

1785CV02005 Janice Magliacane, Individually and on behalf of others similarly situated vs. City of Gardner et al

- Case Type:
Torts
- Case Status:
Open
- File Date
12/13/2017
- DCM Track:
A - Average
- Initiating Action:
Other Tortious Action
- Status Date:
04/29/2019
- Case Judge:
- Next Event:
03/20/2025

All Information	Party	Subsequent Action/Subject	Event	Tickler	Docket	Disposition
------------------------	--------------	----------------------------------	--------------	----------------	---------------	--------------------

Party Information

Janice Magliacane, Individually and on behalf of others similarly situated
- Plaintiff

Alias	Party Attorney <ul style="list-style-type: none">• Attorney• Blauner, Esq., Michelle H• Bar Code• 549049• Address• Shapiro Haber and Urmy LLP• One Boston Place• Boston, MA 02108• Phone Number• (617)208-4713• Attorney• Bunnell, Esq., Patrick R• Bar Code• 562321• Address• Dombrowski Aveni and Bunnell PC• 6 Grove Ave• Leominster, MA 01453• Phone Number• (978)840-0001• Attorney• Haber, Esq., Edward F• Bar Code• 215620
--------------	---

- Address
- Shapiro Haber and Urmy LLP
One Boston Place
Suite 2600
Boston, MA 02108
- Phone Number
- (617)439-3939
- Attorney
- McLoughlin, Esq., Ian
- Bar Code
- 647203
- Address
- Shapiro Haber and Urmy LLP
One Boston Place
Boston, MA 02108
- Phone Number
- (617)439-3939

[More Party Information](#)

City of Gardner
- Defendant

Alias

Party Attorney

- Attorney
- Crotty, Esq., Jason W
- Bar Code
- 656313
- Address
- Pierce Davis and Perritano LLP
10 Post Off Square
Suite 1100N
Boston, MA 02109
- Phone Number
- (617)350-0950
- Attorney
- Davis, Esq., John J
- Bar Code
- 115890
- Address
- Pierce Davis and Perritano LLP
10 Post Off Square
Suite 1100N
Boston, MA 02109-4603
- Phone Number
- (617)350-0950

[More Party Information](#)

Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)
- Defendant

Alias

Party Attorney

- Attorney
- Cahill, Esq., William C
- Bar Code
- 704685
- Address
- Campbell Conroy and O'Neil
20 City Square
Suite 300
Boston, MA 02129
- Phone Number

- (617)241-3010
- Attorney
- Campbell, Esq., James M
- Bar Code
- 541882
- Address
- Campbell Conroy and O'Neil, P.C.
- 20 City Square Suite 300
- Boston, MA 02129
- Phone Number
- (617)241-3000
- Attorney
- Howe, Esq., Christopher Robert
- Bar Code
- 652445
- Address
- Campbell Conroy and O'Neil, P.C.
- 20 City Square Suite 300
- Boston, MA 02129
- Phone Number
- (617)241-3029
- Attorney
- Pittman, Esq., Adam Lovell Madison
- Bar Code
- 696461
- Address
- AIG
- 99 High St 24th Floor
- Boston, MA 02110
- Phone Number
- (617)519-9699

[More Party Information](#)

AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)
- Defendant

Alias

Party Attorney

[More Party Information](#)

Subsequent Action/Subject

<u>Description</u>	<u>Status</u>	<u>SA/Subject #</u>	<u>Status Date</u>	<u>Responding Party</u>	<u>Judgments</u>	<u>Pleading Party</u>
Crossclaim	Open	1	02/13/2018	AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)	0	Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)
Crossclaim	Open	2	04/10/2018	Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)	0	AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)
3rd Party Complaint	Open	3	05/29/2020	Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)	0	City of Gardner

Events

<u>Date</u>	<u>Session</u>	<u>Location</u>	<u>Type</u>	<u>Event Judge</u>	<u>Result</u>
06/05/2018 02:00 PM	Civil B	WOR-4th FL, CR19 (SC)	Rule 12 Hearing		Held - Under advisement

<u>Date</u>	<u>Session</u>	<u>Location</u>	<u>Type</u>	<u>Event Judge</u>	<u>Result</u>
11/29/2018 02:00 PM	Civil B	WOR-4th FL, CR19 (SC)	Motion Hearing	Flannery, Hon. Francis E	Held as Scheduled
01/03/2019 02:00 PM	Civil B		Rule 16 Conference	Flannery, Hon. Francis E	Held as Scheduled
03/29/2019 10:30 AM	Civil B		Motion Hearing for Reconsideration		Held - Under advisement
04/30/2019 02:00 PM	Civil B		Motion Hearing to Compel	Ricciardone, Hon. David	Canceled
04/07/2020 02:00 PM	Civil B	WOR-4th FL, CR19 (SC)	Conference to Review Status	Ritter, Hon. William J	Rescheduled-Covid-19 emergency
06/09/2020 10:00 AM	Civil B	WOR-4th FL, CR19 (SC)	Conference to Review Status	Ritter, Hon. William J	Rescheduled-Covid-19 emergency
06/25/2020 10:30 AM	Civil B	WOR-4th FL, CR19 (SC)	Conference to Review Status	Ritter, Hon. William J	Held as Scheduled
10/14/2020 10:00 AM	Civil B	WOR-4th FL, CR19 (SC)	Motion Hearing	Ritter, Hon. William J	Held via Video/Phone
03/11/2021 10:00 AM	Civil B		Motion Hearing to Compel	Ritter, Hon. William J	Held - Under advisement
03/11/2021 10:00 AM	Civil B		Motion Hearing for Reconsideration	Ritter, Hon. William J	Held - Under advisement
10/27/2022 02:00 PM	Civil B	WOR-4th FL, CR19 (SC)	Motion Hearing	Ritter, Hon. William J	Held - Under advisement
03/23/2023 02:00 PM	Civil B	WOR-4th FL, CR19 (SC)	Conference to Review Status	Reardon, Jr., Hon. James G	Held as Scheduled
08/24/2023 02:00 PM	Civil B	WOR-4th FL, CR19 (SC)	Conference to Review Status	Ritter, Hon. William J	Held via Video/Phone
04/09/2024 02:00 PM	Civil B	WOR-4th FL, CR19 (SC)	Trial Assignment Conference	Ritter, Hon. William J	Held as Scheduled
06/13/2024 02:00 PM	Civil B		Final Pre-Trial Conference		Not Held
11/12/2024 02:00 PM	Civil B	WOR-4th FL, CR19 (SC)	Final Trial Conference	Ritter, Hon. William J	Not Held
11/25/2024 09:00 AM	Civil B	WOR-4th FL, CR19 (SC)	Jury Trial	Ritter, Hon. William J	Not Held
03/20/2025 02:00 PM	Civil B	WOR-4th FL, CR19 (SC)	Final Pre-Trial Conference	Ritter, Hon. William J	
09/18/2025 02:00 PM	Civil B	WOR-4th FL, CR19 (SC)	Final Trial Conference	Reardon, Jr., Hon. James G	
10/01/2025 09:00 AM	Civil B	WOR-4th FL, CR19 (SC)	Jury Trial	Reardon, Jr., Hon. James G	











Ticklers












<u>Tickler</u>	<u>Start Date</u>	<u>Due Date</u>	<u>Days Due</u>	<u>Completed Date</u>
Under Advisement	06/05/2018	07/05/2018	30	08/14/2018
Under Advisement	03/29/2019	04/28/2019	30	04/29/2019
Service	07/01/2020	09/29/2020	90	05/13/2021
Answer	07/01/2020	10/29/2020	120	05/13/2021
Rule 12/19/20 Served By	07/01/2020	10/29/2020	120	
Rule 12/19/20 Filed By	07/01/2020	11/30/2020	152	
Rule 12/19/20 Heard By	07/01/2020	12/28/2020	180	
Rule 15 Served By	07/01/2020	08/25/2021	420	
Rule 15 Filed By	07/01/2020	09/24/2021	450	
Rule 15 Heard By	07/01/2020	09/24/2021	450	
Discovery	07/01/2020	12/20/2024	1633	








<u>Tickler</u>	<u>Start Date</u>	<u>Due Date</u>	<u>Days Due</u>	<u>Completed Date</u>
Rule 56 Served By	07/01/2020	05/16/2025	1780	
Rule 56 Filed By	07/01/2020	06/27/2025	1822	
Final Pre-Trial Conference	07/01/2020	03/28/2025	1731	
Judgment	07/01/2020	07/03/2023	1097	
Under Advisement	03/11/2021	04/10/2021	30	03/29/2021
Under Advisement	03/11/2021	04/10/2021	30	03/29/2021
Under Advisement	10/27/2022	11/26/2022	30	12/28/2022












Docket Information







<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
12/13/2017	Attorney appearance On this date Edward F Haber, Esq. added for Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated		
12/13/2017	Attorney appearance On this date Michelle H Blauner, Esq. added for Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated		
12/13/2017	Attorney appearance On this date Adam M Stewart, Esq. added for Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated		
12/13/2017	Attorney appearance On this date Jonathan Fread Dinerstein, Esq. added for Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated		
12/13/2017	Case assigned to: DCM Track F - Fast Track was added on 12/13/2017		
12/13/2017	Original civil complaint filed.	1	
12/13/2017	Civil action cover sheet filed.	2	 Image
12/13/2017	Demand for jury trial entered.		Image
12/13/2017	Notice of 93A complaint sent to Attorney General		
01/11/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Joint Stipulation in regarding service and time to respond to the compliant with respect to defendant Suez Water Environmental Service, Inc.	3	 Image
01/11/2018	Attorney appearance On this date Joseph M Desmond, Esq. added for Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)		
01/12/2018	Endorsement on Stipulation for Service and Time to Respond to the Complaint with Respect to Defendant Suez Water Environmental Services Inc. (#3.0): ALLOWED The defendant will have until 2/8/18 to reply to the complaint. Notices mailed 1/16/18 Judge: Freniere, Hon Diane		
01/16/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Joint Stipulation for service and time to respond to the complaint with respect to defendant city of Gardner	4	 Image
02/05/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Joint Stipulation for extension of time for defendant AECOM technical services, inc. to respond to the compliant	5	 Image












<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
02/08/2018	Defendant City of Gardner's Notice of filing motion to dismiss	6	 Image
02/12/2018	Received from Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.): Answer with crossclaim; CJ	7	 Image
02/12/2018	Crossclaim filed		
02/12/2018	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Notice of motion to dismiss	8	 Image
02/21/2018	Attorney appearance On this date Michael E Steinberg, Esq. added for Defendant AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)		
02/21/2018	Attorney appearance On this date Matthew Lindenbaum, Esq. added for Defendant AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)		
03/01/2018	Defendant's Notice of intent to file motion to Dismiss and Motion to Strike Applies To: AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant)	9	 Image
03/02/2018	Plaintiff Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion for transfer of cast to the business litigation session	10	 Image
03/02/2018	Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Memorandum in support of paper # 10	10.1	 Image
03/02/2018	Affidavit of compliance with Superior Court Rule 9A and list of documents Applies To: Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)	10.2	 Image
03/08/2018	Defendant AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)'s Notice of (Rule 9E) Motion to dismiss cross-claims	11	 Image
03/12/2018	Endorsement on Motion for Transfer of Case to the Business Litigation Session (#10.0): DENIED This case does not warrant assignment to the Business Litigation Session. Notices mailed 3/16/18 Judge: Freniere, Hon Diane		 Image
03/14/2018	General correspondence regarding letter from Adam M. Stewart, regarding leave of court to serve and file a single brief of up to thirty-five (35) pages in opposition to the separate motions to dismiss	12	 Image
03/19/2018	Endorsement on Request for Leave of Court to Serve and File a Single Brief of up to 35 Pages (#12.0): ALLOWED Notices mailed 3/22/18 Judge: Freniere, Hon Diane		
04/02/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Joint Stipulation and confidentiality agreement and (Proposed) Order	13	 Image
04/05/2018	Endorsement on Stipulation and Confidentiality Agreement and Proposed Order (#13.0): DENIED Without prejudice to re-filing. The definition of "confidential information" as "non-public information of any kind" is too broad. Notices mailed 4/6/18 Judge: Ferrara, Hon. John S		
04/10/2018	Crossclaim filed AECOM Technical Services Inc. against Suez Water Environmental Services, Inc.	14	
04/10/2018	Defendant AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)'s Motion to dismiss pursuant to Mass. R. Civ. P. 12 (b) (6) and to strike class allegations pursuant to Mass. R. Civ. P. 12 (f)	15	 Image














<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
04/10/2018	AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)'s Memorandum in support of paper # 15 exhibits NOT scanned	15.1	 Image
04/10/2018	Opposition to to paper # 15 filed by Janice Magliacane, Individually and on behalf of others similarly situated consolidated NOT scanned	15.2	
04/10/2018	Defendant AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)'s Reply to plaintiffs opposition to motion to dismiss	15.3	 Image
04/10/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Request for hearing on defendants motion to dismiss	15.4	 Image
04/10/2018	Affidavit of compliance with Superior Court Rule 9A notice of filing, document list and certificate of service Applies To: AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant)	15.5	 Image
04/10/2018	Defendant AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)'s Motion to dismiss cross-claims pursuant to mass.r. civ. p. 12 (b))6)	16	 Image
04/10/2018	AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)'s Memorandum in support of paper # 16 exhibits NOT scanned	16.1	 Image
04/10/2018	Opposition to to paper 16 filed by Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) exhibits NOT scanned	16.2	 Image
04/10/2018	Defendant AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)'s Reply in further support of its motion to dismiss cross-claims	16.3	 Image
04/10/2018	Affidavit of compliance with Superior Court Rule 9A , notice of filing, document list and certificate of service Applies To: AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant)	16.4	 Image
04/10/2018	Defendant City of Gardner's Motion to dismiss complaint under rule 12 (b) and for entry of separate and final judgment under rule 54 (b)	17	 Image
04/10/2018	City of Gardner's Memorandum in support of paper # 17 exhibits NOT scanned	17.1	 Image
04/10/2018	Opposition to to paper # 17 filed by Janice Magliacane, Individually and on behalf of others similarly situated NOT scanned to large	17.2	
04/10/2018	Request for hearing filed on City of Gardner s motion to dismiss Applies To: Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff)	17.3	
04/10/2018	Request for hearing filed Applies To: City of Gardner (Defendant)	17.4	








<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
04/10/2018	Affidavit of compliance with Superior Court Rule 9A and list of documents Applies To: AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant)	17.5	 Image
04/11/2018	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion to dismiss the compliant and strike class allegations	18	 Image
04/11/2018	Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Memorandum in support of paper # 18 exhibits NOT scanned	18.1	 Image
04/11/2018	Affidavit of compliance with Superior Court Rule 9A , list of documents and request for hearing Applies To: Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)	18.2	 Image
04/11/2018	Opposition to to paper # 18 filed by Janice Magliacane, Individually and on behalf of others similarly situated exhibits NOT scanned	18.2	 Image
04/11/2018	Request for hearing filed Applies To: Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff) and notice of filing motion	18.3	
04/12/2018	The following form was generated: Notice to Appear Sent On: 04/12/2018 11:11:59		
04/12/2018	The following form was generated: Notice to Appear Sent On: 04/12/2018 11:14:16		
04/12/2018	The following form was generated: Notice to Appear Sent On: 04/12/2018 11:16:40		
04/12/2018	The following form was generated: Notice to Appear Sent On: 04/12/2018 11:18:15		
04/13/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Stipulation and confidentiality agreement and [proposed] order	19	 Image
05/10/2018	Received from Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.): Answer with crossclaim; CJ	20	 Image
05/10/2018	Party status: Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.): Dismissed by agreement of parties;		
05/24/2018	Attorney appearance On this date Jason W Crotty, Esq. added for Defendant City of Gardner		








<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
06/01/2018	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion for protective order	21	 Image
06/01/2018	Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Memorandum in support of paper # 21 exhibits and paper # 21.1 are NOT scanned	21.1	 Image
06/01/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Cross Motion to compel defendant Suez Water Environmental Services, Inc. to review and produce electronically stored information	21.2	 Image
06/01/2018	Opposition to to paper # 21.2 filed by Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)	21.3	 Image
06/01/2018	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Reply to plaintiffs opposition Paper # 21.4	21.4	 Image
06/01/2018	Opposition to to paper # 21.3 filed by Janice Magliacane, Individually and on behalf of others similarly situated	21.5	Image
06/01/2018	General correspondence regarding declaration of Adam M. Stewart (1) in opposition to defendant Suez Water Environmental Services, Inc. motion for protective order (see attached scanned paper)	21.6	 Image
06/01/2018	Affidavit of compliance with Superior Court Rule 9A , list of documents and request for hearing Applies To: Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)	21.7	 Image
06/05/2018	Matter taken under advisement: Rule 12 Hearing scheduled on: 06/05/2018 02:00 PM Has been: Held - Under advisement Comments: FTR Room 19 Hon. Susan E Sullivan, Presiding Appeared: Staff: Gail Dempsey, Assistant Clerk Magistrate		
06/21/2018	Endorsement on Motion to Dismiss of the Defendant City of Gardner and for Entry of Separate and Final Judgment (#17.0): ALLOWED Motion allowed. See memorandum of decision. Notices mailed 6/27/18 Judge: Sullivan, Hon. Susan E		 Image
06/27/2018	MEMORANDUM & ORDER: ON DEFENDANT CITY OF GARDNER'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT UNDER RULE 12(b)(6) AND FOR ENTRY OF SEPARATE AND FINAL JUDGMENT UNDER RULE 54(b)- ORDER: For the reasons stated above, this court hereby ORDERS that the City of Gardner's Motion to Dismiss Plaintiff's Complaint Under Rule 12(b)(6) and for Entry of Separate and Final Judgment Under Rule 54(b) be ALLOWED. Entered and Copies mailed 6/27/18 Judge: Sullivan, Hon. Susan E	22	 Image
06/27/2018	JUDGMENT pursuant to MRCP 54(b), the Court ORDERED separate and final Judgment. Therefore, it is ORDERED and ADJUDGED that the Complaint of the Plaintiff(s), Janice Magliacane, Individually and on behalf of others similarly situated be and hereby is dismissed against Defendant(s), City of Gardner with statutory costs. Entered and Copies mailed 6/27/18 Judge: Sullivan, Hon. Susan E	23	 Image
07/19/2018	Notice of appeal filed. Applies To: Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff)	24	 Image











Docket Date	Docket Text	File Ref Nbr.	Image Avail.
07/19/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Notice of transcripts ordered	24.1	 Image
08/09/2018	Endorsement on Motion to Dismiss and to Strike Class Allegations (#15.0): ALLOWED See the court's memorandum of decision of this date. Notices mailed 8/14/18 Judge: Sullivan, Hon. Susan E		 Image
08/09/2018	Endorsement on Motion to Dismiss the Plaintiff's Complaint and Strike Class Allegations (#18.0): Other action taken Allowed in part. Denied in part. See memorandum of decision this date. Notices mailed 8/14/18 Judge: Sullivan, Hon. Susan E		 Image
08/14/2018	MEMORANDUM & ORDER: ON DEFENDANT AECOM TECHNICAL SERVICES INC.'S AND DEFENDANT SUEZ WATER ENVIRONMENTAL SERVICES INC'S MOTIONS TO DISMISS PLAINTIFF'S COMPLAINT PURSUANT TO MASS.R.CIV.P.12(b)(6)- ORDER: For the reasons stated above, this court hereby ORDERS that defendant AECOM's motion to dismiss be ALLOWED as to Counts II, IV, and VIII of the complaint, and that defendant Suez's motion to dismiss be ALLOWED, in part, as to Counts V and VI, but be DENIED as to Counts II, IV, and VII. Entered and Copies mailed 8/14/18 Judge: Sullivan, Hon. Susan E	25	 Image
08/16/2018	Transcript received for June 4, 2018	26	 Image
09/10/2018	Appeal: Statement of the Case on Appeal (Cover Sheet). Applies To: Haber, Esq., Edward F (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); Crotty, Esq., Jason W (Attorney) on behalf of City of Gardner (Defendant); Stewart, Esq., Adam M (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); Blauner, Esq., Michelle H (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); Desmond, Esq., Joseph M (Attorney) on behalf of Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant); Lindenbaum, Esq., Matthew (Attorney) on behalf of AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant); Steinberg, Esq., Michael E (Attorney) on behalf of AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant); Dinerstein, Esq., Jonathan Fread (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff)		
09/10/2018	Appeal: notice of assembly of record sent to Counsel Applies To: Haber, Esq., Edward F (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); Crotty, Esq., Jason W (Attorney) on behalf of City of Gardner (Defendant); Stewart, Esq., Adam M (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); Blauner, Esq., Michelle H (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); Desmond, Esq., Joseph M (Attorney) on behalf of Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant); Lindenbaum, Esq., Matthew (Attorney) on behalf of AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant); Steinberg, Esq., Michael E (Attorney) on behalf of AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant); Dinerstein, Esq., Jonathan Fread (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff)		
09/10/2018	Notice to Clerk of the Appeals Court of Assembly of Record Applies To: Haber, Esq., Edward F (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); Crotty, Esq., Jason W (Attorney) on behalf of City of Gardner (Defendant); Stewart, Esq., Adam M (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); Blauner, Esq., Michelle H (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); Desmond, Esq., Joseph M (Attorney) on behalf of Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant); Lindenbaum, Esq., Matthew (Attorney) on behalf of AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant); Steinberg, Esq., Michael E (Attorney) on behalf of AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant); Dinerstein, Esq., Jonathan Fread (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff)		
09/11/2018	General correspondence regarding Documents Filed with the Appeals Court (COPIES) 1) Plaintiff Janice Magliacane's Petition for Interlocutory Review to the Single Justice Pursuant to G.L. c. 231, §118; 2) Plaintiff Janice Magliacane's Memorandum in Support of her Petition for Interlocutory Review to the Single Justice Pursuant to G.L. c. 231, §118; and	27	 Image









<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
	3) Record Appendix in Support of Plaintiff Janice Magliacane's Petition for Interlocutory Review to the Single Justice Pursuant to the Single Justice Pursuant to G.L. c.231, §118.		
09/20/2018	Notice of Entry of appeal received from the Appeals Court The Plaintiff has filed a petition pursuant to G. L. c. 231, § 118, seeking review of the judge's declination of class certification at the motion to dismiss. Accordingly, the petition is denied.	28	 Image
09/26/2018	Notice of docket entry received from Appeals Court In accordance with Massachusetts Rule of Appellate Procedure 10 (a) (3), please note that the above-referenced case was entered in this Court on September 18, 2018	29	 Image
09/27/2018	Attorney appearance On this date Matthew Lindenbaum, Esq. dismissed/withdrawn for Defendant AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)		
10/02/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Motion to stay action	30	 Image
10/02/2018	Janice Magliacane, Individually and on behalf of others similarly situated's Memorandum in support of paper # 30.1	30.1	 Image
10/02/2018	Opposition to to paper # 30 filed by	30.2	 Image
10/02/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Reply in support of her motion to stay action	30.3	 Image
10/02/2018	Affidavit of compliance with Superior Court Rule 9A Applies To: Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff)	30.4	 Image
10/11/2018	Endorsement on Motion to Stay Action (#30.0): DENIED The motion to stay is DENIED. All tracking order deadlines extended 90 days. Notices mailed 10/12/18 Judge: Callan, Hon. Michael K		 Image
10/16/2018	The following form was generated: Notice to Appear Sent On: 10/16/2018 12:58:19		
11/29/2018	Event Result:: Motion Hearing scheduled on: 11/29/2018 02:00 PM Has been: Held as Scheduled Comments: FTR Room 19 Hon. Francis E Flannery, Presiding Appeared: Staff: Gail Dempsey, Assistant Clerk Magistrate		
11/29/2018	Attorney appearance On this date Adam Lovell Madison Pittman, Esq. added for Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)		
12/14/2018	General correspondence regarding status report regarding discovery motions	31	 Image
12/17/2018	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Request for conference pursuant to Mass. R. Civ. P. 16	32	 Image
12/17/2018	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Joint Motion to extend fact discovery deadline	33	 Image













Docket Date	Docket Text	File Ref Nbr.	Image Avail.
12/19/2018	Endorsement on Request for Conference Pursuant to Mass.R.Civ.P.16 (#32.0): ALLOWED Conference to be scheduled prior to 1/4/19. Notices mailed 12/19/18 Judge: Flannery, Hon. Francis E		 Image
12/19/2018	The following form was generated: Notice to Appear Sent On: 12/19/2018 14:18:47		
12/19/2018	Endorsement on Motion to extend fact discovery deadline (#33.0): ALLOWED Changed in header and tracking order sent : 12/21/2018		 Image
01/03/2019	Event Result:: Rule 16 Conference scheduled on: 01/03/2019 02:00 PM Has been: Held as Scheduled Comments: FTR Room 19 Hon. Francis E Flannery, Presiding Appeared: Staff: Gail Dempsey, Assistant Clerk Magistrate		 Image
01/04/2019	Endorsement on Motion for Protective Order (#21.0): Other action taken The court orders the Defendant to produce documents based upon the twenty (20) search terms listed in addendum A. The Defendant may move for reconsideration based upon the burden of providing these documents as neither party is currently in a position to advise the court as to the number of documents these terms will generate. This discovery will be provided within sixty (60) days of this order, but given the unknown extent of documents to be provided, either party may seek an extension of the deadline for this and all other discovery. Notices mailed 1/7/19 Judge: Flannery, Hon. Francis E		 Image
02/28/2019	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s EMERGENCY Motion for reconsideration on its motion for protective order	34	 Image
02/28/2019	Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Memorandum in support of paper # 34 (emergency motion for protective order)	34.1	 Image
02/28/2019	Rule 9A list of documents filed.	34.2	 Image
03/04/2019	Opposition to to paper # 34 (motion for protective order) filed by	35	 Image
03/04/2019	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Declaration of Adam M. Stewart in support of paper # 35 (opposition to paper # 34)	35.1	 Image
03/06/2019	Endorsement on Motion for Reconsideration on its Motion for Protective Order (#34.0): Other action taken Allowed in part. The March 5th deadline is extended until further order of the court. The remaining issues will be heard by the court at Hampden Superior Court at a date to be determined. Notices mailed 3/21/19 Judge: Flannery, Hon. Francis E		 Image
03/07/2019	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion to compel the deposition of the plaintiff Janice Magliacane with memorandum of law in support of	36	 Image
03/07/2019	Opposition to to paper # 36 (motion to compel) filed by	36.1	 Image
03/07/2019	General correspondence regarding declaration of Adam M. Stewart in support of paper # 36.1 (opposition)	36.2	 Image







<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
03/07/2019	Affidavit of compliance with Superior Court Rule 9A and certificate of service Applies To: Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)	36.3	 Image
03/07/2019	Request for hearing filed Applies To: Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)	36.4	 Image
03/07/2019	Rule 9A list of documents filed. pursuant to superior court rule 9A	36.5	 Image
03/21/2019	The following form was generated: Notice to Appear Sent On: 03/21/2019 16:11:24		
03/25/2019	Attorney appearance On this date Michael E Steinberg, Esq. dismissed/withdrawn for Defendant AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.)		
03/29/2019	Matter taken under advisement: Motion Hearing for Reconsideration scheduled on: 03/29/2019 10:30 AM Has been: Held - Under advisement Comments: Held at ampden Superior Court, Courtroom 4 FTR 4 Hon. Francis E Flannery, Presiding Appeared: Staff: Edward Partyka, Assistant Clerk Magistrate		
04/02/2019	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's EMERGENCY Motion to Extend Fact Discovery Deadline.	37	 Image
04/02/2019	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Memorandum in Support of Emergency Motion to Extend Fact Discovery Deadline.	37.1	 Image
04/04/2019	Opposition to to paper #37 (emergency motion to extend fact discovery deadline) filed by Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)	38	 Image
04/29/2019	Party(s) file Stipulation of Dismissal With Respect to Only Defendant Suez Water Environmental Services Inc.; with prejudice and each party bearing its own costs. Notices mailed 4/30/19 Applies To: Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)	39	 Image
04/30/2019	Event Result:: Motion Hearing to Compel scheduled on: 04/30/2019 02:00 PM Has been: Canceled For the following reason: Case Settled Hon. David Ricciardone, Presiding Staff: Gail Dempsey, Assistant Clerk Magistrate		
05/01/2019	Endorsement on Motion for Reconsideration on its Motion for Protective Order (#34.0): Other action taken Moot as the parties have filed a stipulation of dismissal. Notices mailed 5/17/19 Judge: Flannery, Hon. Francis E		
















<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
05/17/2019	Notice of docket entry received from Appeals Court Please take note that on May 15, 2019, the following entry was made on the docket of the above-referenced case: ORDER: Case transferred to SJC sua sponte.	40	 Image
05/20/2019	Notice of docket entry received from Supreme Judicial Court Pursuant to Mass. R. A. P. 10(a)(3), you are hereby notified that, on May 16, 2019, the above-referenced case was entered on the docket of this court. Docket No. SJC-12736	42	 Image
05/28/2019	Party(s) file Stipulation of Dismissal with prejudice with respect to counter-claims between defendants Suez and Aecom, and each party bearing its own costs and all rights of appeal being waived Applies To: Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant); AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) (Defendant)	43	 Image
02/21/2020	Rescript received from Supreme Judicial Court; judgment REMANDED for further proceedings consistent with this opinion. The order allowing the city's motion to dismiss is vacated and the case is remanded to the Superior Court for further proceedings consistent with this opinion.	44	 Image
02/24/2020	General correspondence regarding copies of decision by Supreme Judicial Court mailed to parties	45	 Image
02/26/2020	The following form was generated: Notice to Appear Sent On: 02/26/2020 11:59:55		
03/02/2020	Amended: amended complaint filed by Janice Magliacane, Individually and on behalf of others similarly situated Jury Trial Demand	46	 Image
03/19/2020	Court orders rescheduling due to State of Emergency surrounding the Covid-19 virus.: Conference to Review Status scheduled on: 04/07/2020 02:00 PM Has been: Rescheduled-Covid-19 emergency Hon. William J Ritter, Presiding Staff: Gail Dempsey, Assistant Clerk Magistrate Dixie L Williams, Assistant Clerk Magistrate		
03/19/2020	The following form was generated: Notice to Appear Sent On: 03/19/2020 11:31:00		
03/19/2020	The following form was generated: Notice to Appear Sent On: 03/19/2020 11:31:16		
05/14/2020	Received from Defendant City of Gardner: Answer to original complaint; CJ	47	 Image
05/14/2020	Attorney appearance On this date John J Davis, Esq. added for Defendant City of Gardner		
05/27/2020	Court orders rescheduling due to State of Emergency surrounding the Covid-19 virus.: Conference to Review Status scheduled on: 06/09/2020 10:00 AM Has been: Rescheduled-Covid-19 emergency Hon. William J Ritter, Presiding		














<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
	Staff: Gail Dempsey, Assistant Clerk Magistrate		
05/27/2020	The following form was generated: Notice to Appear Sent On: 05/27/2020 14:10:41		
05/29/2020	Received from Defendant City of Gardner: Answer with claim for trial by jury;	48	 Image
05/29/2020	3rd Party Complaint filed (see P#47)		
06/25/2020	Event Result:: Conference to Review Status scheduled on: 06/25/2020 10:30 AM Has been: Held as Scheduled Comments: Zoom hearing; Room 19 Hon. William J Ritter, Presiding Staff: Gail Dempsey, Assistant Clerk Magistrate		
07/01/2020	Case assigned to: DCM Track A - Average was added on 07/01/2020		
07/13/2020	3rd Party Summons, returned SERVED Through Agent/Person in Charge; Service made on 07/02/20. Applies To: Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)	49	 Image
07/24/2020	Received from Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.): Answer to the Third Party Complaint;	50	 Image
07/24/2020	Attorney appearance On this date Joseph M Fogarty, Esq. added for Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)		
07/24/2020	General correspondence regarding Superior Court Rule 9E notice of Suae Water Environmental Services Inc.	50.1	 Image
08/17/2020	Attorney appearance On this date John Wilusz, Esq. added for Defendant City of Gardner		
08/18/2020	Defendant City of Gardner's Notice of Appearance	51	 Image
08/25/2020	Reply/Sur-reply	52	 Image
08/25/2020	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Request for Leave to File Reply	53	 Image
08/27/2020	Endorsement on Request for Leave to File Reply (#53.0): ALLOWED Notices mailed 9/1/2020 Judge: Ricciardone, Hon. David		 Image
09/08/2020	Defendant in a 3rd Party Claim Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Submission of List of 9A Documents (E-FILED)	54.7	 Image
09/08/2020	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion to Sever and Stay Counts I and III and to Dismiss Counts II and IV of the City of Gardner's Third party Complaint (E-FILED)	54	 Image








Docket Date	Docket Text	File Ref Nbr.	Image Avail.
09/08/2020	Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Memorandum in support of It's Motion to Sever and Stay Counts I and III and to Dismiss Counts II and IV of the City of Garner's Third Party Complaint (E-FILED)	54.1	 Image
09/08/2020	Opposition to Third party Defendant Suez Water Environmental Services Inc's Motion to Sever and Stay Counts I and III and to Dismiss Counts II and IV of Third party Complaint filed by City of Gardner(E-FILED)	54.2	 Image
09/08/2020	Opposition to Suez Water Environmental Services Inc's Motion to Sever and Stay Counts I and III and to dismiss Count II and IV of the City of Gardner's Third Party Complaint (E-FILED) filed by Janice Magliacane, Individually and on behalf of others similarly situated	54.3	 Image
09/08/2020	Reply/Sur-reply Suez Environmental Services Inc's Reply to City of Gardner's and Plaintiff's Oppositions to Suez Water Environmental Services Inc's Motion to Sever and Stay Counts I and III and to Dismiss Counts II and IV of City of Garner's Third Party Complaint (E-FIELD)	54.4	 Image
09/08/2020	Defendant in a 3rd Party Claim Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Request for Hearing (E-FILED)	54.5	 Image
09/08/2020	Affidavit of Compliance With Superior Court Rule 9A (E-FILED)	54.6	 Image
09/09/2020	The following form was generated: Notice to Appear Sent On: 09/09/2020 12:18:16 Notice Sent To: Edward F Haber, Esq. Shapiro Haber & Urmy LLP Seaport East Two Seaport Lane, Boston, MA 02210 Notice Sent To: Adam M Stewart, Esq. Shapiro Haber & Urmy LLP Seaport East Two Seaport Lane 6th Floor, Boston, MA 02210 Notice Sent To: Michelle H Blauner, Esq. Shapiro Haber & Urmy LLP Two Seaport Lane 6th Floor, Boston, MA 02210 Notice Sent To: Jonathan Fread Dinerstein, Esq. 257 Walnut St Apt 3, Brookline, MA 02445 Notice Sent To: Jason W Crotty, Esq. Pierce Davis & Perritano LLP 10 Post Off Square Suite 1100N, Boston, MA 02109 Notice Sent To: John J Davis, Esq. Pierce Davis & Perritano LLP 10 Post Off Square Suite 1100N, Boston, MA 02109-4603 Notice Sent To: John Wilusz, Esq. Pierce Davis & Perritano LLP 10 Post Off Square Suite 1100N, Boston, MA 02109-4603 Notice Sent To: Joseph M Desmond, Esq. Morrison Mahoney LLP 250 Summer St, Boston, MA 02210 Notice Sent To: Adam Lovell Madison Pittman, Esq. AIG 99 High St - 24th Floor, Boston, MA 02110 Notice Sent To: Joseph M Fogarty, Esq. Morrison Mahoney LLP 250 Summer St, Boston, MA 02210		
10/14/2020	Event Result:: Motion Hearing scheduled on: 10/14/2020 10:00 AM Has been: Held via Video Conference Comments: FTR 19/Zoom Hon. William J Ritter, Presiding Staff: Gail Dempsey, Assistant Clerk Magistrate		
10/14/2020	Endorsement on Motion to Sever and Stay Counts I and III and to Dismiss Counts II and IV of the City of Gardner's Third Party Complaint (#54.0): DENIED After hearing and thorough review of all pleadings and prior decisions, Defendant Suez Water Environmental Services, Inc.'s (Suez) Motion to Sever and Stay Counts I and III and to Dismiss Counts II and IV of the City of Gardner's Third-Party Complaint (paper #54), DENIED. Assuming the allegations and reasonable inferences in the third-party complaint are true, the city plausibly suggest an entitlement to relief on its claims for breach of contract and contribution. The contract claim is specifically pled and the city is permitted to plead its causes of action in the alternative. Defendant offers no legal or factual support that the city's contribution claim is barred due to the plaintiff dismissing its claim against Suez for no consideration. Severance and stay with respect to the indemnity claims is not warranted where Suez acted as the agent or contractor for the city with responsibility for operation of the city's water facilities and distribution system. The plaintiff's claims against the city and the city's claims against Suez necessarily involve Suez's conduct during the contract period. All the claims relate to the same set of facts. Judicial efficiency dictates that discovery and determination of the claims be considered in a single action at the same time. Notices mailed 10/15/2020		 Image
01/29/2021	Plaintiff(s) Janice Magliacane, Individually and on behalf of others similarly situated motion filed to compel Third Party Defendant to Review and Produce Electronically Stored Information	55	 Image








<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
	(E-FILED)		
01/29/2021	Janice Magliacane, Individually and on behalf of others similarly situated's Memorandum in support of Motion to Compel Third Party Defendant to Review and Produce Electronically Stored Information (E-FILED)	55.1	 Image
01/29/2021	Opposition to Motion to Compel Third Party Defendant to Review and Produce Electronically Stored Information filed by Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (E-FILED)	55.2	 Image
01/29/2021	Reply/Sur-reply (E-FILED)	55.3	 Image
01/29/2021	Affidavit of Compliance with Superior Court Rule 9A (E-FILED)	55.4	 Image
01/29/2021	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Request for Hearing (E-FILED)	55.5	 Image
01/29/2021	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Notice of Filing (E-FILED)	55.6	 Image
01/29/2021	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Submission of List of Documents (E-FILED)	55.7	 Image
01/29/2021	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Certificate of Service (E-FILED)	55.8	 Image
02/03/2021	The following form was generated: Notice to Appear Sent On: 02/03/2021 11:16:50 Notice Sent To: Edward F Haber, Esq. Shapiro Haber & Urmy LLP Seaport East Two Seaport Lane, Boston, MA 02210 Notice Sent To: Adam M Stewart, Esq. Shapiro Haber & Urmy LLP Seaport East Two Seaport Lane 6th Floor, Boston, MA 02210 Notice Sent To: Michelle H Blauner, Esq. Shapiro Haber & Urmy LLP Two Seaport Lane 6th Floor, Boston, MA 02210 Notice Sent To: Jonathan Fread Dinerstein, Esq. 257 Walnut St Apt 3, Brookline, MA 02445 Notice Sent To: Jason W Crotty, Esq. Pierce Davis & Perritano LLP 10 Post Off Square Suite 1100N, Boston, MA 02109 Notice Sent To: John J Davis, Esq. Pierce Davis & Perritano LLP 10 Post Off Square Suite 1100N, Boston, MA 02109-4603 Notice Sent To: John Wilusz, Esq. Pierce Davis & Perritano LLP 10 Post Off Square Suite 1100N, Boston, MA 02109-4603 Notice Sent To: Joseph M Desmond, Esq. Morrison Mahoney LLP 250 Summer St, Boston, MA 02210 Notice Sent To: Adam Lovell Madison Pittman, Esq. AIG 99 High St 24th Floor, Boston, MA 02110 Notice Sent To: Joseph M Fogarty, Esq. Morrison Mahoney LLP 250 Summer St, Boston, MA 02210		
02/08/2021	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion to Schedule a Hearing regarding its Emergency Motion for Reconsideration on its Motion for Protective Order (p#34) (E-FILED)	56	 Image
02/08/2021	Opposition to Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion to Schedule a Hearing regarding its Emergency Motion for Reconsideration on its Motion for Protective Order (p#34) filed by Janice Magliacane, Individually and on behalf of others similarly situated (E-FILED)	56.1	 Image
02/08/2021	Reply/Sur-reply (E-FILED)	56.2	 Image
02/08/2021	Affidavit of Compliance with Superior Court Rule 9A (E-FILED)	56.3	 Image










Docket Date	Docket Text	File Ref Nbr.	Image Avail.
02/08/2021	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Submission of List of Documents (E-FILED)	56.4	 Image
02/11/2021	The following form was generated: Notice to Appear Sent On: 02/11/2021 12:43:00 Notice Sent To: Edward F Haber, Esq. Shapiro Haber & Urmy LLP Seaport East Two Seaport Lane, Boston, MA 02210 Notice Sent To: Adam M Stewart, Esq. Shapiro Haber & Urmy LLP Seaport East Two Seaport Lane 6th Floor, Boston, MA 02210 Notice Sent To: Michelle H Blauner, Esq. Shapiro Haber & Urmy LLP Two Seaport Lane 6th Floor, Boston, MA 02210 Notice Sent To: Jonathan Fread Dinerstein, Esq. 257 Walnut St Apt 3, Brookline, MA 02445 Notice Sent To: Jason W Crotty, Esq. Pierce Davis & Perritano LLP 10 Post Off Square Suite 1100N, Boston, MA 02109 Notice Sent To: John J Davis, Esq. Pierce Davis & Perritano LLP 10 Post Off Square Suite 1100N, Boston, MA 02109-4603 Notice Sent To: John Wilusz, Esq. Pierce Davis & Perritano LLP 10 Post Off Square Suite 1100N, Boston, MA 02109-4603 Notice Sent To: Joseph M Desmond, Esq. Morrison Mahoney LLP 250 Summer St, Boston, MA 02210 Notice Sent To: Adam Lovell Madison Pittman, Esq. AIG 99 High St 24th Floor, Boston, MA 02110 Notice Sent To: Joseph M Fogarty, Esq. Morrison Mahoney LLP 250 Summer St, Boston, MA 02210		
03/11/2021	Matter taken under advisement: Motion Hearing to Compel scheduled on: 03/11/2021 10:00 AM Has been: Held - Under advisement Comments: FTR - 10:30 AM Hon. William J Ritter, Presiding		
03/11/2021	Matter taken under advisement: Motion Hearing for Reconsideration scheduled on: 03/11/2021 10:00 AM Has been: Held - Under advisement Comments: FTR - 10:30 AM Hon. William J Ritter, Presiding		
03/29/2021	Endorsement on Motion to Compel Third Party Defendant Suez Water Environmental Services Inc. to Review and Produce Electronically Stored Information (#55.0): Other action taken After hearing and thorough review of all pleadings and prior decisions, Plaintiff's Motion to Compel Third-Party Defendant Suez Water Environmental Services, Inc. to Review and Produce Electronically Stored Information (paper #55), ALLOWED; production to occur within sixty days. Suez Water Environmental Services, Inc.'s Motion For Reconsideration (paper #34 and 56), DENIED. The requested documents and information are relevant to Plaintiff's claim. Although burdensome, such discovery may be permitted prior to any determination of class certification. Moreover, this court is not inclined to shift a party's expense of production to the Plaintiff. Notices mailed 3/29/21 Judge: Ritter, Hon. William J		 Image
03/29/2021	Endorsement on Motion to Schedule a Hearing Regarding its Emergency Motion for Reconsideration on its Motion for Protective Order (Paper No. 34) (#56.0): Other action taken Papers #34 & 56 Denied. See paper #55. Notices mailed 3/29/21 Judge: Ritter, Hon. William J		 Image
04/06/2021	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Joint Motion to Approve confidentiality agreement and to enter proposed order.	57	 Image
04/13/2021	Endorsement on Motion to approve confidentiality agreement and enter proposed order (#57.0): ALLOWED by agreement, nunc pro tunc to April 13, 2018. notices mailed 04/21/2021 Judge: Ricciardone, Hon. David		 Image
05/07/2021	Defendant Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion to Extend Time to Comply with Court Order Dated March 29,2021 (E-FILED)	58	 Image








<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
05/07/2021	Affidavit of Assent of Other Parties (E-FILED)	58.1	 Image
05/10/2021	Endorsement on Motion to Extend Time to Comply with Court Order dated March 29, 2021 (#58.0): ALLOWED Notices mailed 5/10/21 Judge: Ritter, Hon. William J		 Image
12/03/2021	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Notice of Withdrawal of Appearance of Adam M. Stewart (E-FILED)		 Image
12/03/2021	Attorney appearance On this date Adam M Stewart, Esq. dismissed/withdrawn for Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated		
12/07/2021	Attorney appearance On this date Ian McLoughlin, Esq. added for Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated		 Image
06/13/2022	Defendant, Defendant in a 3rd Party Claim City of Gardner, Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion to Extend Tracking Order Deadlines (E-FILED)	59	 Image
06/15/2022	Endorsement on Motion to Extend Tracking Order Deadlines (#59.0): DENIED Denied without prejudice for failure to comply with Rule 9A. Notices mailed 6/15/22 Judge: Ritter, Hon. William J		 Image
06/16/2022	Defendant City of Gardner, Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion to extend tracking order deadlines. (E-FILED)	60	 Image
06/16/2022	Affidavit of compliance with Superior Court Rule 9A(b)(2). (E-FILED)	60.1	 Image
06/16/2022	Defendant City of Gardner, Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Notice of filing Motion. (E-FILED)	60.2	 Image
06/16/2022	Defendant City of Gardner, Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Submission of List of Documents. (E-FILED)	60.3	 Image
06/21/2022	Endorsement on Motion to Extend Tracking Order Deadlines (#60.0): ALLOWED Tracking order amended. Notices mailed 6/21/22 Judge: Ritter, Hon. William J		 Image
06/21/2022	Attorney appearance electronically filed. On this date John Wilusz, Esq. dismissed/withdrawn for Defendant City of Gardner		 Image
09/21/2022	Defendant, Defendant in a 3rd Party Claim City of Gardner, Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Motion to Preclude Class Certification (E-FILED)	61	 Image
09/21/2022	City of Gardner, Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Memorandum of Law in Support of Its Motion to Preclude Class Certification (E-FILED)	61.1	 Image
09/21/2022	Exhibits/Appendix	61.2	 Image





<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
	in Support of Defendants' Motion to Preclude Class Certification (E-FILED)		
09/21/2022	Opposition to P#61 filed by Janice Magliacane, Individually and on behalf of others similarly situated to Defendant, City of Gardner and Third-Party Defendant, Suez Water Environmental Service, Inc.'s Motion to Preclude Class Certification (E-FILED)	61.3	 Image
09/21/2022	Exhibits/Appendix in Support of Plaintiff's Opposition to Preclude Certification PART 1 (E-FILED)	61.4	 Image
09/21/2022	Exhibits/Appendix to Plaintiff's Opposition to Preclude Class Certification PART 2 (E-FILED)	61.5	 Image
09/21/2022	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Submission of Cross-Motion for Class Certification (E-FILED)	61.6	 Image
09/21/2022	Janice Magliacane, Individually and on behalf of others similarly situated's Memorandum of Law in Support of Her Cross-Motion for Class Certification (E-FILED)	61.7	 Image
09/21/2022	Affidavit of Paul Huhtala (E-FILED)	61.8	 Image
09/21/2022	Declaration of Ian J. McLoughlin (1) in Opposition to Defendant, City of Gardner and Third-Party Defendant, Suez Water Environmental Services, Inc.'s Motion to Preclude Class Certification and (2) in Support of Plaintiff's Cross-Motion for Class Certification (E-FILED)	61.9	 Image
09/21/2022	Defendants City of Gardner, Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Certificate of Notice of Filing (E-FILED)	61.11	 Image
09/21/2022	Opposition to P#61.6 filed by City of Gardner, Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)to Plaintiff's Cross Motion for Class Certification (JOINT) (E-FILED)	61.12	 Image
09/21/2022	Reply/Sur-reply of Plaintiff Janice Magliacane's Memorandum of Law in Support of Her Cross-Motion for Class Certification (E-FILED)	61.13	 Image
09/21/2022	Affidavit of Compliance with Superior Court Rule 9A(b)(2) (E-FILED)	61.14	 Image
09/21/2022	Defendants City of Gardner, Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Request for Hearing (E-FILED)	61.15	 Image
09/21/2022	Defendants City of Gardner, Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Submission of List of Documents Filed (E-FILED)	61.16	 Image
09/23/2022	List of exhibits Received from Plaintiff in Support of her Opposition to Motion to Preclude Class Certification and in Support of her Cross-Motion for Class Certification (P.# 61)	62	

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
	NOT SCANNED TO LARGE (in large white envelope)		
10/04/2022	The following form was generated: Notice to Appear Sent On: 10/04/2022 10:11:18		
10/27/2022	Matter taken under advisement: Motion Hearing scheduled on: 10/27/2022 02:00 PM Has been: Held - Under advisement Comments: FTR19 Hon. William J Ritter, Presiding Staff: Eric Thuotte, Assistant Clerk Magistrate Jorge Villali, Assistant Clerk Magistrate		
12/28/2022	Endorsement on Motion for Class Certification (Cross Motion) (#61.6): ALLOWED See memorandum of decision. Notices mailed 12/29/22 Judge: Ritter, Hon. William J		 Image
12/28/2022	Endorsement on Motion to Preclude Class Certification (#61.0): DENIED See memorandum of decision. Notices mailed 12/29/22 Judge: Ritter, Hon. William J		 Image
12/30/2022	MEMORANDUM & ORDER: ON DEFENDANT CITY OF GARDNER AND THIRD-PARTY DEFENDANT SUEZ WATER ENVIRONMENTAL SERVICES, INC.'S MOTION TO PRECLUDE CLASS CERTIFICATION AND PLAINTIFF JANICE MAGLIACANE'S CROSS MOTION FOR CLASS CERTIFICATION- ORDER: For the foregoing reasons, it is ORDERED that the defendants' motion is DENIED and the plaintiff's motion is ALLOWED. Entered and Copies mailed 12/30/22 Judge: Ritter, Hon. William J	63	 Image
01/27/2023	Defendant in a 3rd Party Claim Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Petition for Interlocutory Relief under G. L. 231, § 118 (E-FILED)	64	 Image
01/27/2023	Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.)'s Memorandum in support of Petition for Interlocutory Relief under G. L. 231, § 118 (E-FILED)	65	 Image
01/30/2023	Notice of docket entry received from Appeals Court Please take note that on January 27, 2023, the following entry was made on the docket of the above-referenced case: Petition pursuant to G.L. c. 231, s. 118 filed for SUEZ Water Environmental Services Inc by Attorney Joseph Fogarty.	66	 Image
02/06/2023	Notice of docket entry received from Appeals Court Please take note that on February 6, 2023, the following entry was made on the docket of the above-referenced case (2023-J-0050): ORDER (RE #1): The third party defendant petitioner Suez Water Environmental (Suez) [FN1] seeks review of a 12/28/22 order of the Worcester Superior Court denying Suez's and the defendant City of Gardner's (City's) joint motion to preclude class certification and allowing the plaintiff City resident and homeowner Janice Magliacane's cross motion for class certification.... Accordingly, all relief requested is denied. (Henry, J.) Notice/attest/Ritter, J. (see Order)	67	 Image
02/16/2023	The following form was generated: Notice to Appear Sent On: 02/16/2023 10:53:49		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
02/17/2023	Civil Action Cover Sheet (P#2) Defendant AECOM technical Services, Inc.'s., Rule 9E Notice of Motion to Dismiss and Motion to Strike (P#9) Defendant/Cross-Claim Plaintiff AECOM Technical Services, Inc.'s Cross-Claims against Defendant Suez Water Environmental Services, Inc. (P#14) Plaintiff Janice Magliacane's Consolidated Opposition to Motions to Dismiss of Defendants Suez Water Environmental Services, Inc. and AECOM Technical Services, Inc. (P#15.2) Plaintiff Janice Magliacane's Opposition to Motion of Defendant City of Gardner to Dismiss Plaintiff's Complaint Under Rule 12(b)(6) and for Entry of Separate and Final Judgment Under Rule 54(b) (P#17.2) Plaintiff's Request for Hearing on Defendant City of Gardner's Motion to Dismiss (P#17.3) Defendant City of Gardner's Request for Hearing (P#17.4) Affidavit of Compliance with Superior Court Rule 9A(b)(2) Plaintiff's Request for Hearing on Defendant Suez Water Environmental Services, Inc.'s Motion to Dismiss (P#18.3)		 Image
02/17/2023	SJC Decision dated 1/22/2020 on Janice Magliacane vs. City of Gardner & Others (P#45)		 Image
02/27/2023	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Joint Motion to Modify the Tracking Order Deadlines (E-FILED)	68	 Image
02/27/2023	Defendant City of Gardner's Assented to Motion to Convert the March 23, 2023 Status Conference to a Remote Hearing or, Alternatively, to Reschedule Same (E-FILED)	69	 Image
02/28/2023	Endorsement on Motion to Modify the Tracking Order Deadlines (#68.0): No Action Taken No action taken at this time, Clerk shall schedule a Rule 16 conference. Notices mailed 3/3/23 Judge: Reardon, Jr., Hon. James G		 Image
02/28/2023	Endorsement on Motion to Convert the March 23, 2023 Status Conference to a Remote Hearing or, Alternatively, to Reschedule Same (#69.0): ALLOWED Hearing shall be conducted remotely. At the hearing, the court will discuss setting a date for a Rule 16 conference. Notices mailed 3/3/23 Meeting ID# 160 0809 8808 Judge: Reardon, Jr., Hon. James G		 Image
03/23/2023	Event Result:: Conference to Review Status scheduled on: 03/23/2023 02:00 PM Has been: Held as Scheduled Comments: FTR19 Hon. James G Reardon, Jr., Presiding Staff: Paul Mullan, Assistant Clerk Magistrate Eric Thuotte, Assistant Clerk Magistrate		
03/23/2023	Endorsement on Motion to Modify the Tracking Order Deadlines (#68.0): ALLOWED Allowed after hearing. Tracking order amended. Notices mailed 8/1/23 Judge: Reardon, Jr., Hon. James G		 Image
03/24/2023	The following form was generated: Notice to Appear Sent On: 03/24/2023 11:41:18		
03/24/2023	The following form was generated: Notice to Appear Sent On: 03/24/2023 11:44:47		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
03/24/2023	Scheduled: Event: Jury Trial Date: 11/25/2024 Time: 09:00 AM Result: Not Held		
03/24/2023	The following form was generated: Notice to Appear Sent On: 03/24/2023 12:25:21		
08/23/2023	Event Result:: Conference to Review Status scheduled on: 08/24/2023 02:00 PM Has been: Held via Video/Phone Hon. William J Ritter, Presiding Staff: Paul Mullan, Assistant Clerk Magistrate		
10/03/2023	Attorney appearance electronically filed. Applies To: Cahill, Esq., William C (Attorney) on behalf of Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)		 Image
10/03/2023	Attorney appearance electronically filed. Applies To: Campbell, Esq., James M (Attorney) on behalf of Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)		 Image
10/03/2023	Attorney appearance electronically filed. Applies To: Howe, Esq., Christopher Robert (Attorney) on behalf of Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)		 Image
10/13/2023	Plaintiff, Defendant Janice Magliacane, Individually and on behalf of others similarly situated, City of Gardner, Suez Water Environmental Services, Inc. (formerly known as United Water Environmental Services, Inc.)'s Joint Motion to set new tracking order deadlines (E-FILED)	70	 Image
10/19/2023	Plaintiff, Defendant Janice Magliacane, Individually and on behalf of others similarly situated, City of Gardner, Suez Water Environmental Services, Inc. (formerly known as United Water Environmental Services, Inc.)'s Joint Motion to correct joint motion to set new tracking order deadlines (E-FILED)	71	 Image
10/20/2023	Endorsement on Motion to Set New Tracking Order Deadlines (#70.0): Other action taken Moot. See Paper# 71. Notices mailed 10/23/23 Judge: Ritter, Hon. William J		 Image
10/20/2023	Endorsement on Motion to Correct Joint Motion to Set New Tracking Order Deadlines (#71.0): ALLOWED Notices mailed 10/23/23 Judge: Ritter, Hon. William J		 Image
10/20/2023	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Joint Motion to Set New Tracking Order Deadlines (CORRECTED)	72	 Image
10/23/2023	Notice of Withdrawal of Appearance electronically filed. Applies To: Desmond, Esq., Joseph M (Attorney) on behalf of Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)		 Image

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
10/23/2023	Notice of Withdrawal of Appearance electronically filed. Applies To: Fogarty, Esq., Joseph M (Attorney) on behalf of Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)		 Image
10/24/2023	Endorsement on Motion to Set New Tracking Order Deadlines (#72.0): ALLOWED Tracking Order amended. Notices mailed 11/16/23		 Image
11/16/2023	Event Result:: Final Pre-Trial Conference scheduled on: 06/13/2024 02:00 PM Has been: Not Held For the following reason: By Court prior to date Comments: Tracking order extended Hon. William J Ritter, Presiding		
01/23/2024	Plaintiff, Defendant Janice Magliacane, Individually and on behalf of others similarly situated, City of Gardner, Suez Water Environmental Services, Inc. (formerly known as United Water Environmental Services, Inc.)'s Joint Motion to set new tracking order deadlines (E-FILED)	73	 Image
01/30/2024	Endorsement on Motion to Set New Tracking Order Deadlines (#73.0): ALLOWED Clerk to schedule new trial assignment. Notices mailed 2/5/24 Judge: Ritter, Hon. William J		 Image
02/05/2024	Event Result:: Final Trial Conference scheduled on: 11/12/2024 02:00 PM Has been: Not Held For the following reason: Joint request of parties Hon. William J Ritter, Presiding Staff: Eric Thuotte, Assistant Clerk Magistrate		
02/05/2024	Event Result:: Jury Trial scheduled on: 11/25/2024 09:00 AM Has been: Not Held For the following reason: Joint request of parties Hon. William J Ritter, Presiding Staff: Eric Thuotte, Assistant Clerk Magistrate		
02/16/2024	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Notice of Withdrawal of Jonathan F. Dinerstein [E-FILED] Applies To: Dinerstein, Esq., Jonathan Fread (Attorney) on behalf of Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff)	74	 Image
04/03/2024	Plaintiff, Defendants Janice Magliacane, Individually and on behalf of others similarly situated, City of Gardner's Joint Motion to Convert the April 9, 2024 Status Conference to a Remote Hearing or, Alternatively, to Reschedule Same (E-FILED) Applies To: Janice Magliacane, Individually and on behalf of others similarly situated (Plaintiff); City of Gardner (Defendant); Suez Water Environmental Services, Inc.(formerly known as United Water Environmental Services, Inc.) (Defendant)	75	 Image
04/04/2024	Endorsement on Motion to Convert the April 9, 2024 Status Conference to a Remote Hearing, or, Alternatively, to Reschedule Same (#75.0): ALLOWED Status conference on 4/9/24 by zoom. Meeting ID# 160 0809 8808. Notices mailed 4/5/24		 Image
04/09/2024	Event Result:: Trial Assignment Conference scheduled on: 04/09/2024 02:00 PM Has been: Held as Scheduled Comments: 2:05 PM Hon. William J Ritter, Presiding		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
	Staff: Eric Thuotte, Assistant Clerk Magistrate		
04/10/2024	Scheduled: Event: Jury Trial Date: 10/01/2025 Time: 09:00 AM		
09/19/2024	Plaintiff Janice Magliacane, Individually and on behalf of others similarly situated's Joint Motion to Set New Tracking Order Deadlines [E-FILED]	76	 Image
09/19/2024	Endorsement on Motion to Set New Tracking Order Deadlines (#76.0): ALLOWED The parties should not anticipate any further extensions of the tracking order. E-Document sent on 9/20/2024		 Image
12/03/2024	Plaintiff, Defendants Janice Magliacane, Individually and on behalf of others similarly situated, City of Gardner, Suez Water Environmental Services, Inc. (formerly known as United Water Environmental Services, Inc.)'s Joint Motion for Stay of Proceedings Pending Final Approval of Settlement [E-FILED]	77	 Image
12/05/2024	Endorsement on Motion for a Stay of Proceedings Pending Final Approval of Settlement (#77.0): ALLOWED E-Document sent on 12/6/2024		 Image

Case Disposition

<u>Disposition</u>	<u>Date</u>	<u>Case Judge</u>
Active	04/29/2019	