

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.

SUPERIOR COURT

JANICE MAGLIACANE, Individually and)
on Behalf of Others Similarly Situated,)
)
Plaintiff,)
)
v.)
)
CITY OF GARDNER,)
)
Defendant/Third-Party Plaintiff,)
)
v.)
)
SUEZ WATER ENVIRONMENTAL)
SERVICES, INC. (formerly known as)
United Water Environmental Services, Inc.))
)
Third-Party Defendant.)

C.A. NO. 1785CV02005

**JOINT MOTION FOR A STAY OF PROCEEDINGS
PENDING FINAL APPROVAL OF SETTLEMENT**

Plaintiff Janice Magliacane, defendant/third-party plaintiff City of Gardner and third-party defendant SUEZ Water Environmental Services, Inc. (the “Parties”), having reached a settlement of all claims, hereby jointly move this Court to enter an Order staying the proceedings in this case pending final approval of the settlement by the Court. In support thereof, the Parties state that they have reached a settlement in this case, which requires judicial approval in accordance with Mass. R. Civ. 23(c). The Parties desire to focus their time and attention on finalizing the settlement without burdening the Court with additional filings and other pretrial matters and incurring unnecessary litigation expenses in the interim. Accordingly, the Parties request that the case be moved to inactive status and/or that all remaining deadlines and other requirements be stayed, until

such time as the settlement can be approved by the Court and the case can be dismissed with prejudice, provided that such stay shall terminate earlier if: (i) the Court declines to grant preliminary approval of the settlement, or (ii) the Court declines to grant final approval of the settlement.

This request will not prejudice any party as it is made jointly, in good faith, and not for the purpose of any unnecessary delay. Due to the discretionary nature of the relief requested, no memorandum of law is believed to be required.

WHEREFORE, the Parties request that the Court grant their Motion and issue an Order staying the pending litigation until final approval of the settlement by the Court. Once the parties obtain final approval, they will report the case settled and file a dismissal stipulation.

PLAINTIFF JANICE MAGLIACANE

By her Attorneys,

SHAPIRO HABER & URMY LLP

/s/ Ian J. McLoughlin *

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DEFENDANT/THIRD-PARTY PLAINTIFF
CITY OF GARDNER

By its Attorneys,

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/s/ Jason W. Crotty *

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SUEZ WATER ENVIRONMENTAL
SERVICES, INC.

By its Attorneys,

CAMPBELL CONROY & O'NEIL, P.C.

/s/ Christopher R. Howe

James M. Campbell (BBO #541882)

* By Attorney Howe, as per December 2, 2024 email authorizations of Attorneys McLoughlin and Crotty.

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CERTIFICATE OF SERVICE

I, Christopher R. Howe, counsel for third-party defendant Suez Water Environmental Services, Inc., hereby certify that the foregoing Motion was electronically filed with the Court on December 3, 2024 using the Court's electronic filing system (ECF), Odyssey File and Serve, which will send notice of such filing to all counsel of record. The foregoing document is also available for viewing and/or downloading from ECF.

/s/ Christopher R. Howe
Christopher R. Howe