

MAY 26 1999

1846

CULLEN & O'CONNELL

ATTORNEYS AT LAW
A PROFESSIONAL ASSOCIATION

Shipway Place

CHARLESTOWN NAVY YARD
BOSTON, MASSACHUSETTS 02129

TIMOTHY P. O'CONNELL

TELEPHONE (617) 242-4560
TELECOPIER (617) 242-7026

May 25, 1999

Wilson D. Rogers, Jr, Esq.
Dunn & Rogers
One Union Street
Boston, MA 02108

RE: Reverend Robert M. Burns - Sexual Molestation

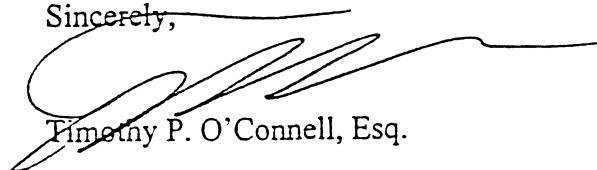
Dear Attorney Rogers:

This letter will serve as notification that I represent [REDACTED]. [REDACTED] served as an altar server with Saint Mary's Parish from 1988 to approximately 1990. [REDACTED] was also given instructions in a class in preparation for Confirmation by Father Robert M. Burns also known as Robert M. Burns.

[REDACTED] was sexually assaulted by Father Burns while he was on his first trip to Canobie Lake in New Hampshire in 1988 and was also sexually molested on a number of occasions in the Saint Mary's Rectory while Burns was allegedly tutoring him in English. In addition, [REDACTED] was also sexually molested in Saint Mary's Church on a number of occasions.

Kindly contact me at your earliest convenience to further discuss this matter. You will notice that my office address and telephone numbers have changed as stated above.

Sincerely,


Timothy P. O'Connell, Esq.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK. ss.

CIVIL ACTION NO. [REDACTED]

_____)
 [REDACTED] and _____)
 [REDACTED])
 Plaintiffs)
 v.)
 Robert M. Burns, a.k.a.)
 Father Robert M. Burns)
 and)
 The Roman Catholic Archbishop)
 of Boston, A Corporation Sole)
 Defendants)

VERIFIED COMPLAINT and DEMAND FOR JURY TRIAL



VERIFIED COMPLAINT

The Plaintiff, [REDACTED], (the "Plaintiff") by and through his attorney, Timothy P. O'Connell, brings this cause of action seeking fair and reasonable compensation for injuries and damages he suffered as a result of the acts of sexual molestation committed upon him, on diverse dates during the periods of time stated in this complaint, while [REDACTED] was a minor and an acolyte. These acts of sexual molestation were committed by the defendant, Father Robert M. Burns, (hereinafter "Burns/Father Burns"). The acts of sexual molestation committed by Burns on the Plaintiff were carried out at various places, including but not limited to, Saint Mary's Rectory, Saint Mary's Church, all located in Charlestown, MA, as well as field trips organized by Burns. These events occurred while Father Burns was a Roman Catholic Priest assigned to Saint Mary's Parish under the supervision of the Roman Catholic Archbishop of Boston, A Corporation Sole.

Plaintiff, [REDACTED] by and through her attorney, Timothy P. O'Connell, brings a

claim for loss of consortium of her son, [REDACTED] was sexually molested by the defendant Burns, while the Plaintiff was a minor and an altar server. The other above defendant, its priests, agents, or employees, knew or should have known of the acts of sexual molestation committed by Burns and failed to notify the Plaintiff, [REDACTED], that Burns had the potential to commit acts of sexual molestation and Burns did sexually molest her son. As a direct and proximate result of the acts of sexual molestation by the defendant, [REDACTED] suffered the loss of society and companionship with her child.

PARTIES

1. The plaintiff, [REDACTED], at all times relevant to this complaint was a minor and is now an adult individual who resides in the County of Suffolk, Commonwealth of Massachusetts.
2. The plaintiff, [REDACTED], is the mother of [REDACTED], and is an adult individual who resides in the County of Suffolk, Commonwealth of Massachusetts.
3. The defendant, Robert M. Burns a.k.a. Father Robert M. Burns is an adult individual whose last known address is in New Hampshire.
4. The defendant, the Roman Catholic Archbishop of Boston, a Corporation Sole (hereinafter "Archdiocese of Boston"), is a corporation duly organized under the laws of Massachusetts, with a principal place of business at Brighton, County of Suffolk, Commonwealth of Massachusetts.

FACTS

5. On or about June 7, 1975, Father Robert M. Burns was ordained as a Roman Catholic priest in the Diocese of Youngstown, Ohio, the Bishop of the Diocese was The Most Reverend

James W. Malone.

6. [REDACTED] was born on July 10, 1980.

7. Upon information and belief in or about 1981, at the recommendation of a psychologist, Bishop Malone referred Father Burns to the House of Affirmation, in Massachusetts, for testing and evaluation because he sexually molested two boys in Ohio. Father Burns then received residential care at St. Luke's Institute, in Massachusetts in or about November of 1981. Subsequently, in 1981 and 1982 Father Burns received further residential care at the House of Affirmation in Massachusetts.

8. Upon information and belief subsequent to his discharge from the House of Affirmation, Father Burns remained in Massachusetts since Bishop Malone had determined that he would not be reassigned within The Diocese of Youngstown.

9. Upon information and belief somewhere between 1982 and 1983, Father Burns decided to remain in the Boston area, and he approached officials of the Archdiocese of Boston about his desire for an assignment while he pursued post graduate studies.

10. Upon information and belief, in 1982 and/or in 1983, Bishop Malone informed officials of the Archdiocese of Boston as follows: (1) that Bishop Malone clearly identified the problems which led to Father Burns' treatment at St. Luke Institute and the House of Affirmation; (2) that Bishop Malone received assurances from officials in the Archdiocese of Boston that they were fully aware of Father Burns's history; (3) that Father Burns had been and was receiving treatment; (4) that any assignment he would be given would be subject to the recommendation of his counselors; and (5) they (officials in the Archdiocese of Boston) would not allow him to be in a position where he would have contact with young boys.

11. Upon information and belief, Bishop Malone, based on discussions and assurances received in those discussions from officials in the Archdiocese of Boston, Bishop Malone gave Father Burns permission to serve as a priest outside the Diocese of Youngstown.

12. In or about 1985, and subsequent to the discussions held and the assurances made, Father Burns was assigned to Saint Thomas Parish, Jamaica Plain, Massachusetts, by the Archdiocese of Boston, .

13. While at Saint Thomas Parish, Father Burns continued to sexually molest children

14. In or about 1986, Father Burns was transferred from Saint Thomas' Parish in Jamaica Plain to Saint Mary's Parish in Charlestown.

15. In or about 1986, Father Burns was placed in charge of the instructional and tutorial classes for prospective altar servers, and also served as Vicar at Saint Mary's Parish, in Charlestown.

16. In or about 1987, the Plaintiff, [REDACTED], began instructional classes in order to become an altar server at Saint Mary's Parish.

17. In or about 1988, the Plaintiff, [REDACTED] was the victim of acts of sexual molestation by Father Burns.

18. In or about 1989-90, the Plaintiff, [REDACTED] was again the victim of acts of sexual molestation by Father Burns.

19. Between 1986 and 1991 while Father Burns served as a priest at Saint Mary's Parish, Father Burns committed acts of sexual molestation on the Plaintiff, in places including but not limited to, Saint Mary's Church and Saint Mary's Rectory, as well as field trips on which Father Burns arranged to take the Plaintiff.

20. On or about November 17, 1991, Father Burns was sent to Saint Luke's Institute in Maryland for another psychiatric evaluation, because he continued to sexually molest children.

21. On December 10, 1991, Saint Luke's Institute, with the belief that this recommendation was critically important to Father Burns' treatment, recommended that Father Burns further be tested for his neuropsychological and neurological impairment in understanding the depth of his impairment.

22. In 1991 or 1992, the recommendation of Saint Luke's Institute was not followed by any of the Defendants. However, Father Burns was removed from Saint Mary's Parish.

23. The Defendants served no notification to the Plaintiffs of the potential problem with Father Burns. (A) This action was a deliberate attempt to conceal any cause of action from the plaintiff so as to toll the statute of limitations pursuant to the provisions of M.G.L. c. 260 §12. (B) The Plaintiff did not know, and could not in the exercise of reasonable diligence have known of the factual basis, and causal connection for his causes of action against the Defendants until after he had discussed it with his therapist after 1998.

24. As the direct and proximate result of the above stated facts, acts or omissions of the Defendants and the injuries caused by those acts to [REDACTED], the plaintiff [REDACTED] [REDACTED] has suffered the loss of society and companionship, loss of comfort, solace or moral support, and has deprived her of the full enjoyment of the parent-child relationship with her son, [REDACTED], and [REDACTED] have suffered severe emotional distress, caused by the acts or omissions of the Defendants.

CLAIMS FOR RELIEF**COUNT I****NEGLIGENCE****([REDACTED] v. Father Burns)**

25. The Plaintiff, [REDACTED], repeats, realleges and incorporates herein paragraphs 1 through 24 of this complaint as paragraphs 1 through 24 of this Count I.

26. Father Burns had a duty to [REDACTED] to act appropriately in regard to his role as a priest of the Church and Diocese to which [REDACTED] belonged.

27. Father Burns breached such duties by acting in a negligent and careless manner towards [REDACTED]

28. As a direct and proximate result of defendant result of defendant Father Burns' negligent acts, the Plaintiff, [REDACTED], has sustained severe and permanent personal injuries, suffered great pain of body and anguish of mind, incurred substantial expenses for medical care, treatment, and attendance, and has suffered other incidental and consequential damages.

COUNT II**SEXUAL ASSAULT AND BATTERY****([REDACTED] v. Father Burns)**

29. Plaintiff incorporates herein paragraphs 1 through 28 of this Complaint as paragraphs 1 through 28 of this Count II.

30. On numerous occasions from 1989 through 1990, defendant Father Burns committed acts of sexual molestation on the person of [REDACTED]

31. Due to [REDACTED] age, mental and emotional condition at the time of these incidents and due to other circumstances heretofore alleged, [REDACTED] was unable to consent to defendant Father

Burns' actions.

32. As a direct and proximate result of said acts of sexual molestation, [REDACTED] has sustained severe and permanent personal injuries, suffered great pain of body and anguish of mind, incurred substantial expenses for medical care, treatment, and attendance, and has suffered other incidental and consequential damages.

COUNT III

INVASION OF RIGHT OF PRIVACY ([REDACTED] v. Father Burns)

33. Plaintiff incorporates herein paragraphs 1 through 32 of this Complaint as paragraphs 1 through 32 of this Count III.

34. In coercing [REDACTED] to engage in non consensual sexual acts with him, defendant Father Burns, without right intruded upon [REDACTED] physical solitude, and unreasonably, substantially and seriously interfered with [REDACTED] privacy.

35. Due to [REDACTED] age and mental and emotion condition at the time of these incidents and due to other circumstances heretofore alleged, [REDACTED] was unable to consent to defendant Father Burns' actions.

36. As a direct and proximate result of defendant Father Burns' interference with [REDACTED] right of privacy, [REDACTED] has sustained severe and permanent personal injuries, suffered great pain of body and anguish of mind, incurred substantial expenses for medical care, treatment, and attendance, and has suffered other incidental and consequential damages.

COUNT IV**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
([REDACTED] v. Father Burns)

37. Plaintiff incorporates herein paragraphs 1 through 36 of this Complaint as paragraphs 1 through 36 of this Count IV.

38. Defendant Father Burns coerced [REDACTED] to perform non-consensual sexual acts with him on numerous occasions while [REDACTED], a minor, was under his pastoral care and guidance. In so acting, Father Burns violated his duty of care, trust and loyalty toward [REDACTED] and breached the ethical, fiduciary, and professional standards to which he was subject.

39. In so acting with respect to [REDACTED], defendant Father Burns knew or should have known that severe or extreme emotional distress to [REDACTED] was the likely result of his conduct.

40. Defendant Father Burns' conduct was extreme and outrageous, was beyond all bounds of decency and was utterly intolerable in a civilized community.

41. Defendant Father Burns' actions caused [REDACTED] extreme emotional distress.

42. The emotional distress sustained by [REDACTED] was severe and of a nature that no reasonable person could be expected to endure it.

43. As a direct and proximate result of defendant Father Burns' conduct as heretofore alleged, [REDACTED] has sustained severe and permanent personal injuries, suffered great pain of body and anguish of mind, incurred substantial expenses for medical care, treatment, and attendance, and has suffered other incidental and consequential damages.

COUNT VMASSACHUSETTS CIVIL RIGHTS ACT([REDACTED] v. Father Burns)

44. Plaintiff incorporates herein paragraphs 1 through 43 of this Complaint as paragraphs 1 through 43 of this Count V.

45. Under the Constitution and Laws of the Commonwealth, the Plaintiff is entitled to exercise and enjoyment of certain rights. These rights include, without limitation, the right to be secured and safe in one's physical body, the right to be free of unlawful acts of sexual molestation, the right to be free of intrusion upon one's physical solitude and the right to substantive due process.

46. The rights of the Plaintiff, as enumerated above, were denied and interfered with by the defendant Father Burns' through the use of threats, intimidation and coercion by his conduct as alleged above.

47. The defendant's conduct was in violation of G.L. c. 12, §§11H, 11I.

48. As a direct and proximate result of the defendant's conduct, the Plaintiff has suffered and continues to suffer extreme mental distress and emotional harm, as well as other consequential damages.

COUNT VINEGLIGENCE([REDACTED] v. The Archdiocese of Boston)

49. Plaintiff incorporates herein paragraphs 1 through 48 of this Complaint as paragraphs 1 through 48 of this Count VI.

50. The Archdiocese of Boston is responsible for the negligence of its priests, agents, and

employees.

51. As a direct and proximate result of defendant Archdiocese of Boston, and Father Burns' negligent acts and omissions, plaintiff [REDACTED] has sustained severe and permanent personal injuries, suffered great pain of body and anguish of mind, incurred substantial expenses for medical care, treatment, and attendance, and has suffered other incidental and consequential damages.

COUNT VII

SEXUAL ASSAULT AND BATTERY

([REDACTED] v. The Archdiocese of Boston)

52. Plaintiff incorporates herein paragraphs 1 through 51 of this Complaint as paragraphs 1 through 51 of this Count VII.

53. The Archdiocese of Boston is responsible for the intentional acts of its priests, agents, and employees.

54. As a direct and proximate result of defendant Father Burns' acts of sexual molestation on the person of plaintiff, [REDACTED] has sustained severe and permanent personal injuries, suffered great pain of body and anguish of mind, incurred substantial expenses for medical care, treatment, and attendance, and has suffered other incidental and consequential damages.

COUNT VIII

INVASION OF RIGHT OF PRIVACY

([REDACTED] v. The Archdiocese of Boston)

55. Plaintiff incorporates herein paragraphs 1 through 54 of this Complaint as paragraphs 1 through 54 of this Count VIII.

56. The Archdiocese of Boston is responsible for the intentional acts of its priests, agents,

and employees.

57. As a direct and proximate result of defendant Father Burns' intentional intrusion upon and interference with [REDACTED]'s physical solitude and privacy, [REDACTED] has sustained severe and permanent personal injuries, suffered great pain of body and anguish of mind, incurred substantial expenses for medical care, treatment, and attendance, and has suffered other incidental and consequential damages.

COUNT IX

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS **([REDACTED] v. The Archdiocese of Boston)**

58. Plaintiff incorporates herein paragraphs 1 through 57 of this Complaint as paragraphs 1 through 57 of this Count IX.

59. The Archdiocese of Boston is responsible for the intentional acts of its priests, agents, and employees.

60. As a direct and proximate result of defendant Father Burns' extreme and outrageous conduct and intentional infliction of emotional distress on [REDACTED] as heretofore alleged, [REDACTED] has sustained severe and permanent personal injuries, suffered great pain of body and anguish of mind, incurred substantial expenses for medical care, treatment, and attendance, and has suffered other incidental and consequential damages.

COUNT X

NEGLIGENT HIRING/SUPERVISION **([REDACTED] v. The Archdiocese of Boston)**

61. Plaintiff incorporates herein paragraphs 1 through 60 of this Complaint as paragraphs 1 through 60 of this Count X.

62. Defendant the Archdiocese of Boston had a duty to hire and supervise competent, fit and otherwise qualified priests in the Diocese.

63. Defendant the Archdiocese of Boston knew or should have known that defendant Father Burns was incompetent, unfit, and otherwise unqualified to serve as a priest in the Diocese.

64. As a direct result of defendant Archdiocese of Boston's negligence, defendant Father Burns was in a position to cause great physical and emotional harm, and did so harm, plaintiff

COUNT XI

CANONICAL AGENCY

([REDACTED] v. The Archdiocese of Boston)

65. Plaintiff incorporates herein paragraphs 1 through 64 of this Complaint as paragraphs 1 through 64 of this Count XI.

66. Under principles of canonical agency, a priest's duties require his attention twenty-four hours a day, seven days a week.

67. Under this principle, the actions of defendants Father Burns and the Archdiocese of Boston toward [REDACTED] occurred within the scope of their duties as priests and Archdiocese.

68. The Archdiocese of Boston, as the principal of its priests, agents, and employees, is legally responsible for all of said defendant Father Burns' actions towards [REDACTED].

COUNT XII

LOSS OF CONSORTIUM

([REDACTED] v. Father Burns)

69. Plaintiff incorporates herein paragraphs 1 through 68 of this Complaint as paragraphs 1 through 68 of this Count XII.

70. As a direct and proximate result of the defendant, Father Burns' negligence,

_____ suffered the loss of society and companionship with her child.

COUNT XIII

LOSS OF CONSORTIUM

_____ v. The Archdiocese of Boston)

71. Plaintiff incorporates herein paragraphs 1 through 70 of this Complaint as paragraphs 1 through 70 of this Count XIII.

72. As a direct and proximate result of the defendant the Archdiocese of Boston's negligence, _____, suffered the loss of society and companionship with her child.

PRAYERS FOR RELIEF

WHEREFORE, the Plaintiff, _____ demands judgment against defendants as follows:

1. that under Count I, plaintiff demands judgment against Father Burns for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any and all relief just and proper in the circumstances;
2. that under Count II, plaintiff demands judgment against Father Burns for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any and all relief just and proper in the circumstances;
3. that under Count III, plaintiff demands judgment against Father Burns for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any and all relief just and proper in the circumstances;
4. that under Count IV, plaintiff demands judgment against Father Burns for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any

and all relief just and proper in the circumstances;

5. that under Count V, plaintiff demands judgment against Father Burns for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any and all relief just and proper in the circumstances;

6. that under Count VI, plaintiff demands judgment against the Archdiocese of Boston for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any and all relief just and proper in the circumstances;

7. that under Count VII, plaintiff demands judgment against the Archdiocese of Boston for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any and all relief just and proper in the circumstances;

8. that under Count VIII, plaintiff demands judgment against the Archdiocese of Boston for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any and all relief just and proper in the circumstances;

9. that under Count IX, plaintiff demands judgment against the Archdiocese of Boston for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any and all relief just and proper in the circumstances;

10. that under Count X, plaintiff demands judgment against the Archdiocese of Boston for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any and all relief just and proper in the circumstances;

11. that under Count XI, plaintiff demands judgment against the Archdiocese of Boston for damages in and for an amount that will fairly compensate him for his injuries, interest, and costs and for any and all relief just and proper in the circumstances;

12. that under Count XII, plaintiff demands judgment against Father Burns for damages in and for an amount that will fairly compensate her for her injuries, interest, and costs and for any and all relief just and proper in the circumstances;

13. that under Count XIII, plaintiff demands judgment against the Archdiocese of Boston for damages in and for an amount that will fairly compensate her for her injuries, interest, and costs and for any and all relief just and proper in the circumstances;

DEMAND FOR JURY TRIAL

The Plaintiff, [REDACTED], demands a trial by jury on all Counts and of all of the issues raised by him in this complaint.

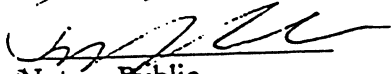
DEMAND FOR JURY TRIAL

The Plaintiff, [REDACTED], demands a trial by jury on all Counts and of all of the issues raised by her in this complaint.

VERIFICATION

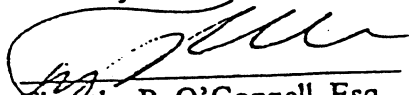
We, the undersigned, being fully sworn and say that we are the Plaintiffs herein, and have read the forgoing pleading filed on our behalf and the facts stated herein are true to the best of our knowledge and belief.

Subscribed and sworn to before me this 19th day of January, 2001.


Notary Public

My Commission Expires 5/21/2004

Attorney for the Plaintiffs,


Timothy P. O'Connell, Esq.

250 Main Street

Charlestown, MA 02129

BBO # 376725

(617) 242-4806

RELEASE AND SETTLEMENT OF ALL CLAIMS

In consideration of [REDACTED],
[REDACTED], the Receipt whereof is hereby acknowledged, [REDACTED] and [REDACTED],
hereby remise, release and forever discharge the Roman Catholic Archbishop of Boston, a
Corporation Sole, its agents, servants, officers, employees and independent contractors, all
priests who are or who have ever been incardinated to the Roman Catholic Archdiocese of
Boston, all entities and organizations affiliated with or associated with the Roman Catholic
Archbishop of Boston, a Corporation Sole, their agents, servants, employees, officers, trustees,
directors and independent contractors, Rev. Robert M. Burns, James W. Malone, Bishop of the
Diocese of Youngstown, The Diocese of Youngstown, its agents, servants, officers, employees
and independent contractors, Most Rev. James W. Malone, individually, and all priests who are
or who have ever been incardinated to the Roman Catholic Diocese of Youngstown, and their
insurers, reinsurers, members and successors (hereinafter the "Released Parties") of and from all
debts, demands, causes of action, suits, accounts, covenants, contracts, agreements, damages,
and any and all claims, demands and liabilities whatsoever of every name and nature, including,
without limitation, any and all claims for past, present or future physical, mental and emotional
injuries, whether presently known or unknown, any and all claims for punitive or exemplary
damages, any and all claims for loss of earning capacity, diminished life expectancy, death, loss
of consortium, loss of society, physical and mental anguish, infliction of emotional distress, pain
and suffering, legal fees and expenses, and any and all claims for violations of Massachusetts
General Laws, Chapter 93A and Chapter 176D, which against the Released Parties we now have
or ever had from the beginning of the world to this date, and more specifically on account of the
subject matter of the lawsuit brought by us, [REDACTED] v. Robert M.

Burns a/k/a Father Robert M. Burns and the Roman Catholic Archbishop of Boston, a Corporation Sole, Suffolk Superior Court Civil Action No. [REDACTED]

We and our attorneys hereby further represent that any and all liens arising out of these claims will be paid and released prior to any other disbursement. We further agree to indemnify and save harmless the Released Parties from any and all past, present or future claims or liens existing against the Release and Settlement.

We further agree that this settlement is in full compromise of a doubtful and disputed claim both as to the question of liability and as to the nature, extent and permanency of all injuries and damages, and that the payment is not to be construed as an admission of liability on the part of the Released Parties, all of whom expressly deny liability. No promise or inducement which is not herein expressed has been made to us and in executing this Release, we do not rely upon any statement or representation made by any person, firm, or corporation hereby released, or any agent or other person representing them or any other concerning the nature, extent, or duration of said damages or losses, or the legal liability therefore.

We further agree that we, as well as our attorneys, will maintain the confidentiality of the facts of this settlement and the specific terms thereof. Neither we nor our attorneys shall disclose or cause to be disclosed, directly or indirectly, to any person, corporation or entity not a party to this Release, including but not limited to any form of print or broadcast media, the names of any parties described herein, the existence of any claims against the Released Parties, the fact of this settlement, the terms or amounts of this settlement, any facts or circumstances leading to the completion of this settlement or the alleged facts and circumstances giving rise to any claims described herein, including but not limited to the Affidavit of Most Reverend James W. Malone, unless in response to a lawfully issued subpoena

from a duly constituted Grand Jury or by court order. Prior to making any such required disclosure, [REDACTED] and [REDACTED] through their Counsel, shall notify Counsel for the Roman Catholic Archbishop of Boston, a Corporation Sole. This paragraph shall not prevent [REDACTED] and [REDACTED] from disclosing or discussing the facts and circumstances giving rise to any claims described herein with a licensed clergy, physician, attorney, mental health professional, spouse or immediate family. Prior to making any disclosures to any of the above-named persons, [REDACTED] and [REDACTED] shall inform said person of the confidentiality requirements of this paragraph and shall obtain from them their agreement to honor such confidentiality.

We further state that we have carefully read the foregoing Release and Settlement and know the contents thereof, that we have discussed the same with our Attorney and that we sign the said Release and Settlement as our own free Act.

Witness my hand and seal this 1 day of October, 2001.

[REDACTED]


Witnessed by: [Signature] John W Fidler

Witness my hand and seal this 1 day of October, 2001.

[REDACTED]

Witnessed by: [Signature] John W Fidler

AGREED AND ASSENTED TO:



Timothy P. O'Connell, Esquire
250 Main Street
Charlestown, MA 02129

Counsel for [REDACTED] and [REDACTED]

