

**COMMONWEALTH OF MASSACHUSETTS
DIVISION OF ADMINISTRATIVE LAW APPEALS**

Middlesex, ss.

Michael Abbruzzese,
Petitioner,

Docket No.: CR-25-0010

v.

Newton Retirement System,
Respondent.

CONDITIONAL DISMISSAL

The Petitioner appealed the Newton Retirement System's (System) calculation of his excess earnings. While the appeal was pending, the parties entered into a settlement agreement that seems to have resolved the issues in this case. The System then filed a motion for summary decision which the Petitioner did not oppose. Because it appears the matter is now moot, and the Petitioner does not oppose the motion for summary decision, I am conditionally dismissing it. See 801 CMR 1.01(7)(g)(3). The dismissal will become final by January 30, 2026 unless by that date Mr. Abbruzzese files a request to keep the appeal open and states what issues remain to be resolved. If Mr. Abbruzzese agrees with the dismissal, he need take no action.

Dated: January 2, 2026

Eric Tennen

Eric Tennen, Magistrate
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