

COMMONWEALTH OF MASSACHUSETTS
SUPREME JUDICIAL COURT

Suffolk, ss.

No. SJC 2020-12935
Super. Ct. No. 20-00855-D

**STEPHEN FOSTER, MICHAEL GOMES,
PETER KYRIAKIDES, RICHARD
O'ROURKE, STEVEN PALLADINO,
MARK SANTOS, DAVID SIBINICH,
MICHELLE TOURIGNY, MICHAEL
WHITE, FREDERICK YEOMANS, and
HENDRICK DAVIS**, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

CAROL MICI, Commissioner of the
Massachusetts Department of Correction,
GLORIANN MORONEY, Chair
Massachusetts Parole Board, **THOMAS
TURCO**, Secretary of the Executive Office of
Public Safety and Security, and **CHARLES
BAKER**, Governor of the Commonwealth of
Massachusetts,

Defendants.

**STIPULATION AS TO FACTS AGREED BETWEEN THE PLAINTIFFS AND THE
GOVERNOR**

Pursuant to the Reservation and Report & Interim Order issued on April 20, 2020 by the Single Justice Session of the Supreme Judicial Court and the Notice of Evidentiary Hearing and Pre-Hearing Requirements issued on April 21, 2020 by the Superior Court, the Plaintiffs in the above-captioned case and Defendant Governor Charles Baker stipulate that the following facts are undisputed:

1. Since March 10, 2020, the Governor has not ordered the early release of prisoners via executive order.
2. Since March 10, 2020, the Governor has neither sought nor received the advice and consent of the Executive Council for commutation of any prisoner.

Dated: April 24, 2020

Respectfully Submitted,

/s/ Ryan P. McManus

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on April 24, 2020 by email to the following addresses:

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/s/ Bonnie P. Tenneriello

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