

06/29 ✓
NOTIFY

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

**SUPERIOR COURT
CIVIL ACTION
NO.: 1984CV02795**

NOTICE SENT (4)
07-01-22
(sc)

MEDFORD HOUSING AUTHORITY,

PLAINTIFF,

vs.

MASSACHUSETTS CIVIL SERVICE COMMISSION & ANOTHER,¹

DEFENDANTS.

MEMORANDUM AND ORDER
ON MOTION OF THE DEFENDANT BONNIE CURRAN
TO ENFORCE THE JUDGMENT ENTERED ON AUGUST 19, 2020

On March 8, 2017, Defendant Bonnie Curran was terminated from her position at the Medford Housing Authority (the "Authority"). She appealed the termination to the Massachusetts Civil Service Commission (the "Commission") on the grounds that there was no just cause to fire her. On August 15, 2019, the Commission's hearing officer issued a decision in Curran's favor. The decision vacated Curran's discharge and ordered her "restored to all compensation and benefits to which she is entitled." Pursuant to G. L. c. 30A, § 14, the Authority sought review of the hearing officer's decision in this court. On August 19, 2020, a justice of this court (Sullivan, J.) allowed Curran's Motion for Judgment on the Pleadings. The Authority appealed that decision to the Massachusetts Appeals Court, which affirmed the judgment in a

¹ Bonnie Curran

Rule 23.0 decision dated October 1, 2021. See *Medford Housing Auth. v. Curran*, 100 Mass.

App. Ct. 1108 (Rule 23.0 Decision), further app. rev. denied, 488 Mass. 1109 (2021).

In March 2022, Curran brought a Motion of the Defendant Bonnie Curran to Enforce the Judgment Entered on August 19, 2020 (“Motion,” Paper No. 28). That Motion was withdrawn by counsel for Curran in open court at a hearing on April 29, 2022.² I conducted a hearing today and, based on that hearing, enter the following **ORDER**:

1. Bonnie Curran is to be restored to her previous position at the Medford Housing Authority, with all its responsibilities and prerogatives, effective immediately. Curran and the Authority may modify this portion of the order by *written agreement*, which agreement shall be signed by the parties, or their authorized signatories, and filed with the court as soon as possible after it is executed.

2. No later than close of business on Tuesday, July 12, 2022, the parties shall file with the court a joint statement with respect to their positions as to the “compensation and benefits to which . . . [Curran] is entitled” in connection with the Commission’s decision reinstating her to her former position at the Authority. The joint statement shall set out the areas of compensation and benefits as to which the parties agree. It shall also set out any areas of disagreement. As to each area of disagreement, the parties shall each set out the bases for their positions in statements not to exceed 200 words. The joint statement shall also identify any exhibits that each party

² The Motion of the Defendant Bonnie Curran to Enforce the Judgment Entered on August 19, 2020 (“Motion,” Paper No. 28) was withdrawn by Curran’s counsel on April 27, 2022, to allow the parties to attempt to negotiate a settlement of the case. A further status hearing was held on May 26, 2022, and the status hearing was continued until today, June 28, 2022, to allow the parties more time to negotiate. It is not clear that there was ever a motion to reinstate the Motion. That said, the parties’ approach to the case makes clear that all understood that the Motion would be reinstated if they could not reach a settlement. As no party has objected to my ruling on the Motion today, I treat it as if it had been reinstated.

(sc)

intends to present at a hearing and/or the names and professional addresses of any witness that each party intends to call at the hearing.

3. On Wednesday, July 20, 2022, at 2:00 p.m., this court will conduct an in-person hearing on the amount of compensation and benefits due to Curran in connection with the Commission's decision reinstating her.

A handwritten signature in black ink, appearing to read 'David A. Deakin', written over a horizontal line.

David A. Deakin
Justice of the Superior Court

Dated: June 28, 2022