

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

**Michelle Carron, Esq., and
Michelle B. Carron Attorney at Law¹**

Petitioner

v.

Docket Nos. LB-20-0437
LB-20-0438
LB-20-0439

**Office of the Attorney General,
Fair Labor Division,
Respondent**

Appearance for Petitioners:

Michelle B. Carron, Esq., pro se
Law Office of Michelle B. Carron
1075 Washington Street, First Floor
West Newton, MA 02465

Appearance for Respondent:

Lillian Hiraes, Esq.
Fair Labor Division
Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Administrative Magistrate:

Edward B. McGrath, Esq.
Chief Administrative Magistrate

SUMMARY OF DECISION

The Petitioner's appeals were untimely and, therefore, the appeals must be dismissed for lack of jurisdiction. In case my decision on the timeliness of the appeals is reversed, I decide that the Petitioner failed to prove by a preponderance of the evidence

¹ Both Petitioners were named in the citations. I treat them as a single entity, because "unlike business entities that shield shareholders from personal liability, a sole proprietorship subjects the proprietor to personal liability as to 'all debts of the business.'" *Smith v. Kelley*, 484 Mass. 111, 124, 139 N.E.3d 314, 324 (2020).

citations are affirmed. G.L. c. 149, § 27C(b)(4); *See Camara v. Attorney General*. 458 Mass. 756, 760, 941 N.E.2d 1118 (2011).

DECISION

On September 30, 2020, the Respondent, the Office of the Attorney General, Fair Labor Division (“FLD”), issued three civil citations against the Petitioner (“Carron”). Citation 001² was issued for failure to make timely payment of wages in violation of G.L. c. 149, § 148, without specific intent, and ordered restitution in the amount of \$1,396.00, plus a civil penalty of \$500.00. Citation 002³ was issued for failure to have an earned sick time policy and to provide earned sick time to one worker in violation of G.L. c. 149, § 148C without specific intent, and assessed a civil penalty of \$250.00. Citation 003⁴ was issued for failure to keep true and accurate payroll records in violation of G.L. c. 151, §§ 15, 19(3) without specific intent and assessed a civil penalty of \$250.00.

The Petitioner faxed her appeal to the Division of Administrative Law Appeals (DALA) on October 14, 2020 pursuant to G.L. c. 149, § 27C(b)(4). On November 23, 2020, I presided over a tele-conference in this matter and set a schedule for the parties to share information pertaining to the case. *See* 801 CMR 1.01(8)(a). On January 4, 2021, the Petitioner filed a corrected copy of her appeal, which is marked “A” for identification. On February 1, 2021, the Respondent filed its Response to Tele-conference Report which I have marked “B” for identification.

On April 22, 2021, I presided over a second tele-conference and scheduled the evidentiary hearing. The parties submitted their proposed exhibits by email, but there was

² Citation No. 20-07-58631-001/Docket No. LB-20-0437.

³ Citation No. 20-07-58631-002/Docket No. LB-20-0438.

⁴ Citation No. 20-07-58631-003/docket No. LB-20-0439.

some confusion as to the identification of the proposed exhibits. I, therefore, renumbered them and have attached a list of the exhibits as Appendix A to this decision.

On June 2, 2021, the Respondent filed a Response to Notice of Hearing which is marked "C" for identification. On June 11, 2021, the Petitioners submitted a Response to Order/Notice dated April 26, 2021, which is marked Pet. Ex. 28.⁵ I held the evidentiary hearing on June 16 and July 7, 2021, using WebEx, because of the COVID-19 pandemic. I recorded the hearing digitally. Petitioner Michelle Carron, Esq., testified on behalf of the Petitioners. The FLD called Attorney Amanda Marie Caruso, the Complainant, as a witness. In addition, the Respondent's Investigator Ms. Huong Phan testified on behalf of the FLD. At the conclusion of the evidentiary hearing, the parties made oral closing arguments and I closed the administrative record.

FINDINGS OF FACT

Based on the evidence presented by the parties, along with reasonable inferences drawn therefrom and my assessment of the witnesses' credibility, I make the following findings of fact:

1. Michelle Carron is a Massachusetts attorney who operates her office, Michelle B. Carron Attorney at Law, as a sole proprietorship, at 1075 Washington Street West Newton, MA. (Carron Test.)
2. Amanda Marie Caruso is a Massachusetts attorney. (Caruso Test.)
3. DALA moved to 14 Summer Street, Malden, MA on January 17, 2018. At that time, DALA's web site was updated to reflect its Malden address, phone number and

⁵ As Attorney Carron was a witness in this matter, I marked the document prepared by her as an exhibit.

fax number. (Administrative Notice.⁶)

4. On October 5, 2018, Caruso responded to a Craigslist ad for a paralegal position placed by Carron and, after a three-hour interview, Carron hired Caruso. (Caruso Test., Pet. Ex. 2 Craig's list ad, email and Cover letter dated October 5, 2018.)

5. On October 21, 2018, Carron agreed to pay Caruso \$20.00 an hour to perform as a paralegal and Caruso started working for Carron on October 29, 2019. (Caruso Test., Pet. Ex. 2 Letter dated October 21, 2018 from Carron to Caruso.)

6. Carron supervised Caruso. (Caruso Test.)

7. Caruso's duties were part administrative and part legal. Carron had one other employee who worked in the office on Tuesday and Thursdays. (Caruso Test.)

8. Caruso was responsible for submitting completed time sheets each Friday and she did so, as instructed. Carron never told Caruso that her submitted hours were inaccurate. (Caruso Test.)

9. Res. Ex. 2 is a spreadsheet prepared by Caruso on a daily basis as back up to demonstrate the hours that she worked. It provides the same number of hours she submitted to Carron and it is an accurate record of the number of hours Caruso worked. (Caruso Test.)

10. Carron often paid Caruso late. (Caruso Test.)

11. On February 21, 2020, Carron had a three-hour meeting with Caruso. (Caruso Test.)

12. The purpose of the meeting was to assist Caruso in prioritizing her work.

⁶ At the hearing, I informed the parties that I was taking administrative notice of DALA's hours of operation and the content of its website so that they would have an opportunity to respond if they wished. *See* G.L. c. 30A, § 11(5); 801 CMR 1.01(10)(h).

(Carron Test.)

13. Carron prepared a memorandum addressed to Caruso dated February 23, 2020 following the meeting. (Pet. Ex. 4.)

14. Caruso worked for Carron until Caruso resigned on February 24, 2020. Caruso's letter of resignation asked that her pay checks be mailed to her. (Caruso Test., Resp. Ex. 3).

15. Between January 27, 2020 and February 21, 2020, Caruso worked 69.8 hours for Carron. (Caruso Test., Res. Ex. 2.)

16. Ms. Caruso submitted time sheets for those hours. (Caruso, Carron Test., Pet. Ex. 6 p. 3)

17. As of April 7, 2020, DALA provided an email address for email filings, DALApleadings@mass.gov, on its web site. (Administrative Notice.)

18. On April 10, 2020, Ms. Caruso emailed Ms. Carron stating that she had not received her paychecks for the period January 27- February 21, 2020. (Res. Ex. 5.)

19. On April 13, 2020, Ms. Carron responded by email stating that the payroll checks had been sent out weeks ago and asserting that Caruso had not returned some items that she had promised to return and outlining several problems that she claimed Caruso had while working for her. That same day Caruso responded by denying several of the statements made in Carron's email and demanding her paychecks. (Res. Ex. 5.)

20. On May 13, 2020, Ms. Caruso wrote a letter to Ms. Carron again demanding her paychecks and stating that she was prepared to file a complaint for unpaid wages with the Attorney General's office. (Res. Ex. 3.)

21. Carron has not paid Caruso for the hours Caruso worked for Carron

between January 27, 2020 and February 21, 2020. (Caruso, Carron Test.)

22. Carron owes Ms. Caruso \$1,396.00 in wages. (Caruso Test.)

23. On May 21, 2020, Ms. Caruso filed a non-payment of wages complaint against Carron with FLD. (Resp. Ex. 1.)

24. Although DALA's office was closed for several weeks at the beginning of the COVID-19 pandemic, it has been open for the hand filing of documents during regular office hours since May 26, 2020. (Administrative Notice.)

25. Ms. Huong Phan is an Investigator with FLD. She has held this position for almost five years. She investigates potential violations of the Massachusetts wage and hour laws by employers conducting business in the Commonwealth. (Phan Test.)

26. Investigator Phan was assigned to review and investigate Ms. Caruso's complaint. (Phan Test., Resp. Ex 8)

27. On June 23, 2020, Ms. Carron wrote to the FLD. (Pet. Ex. 7.)

28. On July 8, 2020, the post office returned Ms. Caruso's letter addressed to Ms. Caron and dated May 13, 2020, because it was unclaimed after two notices were left for Ms. Carron. (Res. Ex. 4.)

29. On July 22, 2020, Investigator Phan sent Ms. Carron a letter informing her of the wage complaint. The letter noted that Ms. Carron could resolve the matter immediately by paying \$1,396.00 in restitution and \$140 in penalties. The letter also said that if Ms. Carron wanted to dispute the allegations, she had to send a written response to the complaint to the FLD on or before August 5, 2020. The letter also provided that the response should include: "Payroll records, pay stubs, and daily and weekly time-keeping records and all employment records" concerning work performed by Ms. Caruso between

January 26, 2020 and February 22, 2020. (Phan Test., Resp. Ex. 8.)

30. On August 5, 2020, Ms. Carron responded to the wage complaint in a twelve-page letter and sent some documentation to FLD. (Pet. Ex. 6.)

31. The response did not contain the daily time keeping records prepared by Ms. Caruso during the period at issue. (Pet. Ex. 6, Phan, Carron Test.)

32. Carron did not provide FLD with daily and weekly time keeping records concerning Caruso. (Phan Test.)

33. On September 30, 2020, FLD issued three citations and emailed them to Carron. (Mag. Ex. 1, Phan Test.)

34. Citation 001 alleged a failure to make timely payment of wages to Ms. Caruso in violation of G.L. c. 149, § 148, committed without specific intent. The FLD ordered payment of restitution in the amount of \$1,396.00 and assessed a civil penalty of \$500.00. Citation 002 alleged a failure to have an earned sick time policy and to provide earned sick time to one worker without specific intent. It mandated the payment of a civil penalty of \$250.00. Citation 003 was for failing to furnish true and accurate payroll records to the Attorney general's office without specific intent and demanded the payment of a \$250.00 penalty. The citations provided the Petitioner's appeal rights and the addresses where the appeals could be mailed including DALA's mailing address. (Mag. Ex. 3.)

35. Investigator Phan considered the following factors when assessing the penalties set out in the citations: Carron's lack of history of violations, Carron's lack of specific intent, the number of employees affected, and the monetary impact of the alleged violation. (Phan Test.)

36. On October 2, 2020, Ms. Carron emailed Ms. Phan stating that she would be appealing the citations, because of Ms. Caruso's "fraud in submitting time and wage requests." DALA was not copied with that email. (Mag. Ex. 1.)

37. Ms. Carron did a google search for DALA and Google provided her with DALA's old telephone number. (Carron Test., Pet. Ex. 16.)

38. On October 14, 2020, the Petitioners filed appeals of the citations with DALA by fax. (Mag. Ex. 2.)

DISCUSSION

Jurisdiction

The Legislature has provided that:

Any person aggrieved by any citation or order issued pursuant to this subsection [of the Wage and Hour Act] may appeal said citation or order by filing a notice of appeal with the attorney general and the division of administrative law appeals *within ten days of the receipt of the citation or order*.

G.L. c. 149, § 27C(4) (Emphasis added). The Supreme Judicial Court has held that attempts to institute judicial appeals "after expiration of the period limited by a statute" are "repugnant to the procedural scheme." *Schulte v. Director the Div. of Emp't Sec.*, 369 Mass. 74, 79, 337 N.E.2d 677, 680 (1975). If the appeals were to be timely, Carron had to have filed them on or before October 13, 2020. She did not and, therefore, DALA does not have jurisdiction and the appeals must be dismissed.

Carron received the citations by email on September 30, 2020. The citations told Carron that she had to file her appeals within ten days and provided DALA's accurate mailing address. Pursuant to 801 CMR 1.01(4)(d), to calculate the appeal period, we begin counting the appeal period the day after the citations were received by Carron:

October 1, 2020. The tenth day was October 10, 2020, but that was a Saturday. The appeal period was, therefore, extended to October 12, but that was Columbus Day and so the deadline for filing the appeals was October 13, 2020.

Carron's appeal was received at DALA by fax on October 14, 2020 and, therefore, that is the date the appeals were filed. 801 CMR 1.01(A)(1) (effective 8/6/2020); *Town of Rockland v. Civil Service Comm'n.*, 99 Mass. App. Ct. 1127, 2021, WL 2222597, slip op. at *2 n.6 (M.A.C. Rule 23.0 Dec. Jun 22, 2021) (discussing post-mark rule and amendment of CMR). Carron chose not to mail the appeals, but to fax them and she waited until October 14, 2021 to do so. She testified that she faxed them because she believed that, if she mailed them, they would be late. Had she faxed the appeals, emailed them, or mailed them with a United States Postal Service post mark on October 13, 2020 to DALA, they would have been timely, but she waited another day. Carron's appeals were filed a day late and must, therefore, be dismissed for lack of jurisdiction.

Ms. Carron claims that she was confused about where to file the appeals. But I was not persuaded that Ms. Carron was confused as to how to pursue her appeals. Moreover, even if there was some confusion on her part, the citations accurately stated how to file the appeals and, if she had followed those instructions, the appeals would have been timely.

Carron asserts that DALA's web page provided the incorrect phone number. It appears that Ms. Carron did a google search for DALA and Google provided her with DALA's old telephone number. However, DALA moved to Malden on January 17, 2018. At that time, the DALA website was updated to reflect its Malden address, phone

number, and fax number. As of April 7, 2020, DALA provided an email address for email filings, DALApleadings@mass.gov, on its web site. Moreover, although DALA's office was closed for several weeks at the beginning of the pandemic, it has been open for in-person filing of documents during regular office hours since May 26, 2020.

Although I decide that the appeals were not timely, I now address the merits of the appeals so that, if I am incorrect about the jurisdictional issue, the parties might avoid a remand of the case. *See* G.L. c. 7, § 4H (DALA should encourage and aid parties in limiting and consolidating issues and pleadings to superior court).

The merits

The purpose of the Wage and Hour Laws is “to provide strong statutory protection for employees and their right to wages.” *Machado v. System4 LLC*, 471 Mass. 204, 217 (2015) (citation omitted); *see also Francoise Parker v. Erenoc, Inc.*, 2020 WL 703659, slip op. at *3 (Docket No. SJC-12703 Feb. 12, 2020) (citations and internal quotes omitted). The Wage Act is intended to “prevent an employer from unreasonably detaining an employee's wages” by providing “a cause of action for loss of wages and other benefits.” The Petitioners appealing a citation issued by FLD bear the burden of proving by a preponderance of the evidence that the citations were erroneously issued. G.L. c. 149, § 27C(b)(4). Therefore, to succeed Carron must convince me that it is “more likely or probable” that the citations were issued in error than they were not. *Sargent v. Massachusetts Accident Co.*, 307 Mass. 246, 250, 29 N.E.2d 825, 827 (1940). For the reasons discussed below, Carron failed to meet her burden.

Citation 001

The FLD issued Citation 001 for failure to make timely payment of wages to Ms. Caruso in violation of G.L. c. 149, § 148, without specific intent. G.L. c. 149, § 148 requires most employers to pay their employees on either a weekly or bi-weekly basis. Employees “leaving their employment shall be paid in full on the following regular pay day, and, in the absence of a regular pay day, on the following Saturday.” G.L. c. 149, § 148.

Caruso worked 69.8 hours for Carron between January 27, 2020 and February 21, 2020 and should have been paid \$20.00 an hour for that work. Carron still owes Caruso \$1,396.00 in wages. While Ms. Carron claims that Ms. Caruso did not work the hours that she claimed that she worked, I was not persuaded by the evidence offered by Ms. Carron concerning Ms. Caruso’s alleged ethical and professional lapses. I found Ms. Caruso’s testimony concerning her work for Ms. Carron credible.

Moreover, while the evidence offered by Carron, if I had believed it, might support terminating Ms. Caruso’s employment for incompetence and malfeasance, it would not have justified withholding her wages. The Wage Act forbids “an arrangement whereby [Carron] serves as the sole arbiter, making a unilateral assessment of liability as well as amount of damages with no role for an independent decision maker, much less a court, and, apparently, not even an opportunity for an employee to challenge the result within the company.” *See Camara v. Attorney General*. 458 Mass. 756, 763, 941 N.E.2d 1118, 1124 (2011). The amount of money withheld by Carron was not “a clear and established debt owed to the employer by the employee” and Carron violated G.L. c. 149, § 148 when she withheld it. *Id.*

As for the civil penalty of \$500.00, the FLD may not assess an amount greater than \$7,500.00 for a first-time violation committed without specific intent. G.L. c. 149, § 27C(b)(2). The FLD has the discretion to assess a civil penalty based on certain factors listed in the statute so long as the penalty falls below that upper limit. *Bryant v. FLD*, Docket Nos. LB-18-0584-0585, at *14 (Mass. Div. of Admin. Law App. May 10, 2019). \$500.00 is far below the statutory maximum. The factors the FLD must consider when setting the penalty according to the statute are any previous violations of the Wage Act by the employer, the intent of the employer to violate the provisions of the Wage Act, the number of employees affected by the present violation or violations, the monetary extent of the alleged violations, and the total monetary amount of the public contract or payroll involved. c. 149, § 27C(b)(2). Ms. Phan testified credibly that she considered those factors when she issued the citation. Moreover, the Petitioners bear the burden of proof on appeal, and Carron failed to persuade me that the FLD did not assess the penalty properly. The civil penalty of \$500.00 was not erroneously assessed.

Citation 002

The FLD issued Citation 002 for failure to have an earned sick time policy and to provide earned sick time to one worker without specific intent. Pursuant to G.L. c. 149, § 148C, “Earned sick time” is the time off from work that is provided by an employer to an employee, whether paid or unpaid as computed under subsection (d) that can be used for the purposes described in subsection (c). Carron did not have to provide paid sick time to Ms. Caruso, as her law firm had two employees. The issue is whether Carron complied with the requirement to provide unpaid sick time to Ms. Caruso and I was not persuaded that she did. On October 21, 2018, Carron wrote to Caruso and stated that the position did

not provide benefits including sick days, although such benefits might be provided later.

Moreover, the statute provides that:

(6) All employees not entitled to earned paid sick time from an employer pursuant to subsection (d)(4)-(5) shall be entitled to earn and use up to 40 hours of earned unpaid sick time from that employer as provided in subsection (d) in a calendar year.⁷

940 CMR 33.07(1) provides that employers may have their own sick leave or paid time off policies, so long as all employees can use at least the same amount of time, for the same purposes, under the same conditions, and with the same job protections provided in the statute. While the evidence offered by Carron did convince me that Ms. Caruso did take some unpaid sick time, it did not convince me that the sick time policy complied with the law's requirements. Carron's argument that Caruso could take sick time, vacation time or any other time off she wanted without pay misses the point. The legislature has provided that employees earn unpaid sick time as they work and Carron did not convince me that she provided that benefit to Ms. Caruso.⁸

The civil penalty assessed for Citation 002 fell within the guidelines discussed above and properly accounted for the facts of the violation. First, \$250.00 was well within the statutory maximum for a first-time violation without specific intent. Second, it was sensible for the FLD to conclude that the Petitioners failure to provide unpaid sick time benefits justified the penalty, as violating the Wage and Hour Law must carry meaningful

⁷ 940 CMR 33.07(8) provides schedule of benefits for employers that prefer not to track accrual of sick time.

⁸ The FLD did not issue a citation to Carron for failing to notify their employees of a sick time policy and it would violate Carron's due process rights to consider that issue based upon this citation. See *David Sapers, et al v. FLD*, LB-17-116-119 at * 19 (Division Adm. Law Appeals undated) citing *Mathews v. Eldridge*, 424 U.S. 319, 348-49 (1976).

consequences to maintain the law's efficacy as a mechanism for protecting employees. Because the \$250.00 penalty for Citation 002 was within the statutory limit and based upon the proper statutory factors, and because Carron did not offer any credible evidence to the contrary, the penalty was not erroneously assessed. *Femino v. FLD*, Docket Nos. LB-19-0034-0035, at *12-13 (Mass. Div. of Admin. Law App. Aug. 21, 2019).

Citation 003

The FLD issued Citation 003 for failure to furnish true and accurate payroll records to the Attorney General's office, *without* specific intent, in violation of G.L. c. 151, §§ 15 and 19(3). The Massachusetts Wage and Hour Law requires that all employers who employ persons in the Commonwealth keep true and accurate payroll records. Section 15 of G.L. c. 151 mandates that:

Every employer shall keep a true and accurate record of the name, address and occupation of each employee, of the amount paid each pay period to each employee, *of the hours worked each day and each week by each employee*, and such other information as the commissioner or the attorney general in their discretion shall deem material and necessary.

(Emphasis added). The law further requires that:

An employer or the officer or agent of a corporation who *fails... to furnish a record to the attorney general, the commissioner, or an authorized representative of the attorney general or commissioner upon request...* or who falsifies a record, or who fails to allow an employee to inspect a record under section 15, or who fails to ... or who hinders or delays the attorney general, commissioner or representative in the performance of his duties,...shall have violated this section and shall be punished or shall be subject to a civil citation or order as provided in section 27C of chapter 149, and each day of the failure to keep a record or to furnish to the attorney general, commissioner or representative a record or other information required for the proper enforcement of this chapter shall constitute a separate offense.

G.L. c. 151, § 19(3) (Emphasis added); see 454 CMR 27.07(2) (requiring employer keep records).

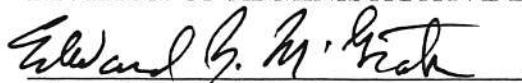
There is no dispute that the Petitioners failed to provide records reflecting the hours Ms. Caruso claimed to work during the period in dispute when the FLD demanded them. With her twelve-page response dated August 5, 2020, Ms. Carron provided the FLD with some documents that she said concerned Ms. Caruso's payroll, but the records provided did not include the backup material showing "the hours (Caruso) worked each day and each week" as required by G.L. c. 151, § 15. By not providing those records when the FLD demanded them, Carron violated G.L. c. 151, § 19(3), and Citation 003 was, therefore, not erroneously issued. *See* G.L. c. 149, § 27C(b)(4).

The civil penalty assessed for Citation 003 fell within the guidelines discussed above and properly accounted for the facts of the violation. First, \$250.00 was well within the statutory maximum for a first-time violation without specific intent. Second, it was sensible for the FLD to conclude that the Petitioner's failure to provide the required records justified the penalty, as violating the Wage and Hour Law must carry meaningful consequences to maintain the law's efficacy as a mechanism for protecting employees. Because the \$250.00 penalty for Citation 003 was within the statutory limit and based upon the proper statutory factors, and because Carron did not offer any credible evidence to the contrary, the penalty was not erroneously assessed. *Femino v. FLD*, Docket Nos. LB-19-0034 -0035, at * 12-13 (Mass. Div. of Admin. Law App. Aug. 21, 2019).

For the reasons stated above, Citations 001, 002 and 003 are AFFIRMED.

SO ORDERED.

DIVISION OF ADMINISTRATIVE LAW APPEALS


Edward B. McGrath, Esq.

Chief Administrative Magistrate

Dated: 8/6/2021

Michelle Carron v. FLD, AGO, LB-20-0437-0439
Exhibit List

Petitioners' Exhibits

1. Selected Mass. Rules of Prof. Responsibility.
2. Craig's List; Letter dated October 21, 2018, from Atty. Carron to Atty. Caruso; Atty. Caruso's resume; email dated October 5, 2020 from Craig's List reply to Atty. Carron with cover letter.
3. Letter dated October 8, 2018, from Atty. Caruso to Glenda Ganem.
4. Memo dated February 23, 2020, from Michelle to Amanda.
5. Email dated July 22, 2020, from Ms. Phan to Atty. Carron.
6. Letter dated August 5, 2020, from Atty. Carron to Ms. Phan.
7. Letter dated June 23, 2020, from Atty. Carron to Atty. Hiraes.
8. Email dated July 7, 2020, from Atty. Carron to Atty. Hiraes.
9. Email dated October 14, 2020, from Atty. Carron to Atty. Hiraes.
10. Email dated October 2, 2020, from Atty. Carron to Ms. Phan and copies of citations.
11. Copy of 801 CMR 1.01(4) effective 8/6/2020.
12. Email dated October 14, 2020, from Atty. Carron to Atty. Hiraes and Ms. Phan.
13. Letter dated October 13, 2020, from Atty. Carron addressed to OAG and DALA.
14. Letter dated March 3, 2020, from Atty. Carron to Atty. Caruso.
15. Copy of G.L c. 149, § 148C.
16. Google search results.
17. List of computer folders.
18. Time Ticket Diary Report.
19. Marijuana Dispensary Ascend folders.
20. Expand Access to Open Green Spaces.
21. Family Support Program Manual and Guidelines.
22. Massachusetts Department of Developmental Services.
23. Memorandum dated October 8, 2019.
24. Letter dated August 1, 2019, from Fuss & O'Neill to Andrea Cabral.
25. City of Newton Zoning Review documents.
26. Letter dated October 21, 2019, from Atty. Carron to Atty. Caruso.
27. Calendars.
28. Response to Order/Notice dated April 26, 2021.
29. Calendars.
30. Spreadsheets.
31. Parental Delegation and Support.
32. List of computer folders Caruso Amanda.
33. Priorities.
34. Pictures of shredded documents.
35. List of computer downloads; maps; schedule; DDS forms.
36. (IMPOUND) Public records request form with CORI documents (IMPOUND)
37. Email dated June 1, 2021, from Atty. Caruso to Atty. Hiraes.

38. Email dated June 1, 2021, from Atty. Carron to Atty. Huntoon.
39. Directory Paralegal Caruso, Amanda letter to City Council Ascend.
40. Land Use Committee Report.
41. Letter dated July 6, 202, from Atty. carron to Edward B. McGrath, DALA.

Respondent's Exhibits

1. Amanda Caruso's wage complaint.
2. Spread sheet with hours listed.
3. Letter dated May 13, 2020, from Atty. Caruso to Atty. Carron.
4. Email dated July 8, 2020, from Atty. Caruso to Ms. Phan with photograph of envelope.
5. Email dated April 13, 2020, from Atty. Caruso to Atty Carron.
6. Memo dated February 23, 2020, from Michelle to Amanda.
7. Email dated July 7, 2020, from Atty. Carron to Atty. Hiraes.
8. Letter dated July 22, 2020, from Ms. Phan to Atty. Carron.
9. Article dated February 6, 2020, from "The Heights."

Magistrate's Exhibits

1. Email dated October 2, 2020, from Atty Carron to Ms. Phan.
2. Petitioner's appeal dated October 13, 2020, received by fax at DALA on October 14, 2020.
3. Three citations dated September 30, 2020.