

VETERANS' BONUS APPEAL BOARD

May 1, 2019 at 10:00 a.m.

One Ashburton Place
12th Floor – East Conference Room
Boston, MA 02108

MINUTES (OPEN SESSION)

Attendees: Matthew Landry, Assistant Attorney General, Attorney General's Designee
Shannon McLaughlin, LTC, Adjutant General's Designee¹
Crystal Matthews, Deputy General Counsel, Treasurer's Designee

Call to Order

The Veterans' Bonus Appeal Board ("Board") meeting was called to order by Ms. Matthews at approximately 10:00 a.m.

Open Meeting Minutes

On a motion by Ms. Matthews, seconded by Mr. Landry, the Board voted unanimously to approve the minutes from the open session of March 26, 2019.

On a motion by Mr. Landry, seconded by Ms. Matthews, the Board voted in the majority to approve the minutes from the open session of April 3, 2019.

Update on Appeal Requests

- Materials for the upcoming Appeal Hearings on May 7, 2019 were distributed to Board members. Ms. McLaughlin's materials were mailed UPS overnight to her office.
- Ms. Matthews informed the Board that Mr. Paul Flaherty (2019-VB-01) withdrew his appeal.
- Ms. Matthews informed the Board that Mr. Joseph Vezina's appeal was scheduled for May 7, 2019 at 10 AM.

New Appeal Requests

Ms. Matthews presented two (2) new appeal requests to the Board for scheduling of hearings.

Madison DeLima – assigned docket number 2019-VB-04. Scheduled for June 4, 2019 at 11 AM.

Joseph Boeggeman – assigned docket number 2019-VB-05. It was discussed that Mr. Boeggeman was currently incarcerated at MCI Bridgewater and thus scheduling a telephonic hearing may be possible. Notice of hearing will be issued for a telephonic hearing on June 4, 2019 at 10 AM and in the alternative if a telephonic hearing is not possible, an opportunity to waive the hearing and submit written materials.

¹ Ms. McLaughlin participated remotely because her physical attendance was unreasonably difficult.

Executive Session to Discuss Litigation (Machado et al. v. Goldberg et al.)

Pursuant to M.G.L. c. 30A, section 21, the Board sought to meet in executive session for the purpose of discussing strategy with respect to the Machado et al. v. Goldberg et al. litigation as an open meeting may have a detrimental effect on the Board's litigation position.

On a motion by Ms. McLaughlin, seconded by Mr. Landry, the Board voted unanimously to enter executive session at approximately 10:15 a.m.

Resumed Open Session

On a motion by Ms. Matthews, seconded by Ms. McLaughlin, the Board unanimously voted to re-enter Open session for purposes of voting on a proposed Remand Order in the Machado et. al. case at 11:15 a.m.

On a motion by Ms. Matthews, seconded by Ms. McLaughlin, the Board unanimously voted to authorize Mr. Landry to draft an Order directing the Division to obtain and submit TAG certification for the plaintiffs in Machado, and then there will be an opportunity for the parties to submit supplemental briefings. With the exception of the certifications, no additional new evidence shall be contemplated unless requested.

On a motion by Ms. Matthews, seconded by Ms. McLaughlin, the Board voted unanimously to adjourn the meeting at approximately 11:21 a.m.

Documents Reviewed:

Draft Board Meeting Minutes

Appeal Requests