

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

Middlesex, ss.

Tracy Fitzgerald,
Petitioner,

Docket No.: CR-22-0160

v.

Date: July 18, 2025

State Board of Retirement,
Respondent.

ORDER OF CONDITIONAL DISMISSAL

This matter was stayed because the Petitioner indicated she had initiated a lawsuit in Federal Court which addressed the same issues raised in this appeal. However, during that time, the Board indicates that it reconsidered its position, and by November 2024, the Petitioner received the benefits she sought to enforce in this appeal. The Petitioner has not disputed the Board's representation.

Accordingly, because the matter appears to be moot, I am issuing this order of conditional dismissal. 803 Code Mass. Regs. § 1.01(7)(g)3. The dismissal will become final on **August 15, 2025** unless Ms. Fitzgerald files a request to keep the appeal open and states what issues remain to be resolved. If she agrees that the appeal has been resolved, she need not take any action.

Eric Tennen

Eric Tennen, Magistrate
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