



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

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<http://www.mass.gov/doi>

DS/JV  
3-0

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 – November 29, 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 Tague, Unitrin Direct  
Joe Valarioti

Attorney Robert Kelly and Yvonne Torres, Secretary were also present.

**Others in Attendance included:**

Jim Callahan, Commerce Insurance Company  
John Joyce, Commerce Insurance Company  
Brenda Taylor, Rick's Auto Body, Inc.  
Lee Fitzhenry, Commerce Insurance  
Chris King, C.I.C.  
Frank DeSario, Safety  
Ed Vigliatura, Worcester County Appraisal  
Mike Goldrich, Advanced Appraisal  
Mike Dinsmore, C.I.C.  
Mike Bouchard, Vindetti Motors  
Chuck Goldrick, Baystate Appraisal Service  
Steve Wilson, CB Wilson Assoc.  
J. Sargent, Canterbury Auto  
Kevin Dolan, Encompass Ins.  
Matthew Jayne, Adesa Impact  
Kevin McCarron, Arbella Insurance  
John Enew, APU Solutions  
Mike Moran, LMIG  
Paul Semenkou, Peerless Insurance  
Kim McNary, One Beacon Insurance  
Dave Castro, CIC  
Jim Bates, CIC  
Barbara Hazel, Holton Street Auto Body

Lisa Hansson, Premier Insurance

### **Approval of Minutes**

Spinelli made a motion to accept the July 26, 2006 minutes as amended. Seconded by Tague. Passed 3-0. Brief discussion about the procedures involving conducting a formal hearing. Robert Kelly will check to make sure that there is no conflict with the Board members conducting the hearing.

Spinelli moved to accept minutes of September 18, 2006 as written. Seconded by Tague. Passed 3-0.

### **Report on licenses**

**5,211** Active Licenses; **261** Pending Renewal; **253** pending applications  
**25** New Candidates; **4** Part I retakes ; **60** Awaiting the next Part II

### **Proceedings recorded by:**

John Joyce of Commerce Ins. Co. (Audio/Video)  
Thomas Colo (Audio/Video)

### **Discussions**

The Board announced that it would hold any discussions relating to its pending lawsuit and the proposed settlement during Executive Session. The Board also stated that after Executive Session, they would reconvene to an Open Meeting to discuss the outcome.

### **212 CMR 2.00**

Discussions about the procedures for changing its regulations. The Board will discuss language changes at the next meeting.

### **Requests for Temporary License**

King moved to grant 30-day temporary license to Richard Taylor upon passing the Part I exam. Seconded by Tague. Passed 3-0.

King moved to grant 30-day temporary license to Michael Bouchard upon passing the Part I exam. Seconded by Spinelli. Passed 3-1.

### **Complaints (Step 1)**

Sullivan v. Ted Trent; Motion by Spinelli to move to Step 2. King seconded. Passed.3-0

Vigeland v. Fort Hill Auto Body; King moved to dismiss. Tague seconded. Passed 3-0.  
Not an issue for the licensing Board. Refer consumer to Merit Rating Board.

Sullivan v. Moulding – Motion by Valarioti to move to Step 2; Seconded by Tague. Passed 4-0  
Failure to write a complete appraisal..

Carney v. Edward Connelly – Motion by Spinelli to move to Step 2. Seconded by Spinelli.

### **Complaints (Step 2)**

**2006-28** – Johnson v. Commerce, Fels, Diesi, King and Lafleur  
Valarioti moved to informal. Seconded by King. Passed 3-1.

**2006-29** – Ivany v. Mingolla

Motion to dismiss by Tague. Seconded by Spinelli. Passed 3-1.

**2006-39** – Follett v. Moberg and Suzor's Appraisal

Motion to dismiss by Spinelli. Seconded by King. Passed 3-0.

**2006-40** – Semenkow v. Diamond

Spinelli moved to go to informal. Seconded by King. Passed 3-0.

**2006-41** – Bailargeon v. Penniman and B&M Adjustment Co.

Motion to dismiss by Valarioti. Seconded by Spinelli.

### **Scheduling**

**2006-26** – Capazzoli v. Manning and Commerce – Informal scheduled for December 18, 2006

**2004-09** – Legere v. Liberty Mutual – Formal scheduled for January 22, 2006

### **Other Business**

The Board reconvened into Open Session and passed a motion to dismiss **all** of the pending paint and material complaints listed below.

1.     **2005-12** -   Thomas R. Dennehy/Universal Auto Body, Inc.  
                          v. Steve M. Wilson and Charles B. Wilson
2.     **2005-16** -   Donald J. Vermette/Vermette Auto Body, Inc.  
                          v. Glen R. Lamontagne and Suzor Appraisal Service
3.     **2005-17** -   Russell D. Greenwood/Greenwood Auto Body  
                          v. Brian M. Vacca and Commerce Insurance Company
4.     **2005-18** -   David M. Shepard/Shepards Automotive Center  
                          v. Brian M. Vacca and Commerce Insurance Company
5.     **2005-21** -   Robert Wilfred Lacas, Jr./Acme Automotive  
                          v. David Paul Diesi and Commerce Insurance Company
6.     **2005-22** -   Robert Wilfred Lacas, Jr./Acme Automotive v. Chris King
7.     **2005-23** -   Paul G. Bazinet/Pleasant Street Auto  
                          v. David Paul Diesi and Commerce Insurance Company
8.     **2005-26** -   Paul G. Bazinet/Pleasant Street Auto  
                          v. David Paul Diesi and Commerce Insurance Company
9.     **2005-27** -   Paul G. Bazinet/Pleasant Street Auto  
                          v. David Paul Diesi and Commerce Insurance Company
10.    **2005-31** -   James J. Magri/Magri's Auto Body, Inc.  
                          v. Jacqueline McCrillis, Mathew Clark and Peter Rando
11.    **2005-32** -   James J. Magri/Magri's Auto Body, Inc. v. Edward Poplaski
12.    **2005-35** -   James J. Magri/Magri's Auto Body, Inc. v. Edward Poplaski

13. 2005-36 - James J. Magri/Magri's Auto Body, Inc. v. Edward Poplaski
14. 2005-38 - John Stella/Center Auto Body v. Commerce Insurance Company
15. 2005-39 - John Stella/Center Auto Body v. Jim Callahan, Steve Betley and Commerce Insurance Company
16. 2005-40 - James J. Magri/Magri's Auto Body, Inc. v. Edward Poplaski
17. 2005-41 - James J. Magri/Magri's Auto Body, Inc. v. Edward Poplaski
18. 2005-42 - James J. Magri/Magri's Auto Body, Inc. v. Peter Rando
19. 2005-43 - James J. Magri/Magri's Auto Body, Inc. v. Peter Rando
20. 2005-44 - Edward J. Force/Repairs Unlimited v. Brian Vacca
21. 2005-46 - James J. Magri/Magri's Auto Body, Inc. v. Peter Rando
22. 2005-47 - James J. Magri/Magri's Auto Body, Inc.  
v. Jacqueline McCrillis, Peter Rando and  
Edward Poplaski
23. 2005-48 - Brian R. Vreeland/Magri's Auto Body, Inc. v. Jaqueline McCrillis
24. 2005-49 - Brian R. Vreeland/Magri's Auto Body, Inc. v. Jaqueline McCrillis
25. 2005-51 -- David M. Shepard/Shepards Automotive Center  
v. Brian Vacca and Commerce
26. 2005-52 - Paul G. Bazinet/Pleasant Street Auto v. David Paul Diesi and  
Commerce Insurance Company
27. 2006-03 -- Thomas Colo v. Jamie Poultney
28. 2006-06 - Brian R. Vreeland/Magri's Auto Body v. Jacqueline McCrillis
29. 2006-07 - Brian R. Vreeland v. Jacqueline McCrillis
30. 2006-08 - Brian R. Vreeland v. Edward Poplaski
31. 2006-09 - Brian R. Vreeland v. Edward Poplaski
32. 2006-10 - Brian R. Vreeland v. Edward Poplaski
33. 2006-11 - Brian R. Vreeland v. Edward Poplaski
34. 2006-12 - Brian R. Vreeland v. Edward Poplaski
35. 2006-13 - Brian R. Vreeland v. Edward Poplaski
36. 2006-14 - Brian R. Vreeland v. Edward Poplaski
37. 2006-15 - Brian R. Vreeland v. Edward Poplaski
38. 2006-16 - Brian R. Vreeland v. Edward Poplaski

39. 2006-17 - Brian R. Vreeland v. Edward Poplaski
40. 2006-18 - Brian R. Vreeland v. Peter Rando
41. 2006-19 - Brian R. Vreeland v. Peter Rando
42. 2006-20 - Brian R. Vreeland v. Peter Rando
43. 2006-21 - Brian R. Vreeland v. Peter Rando
44. 2006-22 - Brian R. Vreeland v. Peter Rando
45. 2006-23 - Brian R. Vreeland v. Peter Rando
46. 2006-24 - Brian R. Vreeland v. Peter Rando
47. 2006-25 - Brian R. Vreeland v. Peter Rando
48. 2006-27 - Stephen M. Progin v. Steven Block
49. 2006-33 - Paul S. Cunningham/UC's Auto Body v. Christopher King
50. 2006-34 - Paul S. Cunningham/UC's Auto Body v. Janice Barcomb
51. 2006-35 - Paul S. Cunningham/UC's Auto Body v. William Dostal

**Future Meetings**

Monday, December 18, 2006

Monday, January 22, 2006

Wednesday, February 21, 2006

**Part II Exam:**

December 13<sup>th</sup>.

**Executive Session**

A roll call was taken to go into Executive session. 4-0