



**THE COMMONWEALTH OF MASSACHUSETTS  
AUTO DAMAGE APPRAISER LICENSING BOARD**

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MITT ROMNEY  
GOVERNOR

KERRY HEALEY  
LIEUTENANT GOVERNOR

GILBERT W. COX, JR.  
CHAIRMAN

BRUCE S. KING  
DONALD R. SPINELLI  
STEPHEN R. TAGUE  
JOSEPH A. VALARIOTI

## **Minutes of Meeting**

### **Auto Damage Appraisers Licensing Board – January 30, 2006 Marlboro, MA**

#### **Members Present:**

Gilbert W. Cox, Jr., Chairman	Law Offices of Gilbert W. Cox
Bruce S. King	King Collision
Donald R. Spinelli	MetLife
Stephen R. Tague	One Beacon
Joe S. Valarioti	Central Auto Rebuilders
Richard Cody	Counsel to the Board
Yvonne Torres	Secretary

#### **Proceedings recorded by:**

John Joyce of Commerce Ins. Co. (Audio/Video)  
Thomas Colo (Audio/Video)  
Bruce King, Board member (audio)  
Transcription by Leslie D'Amelia, Dunn & Goudreau Court Reporting  
617-742-6900

#### **Approval of Minutes**

Spinelli moved to accept minutes of December 14, 2005. Seconded by King.  
Passed 4-0

#### **Report on licenses**

**5,251** Active Licenses; **237** pending renewal; **2** Temporary License  
[William Ernest McGrath – T00024]; **51** individuals are on the list for Part II;  
**10** retakes for Part I; **70** applications pending Part I examination results

#### **Informal Hearings**

##### **2005-15 – Bazinet v. Diesi and Commerce**

Due to an administrative error, the Board requested that this case be reassigned a new number and sent out for response. It was also requested that this item be placed on the agenda for next month.

##### **2005-02 – Marenghi v. Rawson**

Motion to dismiss by Don Spinelli. Seconded by Tague. Passed 4-0.

## **Step 2 Complaints**

### **2005-14 – Paul G. Bazinet v. Ricci A. Tomassetti**

Issue: Was there negotiation on body materials?

Spinelli moved to dismiss. Tague seconded. 2-2 (Chairman votes in the negative). No dismissal.

Valarioti moved to go to informal, seconded by King. 2-2 (Chairman voted in the affirmative).

A date was not set. A date will be determined at the next meeting.

### **2005-24 – Marenghi v. Utarro**

Donald Spinelli moved that letter be sent out to issue to obtain outcome of their investigation, if any.

Valarioti seconded. Passed 4-0. Matter postponed.

### **2005-25 – Smoot v. Uttaro**

Tague recused himself from voting on this matter. Spinelli moved that a letter be sent to the Fraud Department of OneBeacon requesting the outcome of their investigation. King seconded. Passed 3-0

### **2005-26 – Bazinet v. Diesi and Commerce**

Spinelli moved to have an informal hearing. Seconded by Valarioti.

Passed 4-0. Hearing will be scheduled for February 27<sup>th</sup>.

### **2005-27 – Bazinet v. Diesi and Commerce**

King moved to informal. Seconded by Valarioti

Passed 4-0 – Hearing will be scheduled for February 27<sup>th</sup>.

### **2005-30 – Magri v. McCrillis**

Spinelli moved to dismiss. Seconded by King.

Passed 3-0

### **2005-36 – Magri v. Poplaski**

Spinelli moves to dismiss. Motion failed due to discussion over issue.

King moves to informal. Valarioti seconded. Passed 4-0.

This matter will be scheduled for March 27<sup>th</sup>

### **2005-28 – Magri v. McCrillis**

Spinelli moved to dismiss. King seconded. Passed 3-1. Matter dismissed.

### **2005-29 – Magri v. McCrillis**

Motion to dismiss by Spinelli. Seconded by Tague. Vote 2-2; Chairman voted in the affirmative and matter was dismissed and disposed.

### **2005-31 – Magri v. McCrillis, Clark and Rando**

King moved to informal and requested that we obtain related documentations.

Seconded by Tague. Passed 4-0. This matter will be scheduled for March 27<sup>th</sup>

and the supporting material will be reviewed at the next meeting on February 27<sup>th</sup>.

### **2005-32 – Magri v. Poplaski**

King moved to informal. Seconded by Valarioti. Passed 4-0.

This matter will be scheduled at the next meeting.

### **2005-33 – Magri v. McCrillis**

Valarioti moved to hold informal. Seconded by King. Vote 2-2; Chairman voted in the affirmative. Informal hearing will be scheduled at the next meeting.

**2005-34 – Magri v. McCrillis**

Motion by Valarioti to hold an informal. Seconded by King. Vote 2-2; Chairman voted in the Affirmative. Informal hearing will be scheduled at the next meeting.

**2005-35 – Magri v. Poplaski**

Valarioti moved to hold an informal. King seconded. Passed 3-1.  
Informal hearing will be scheduled at the next meeting.

**2005-37 – Betley v. Capazzoli**

Spinelli moved to hold informal. Seconded by King. Passed 3-1.  
Informal hearing will be scheduled for May or June.  
\*A counter-complaint will be filed by Capazzoli.

**2005-38 – Stella v. Commerce**

King moved to hold informal. Seconded by Tague.  
Passed 4-0. This matter will be scheduled for February 27<sup>th</sup>.

**2005-39 – Stella v. Callahan, Betley & Commerce**

King moved to hold an informal. Seconded by Valarioti. Passed 4-0.  
An informal hearing will be scheduled at the next meeting.

**Requests for Temporary Licenses**

Antone Fajao was not present. No action was taken by the Board on his request for a temporary license.

Tague moved that a 90-day temporary license be granted to Dwanye Meehan upon payment of a \$50.00 fee. Seconded by Spinelli. 3-1 vote.

Valarioti moved to deny issuance of a temporary license to Brian Rooney. Seconded by Spinelli. The Board will reconsider his request on 2/27/05.

King moved to grant 90 day temporary license to Lynn Kelley. Tague seconded. Passed 3-0.

A 90-day extension was granted to William McGrath on his temporary license upon payment of another \$50.00 fee. Passed 3-1

Gerald Glover was not present therefore, the Board did not take action on his request.

Spinelli moved to deny issuance of a temporary license to Timothy Robichaud. Seconded by Valarioti. Passed 4-0

Meeting adjourned.