

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Michael DiBara,
Petitioner,

Docket No.: CR-25-0603

v.

State Board of Retirement,
Respondent.

ORDER OF DISMISSAL

The parties have determined that in 1986-1988, the petitioner was an “employee[] of Cushing [H]ospital.” G.L. C. 32, § 3(2)(g). They agree that with respect to those years, he is entitled to prorated classification in group 2 for retirement purposes. *Id.* With the petitioner’s consent, the respondent board moves to dismiss the appeal as moot. *See Fannie Mae v. Branch*, 494 Mass. 343, 347-48 (2024). In view of the foregoing, the motion to dismiss is ALLOWED and the appeal is DISMISSED.

Dated: February 20, 2026

/s/ Yakov Malkiel
Yakov Malkiel
Administrative Magistrate
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