510	
PLAINTIFF(S) AGAINST WHOM COUNTERCLAIM WAS BROUGHT  Town of Bolton			NEXT COURT EVENT (IF ANY)  <b>No Future Event Scheduled</b>	
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF JUDGMENT IS ISSUED Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740			FURTHER ORDERS OF THE COURT	
<p><b>JUDGMENT FOR PLAINTIFF(S) ON COUNTERCLAIM</b></p> <p>On the counterclaim brought by the Defendant(s) named above against the Plaintiff(s) named above, by summary judgment, the issues having been duly tried or heard, and a finding or verdict having been duly rendered, IT IS ORDERED AND ADJUDGED by the Court (Hon. Dennis P Sargent) that judgment enter in favor of the Plaintiff(s) named above, that the Defendant(s) named above take nothing, and that the Plaintiff(s) recover of the Defendant(s) his(her)(their) costs pursuant to law.</p> <p><b>NOTICE OF ENTRY OF JUDGMENT</b></p> <p>Pursuant to Mass. R. Civ. P. 54, 58, 77(d) and 79(a), this Judgment has been entered on the docket on the "Date Judgment Entered" shown below, and this notice is being sent to all parties.</p>				
DATE JUDGMENT ENTERED 02/21/2023		CLERK/MAGISTRATE/ASST. CLERK 		

<b>JUDGMENT FOR PLAINTIFF(S) FOR POSSESSION AND RENT</b>		DOCKET NUMBER <b>2268SU000008</b>	<b>Trial Court of Massachusetts District Court Department Summary Process Session</b>	
Town of Bolton v. Alan DiPietro and Occupants				
SUBJECT PREMISES 110 Teele Road , Bolton, MA 01740				
PLAINTIFF(S) WHO ARE PARTIES TO THIS JUDGMENT Town of Bolton			COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510	
DEFENDANT(S) WHO ARE PARTIES TO THIS JUDGMENT Alan DiPietro and Occupants			NEXT COURT EVENT (IF ANY) <b>No Future Event Scheduled</b>	
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF JUDGMENT IS ISSUED Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740			FURTHER ORDERS OF THE COURT Judgment is for possession of the premises only.	
<b>JUDGMENT FOR PLAINTIFF(S) FOR POSSESSION AND RENT</b>				
On the above action , by summary judgment, the issues having been duly tried or heard, and a finding or verdict having been duly rendered, IT IS ORDERED AND ADJUDGED by the Court (Hon. Dennis P Sargent ) that the plaintiff(s) named above recover of the Defendant(s) named above possession of the subject premises shown above and, for unpaid rent, use and occupation, the "Judgment Total" shown below plus other costs as may be taxed pursuant to law, with postjudgment interest thereon pursuant to G.L. c. 235, § 8 at the "Annual Interest Rate" shown below from the "Date Judgment Entered" shown below until the date of payment.				
<b>NOTICE OF ENTRY OF JUDGMENT</b>				
Pursuant to Mass. R. Civ. P. 54, 58, 77(d) and 79(a) and Uniform Summary Process Rule 10(d), this Judgment has been entered on the docket on the "Date Judgment Entered" shown below, and this notice is being sent to all parties.				
1. Date of Breach, Demand or Complaint			06/17/2022	
2. Date Judgment Entered			02/21/2023	
3. Number of Days of Prejudgment Interest (line 2 - Line1)			249	
4. Annual Interest Rate of 0.00/365.25 = Daily Interest rate			.000000	
5. Single Damages			\$	
6. Prejudgment Interest (lines 3x4x5)			\$	
7. Double or Treble Damages Awarded by Court (where authorized by law)			\$	
8. Costs Awarded by Court			\$0.00	
9. Attorney Fees Awarded by Court (where authorized by law)			\$	
10. <b>JUDGMENT TOTAL PAYABLE TO PLAINTIFF(S)</b> (Lines 5+6+7+8+9)			<b>\$0.00</b>	
DATE JUDGMENT ENTERED 02/21/2023		CLERK-MAGISTRATE/ASST. CLERK 		



<b>JUDGMENT FOR PLAINTIFF(S) ON COUNTERCLAIM</b>		DOCKET NUMBER <b>2268SU000008</b>	<b>Trial Court of Massachusetts District Court Department Summary Process Session</b>	
CASE NAME Town of Bolton v. Alan DiPietro and Occupants				
SUBJECT PREMISES 110 Teele Road , Bolton, MA 01740				
DEFENDANT(S) BRINGING COUNTERCLAIM  Alan DiPietro and Occupants			COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510	
PLAINTIFF(S) AGAINST WHOM COUNTERCLAIM WAS BROUGHT  Town of Bolton			NEXT COURT EVENT (IF ANY)  <b>No Future Event Scheduled</b>	
ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF JUDGMENT IS ISSUED Alan DiPietro and Occupants 110 Teele Road a/k/a Teele Road Bolton, MA 01740			FURTHER ORDERS OF THE COURT	

**JUDGMENT FOR PLAINTIFF(S) ON COUNTERCLAIM**

On the counterclaim brought by the Defendant(s) named above against the Plaintiff(s) named above, by summary judgment, the issues having been duly tried or heard, and a finding or verdict having been duly rendered, IT IS ORDERED AND ADJUDGED by the Court (Hon. Dennis P Sargent) that judgment enter in favor of the Plaintiff(s) named above, that the Defendant(s) named above take nothing, and that the Plaintiff(s) recover of the Defendant(s) his(her)(their) costs pursuant to law.

**NOTICE OF ENTRY OF JUDGMENT**

Pursuant to Mass. R. Civ. P. 54, 58, 77(d) and 79(a), this Judgment has been entered on the docket on the "Date Judgment Entered" shown below, and this notice is being sent to all parties.

DATE JUDGMENT ENTERED 02/21/2023	<del>CLERK/MAGISTRATE/ASST. CLERK</del> 
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