

mtk

NOTIFY

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
CIVIL ACTION NO. 07-2262

Notice sent
10/30/2008
H. I. W.
K. H. H.
J. M. S.
S. C. & M.
R. L. Q.
R. J. B., JR.

KAREN AHERN-STALCUP, et al.

vs.

CIVIL SERVICE COMMISSION and CITY OF BOSTON

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CIVIL SERVICE COMMISSION

(sc)

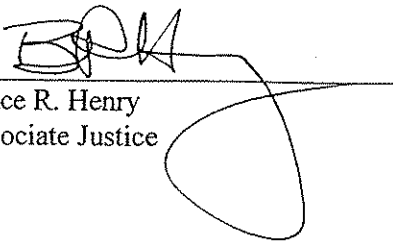
MEMORANDUM OF DECISION AND ORDER
ON PLAINTIFFS' MOTION FOR JUDGMENT ON THE PLEADINGS

After a hearing, and having now reviewed the memoranda submitted by the parties, the extensive administrative record, and the transcripts of the hearings conducted by the Civil Service Commission in February of 2007, the Court concludes that the plaintiffs' motion for judgment on the pleadings must be **DENIED**, the motion of the City of Boston for judgment on the pleadings must be **ALLOWED**, and the decision of the Civil Service Commission must be **AFFIRMED**.

I am not convinced that the Civil Service Commission committed any error of law in interpreting and applying G.L. c. 31, §40 or that there is any other ground for reversal of the decision pursuant to G.L. c. 30A, §14(7).

Accordingly, it is ordered that the Plaintiffs' Motion For Judgment On The Pleadings is **DENIED** and the Defendant City of Boston's Motion For Judgment On The Pleadings is **ALLOWED**. Judgment shall enter **AFFIRMING** the decision of the Civil Service Commission.

Dated: October 27, 2008


Bruce R. Henry
Associate Justice