HILL LAW

February 22, 2019

BY EMAIL: KMiller@masshousing.com
and BY HAND

Ms. Katherine Miller
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108-3110

Re: Project Eligibility Application - 3 Burke Lane, Wellesley, MA

Dear Ms. Miller:

As you may recall, this Firm submitted a comment letter on behalf of neighbors and abutters to the proposed 16-unit Chapter 40B project at 3 Burke Lane, Wellesley, Massachusetts (the "Project" and the "Project Site") on January 28, 2019, to meet your public comment deadline. I have since had the opportunity to take a closer look at the Project Eligibility Application ("PE Application") for this Project, and wish to bring to your attention several additional issues of concern.

A. Application Discrepancies

The Project applicant listed on Page 3 of the PE Application is "Dennis M. DiShino - Cedar Place, LLC."[1] On Page 22, the Applicant is identified solely as Dennis DiSchino. This is not a trivial discrepancy - MassHousing should insist on clarity on this point, since the identity of the applicant is critical for a number of other application questions. For purposes of this comment letter we will assume that Mr. DiSchino, who apparently controls Cedar Place, LLC, intends for the LLC to be the legal entity who will hold all permits and legal title to the Project Site.

On Page 4 of the PE Application, Mr. DiSchino states that there will be a total of 32 resident and visitor parking spaces for 16 units. However, the site plans that accompanied the Application indicate that there are only 25 parking spaces. And, as we noted in our prior comment letter, even that representation is dubious, as the site plans do not appear to delineate more than 23 spaces.

1 Mr. DiSchino's last name is spelled interchangeably in the PE Application as "DiShino" and "DiSchino."

The Application touts its "outdoor sitting and picnic area" on Page 4, but as shown on the site plan this area is, at most, 400 square feet in area, representing approximately 1% of the total land area on this Site - 41,307 square feet.[2] Surprisingly, the Applicant states on Page 10 that 62% of the Site consists of "useable open space," and that only 37.7% of the Site is covered by buildings and pavement. We find both representations to be misleading. Most of the undeveloped portion of the Site will consist of areas of steep slopes, which are not "useable" under any definition. As for lot coverage, the site plan clearly depicts a Site that is mostly covered by buildings, sidewalks and parking areas, well in excess of 37.7%. We respectfully suggest that MassHousing request clarification on these representations.

On Page 6 of the PE Application, Mr. DiSchino did not answer whether any surrounding land use amenities are available by public transportation. The answer should be "no," as there are no viable public transportation options at this location.

B. Zoning Waivers

The Applicant itemized waivers it needs from the Zoning Bylaw, including the dimensional requirements in the Single Residence district, which is appropriate. However, it would be instructive to review the Project's conformity with the more relaxed requirements in the Multi-Family Residence District as well, since the type of housing proposed in the Project is more closely aligned with the housing permitted in that district.

In the MF district, there is a minimum 40% open space requirement. As discussed above, we question the accuracy of the Applicant's open space calculation, and suggest that MassHousing review that information closely. In the MF district, no structure may be installed within 20 feet of an abutting property boundary. Here, the proposed apartment building is 13 feet from the northerly property boundary, and a retaining wall is proposed to be installed within five feet of the southern property boundary, shared with my client Jared Linder. In our opinion, if the Applicant cannot comply with the zoning requirements in the Single Residence zoning district, it should at least be made to comply with the requirements in the MF district. See, Zoning Bylaw excerpt attached as **Exhibit A.**

C. Applicant's Qualifications

Cedar Place, LLC appears to be a "single-purpose" limited liability company. It was formed three months ago, and does not appear to have any experience in other real estate projects. The "manager" of the LLC is Dennis M. DiSchino, according to the Certificate of Organization filed with the Secretary of the Commonwealth. See, **Exhibit B.**

Under Section 6 of the PE Application, the only "managing entity" listed for the Applicant is Mr. DiSchino. No "affiliates" are listed, even though in the attachment to Section 6

2 We note that this land area calculation was provided by the Applicant, and that the Town Assessor's records indicate that the Project Site is only 39,020 square feet. The Applicant should address this discrepancy.

Mr. DiSchino provides the relevant experience of Equity Partners, Inc.. That business was created in 1991, and Mr. DiSchino is the only officer appearing in the Secretary of the Commonwealth's records. See, **Exhibit C**. If Mr. DiSchino is relying exclusively on the development experience and qualifications of Equity Partners, Inc. in support of his PE Application, then Equity Partners, Inc. should have been named as an "affiliate" of the Applicant.

Section 6 of your application requires disclosure of experience in developing residential projects "of similar scale and complexity," as well as the design and financing of development projects. The Section also requires the Applicant to identify all prior Chapter 40B projects that the Applicant or members of the Applicant's team has been involved with.

In response, Mr. DiSchino described how Equity Partners, Inc. has been involved in *managing* commercial and residential properties in Wellesley. Mr. DiSchino also stated that he, personally, has developed "commercial property in Wellesley and Worcester." He further provided a list of 21 properties under the heading "current list of management contracts/development experience." However, he only singled out two projects for "developer and manage," and neither were residential, nor affordable housing. While we recognize that this not a prerequisite, per se, it should at least be concerning that the Applicant has no residential development experience.

On Page 24 of the PE Application form, MassHousing asks applicants to certify, "under the penalties of perjury," a number of factual representations concerning the Applicant and its related entities. Mr. DiSchino answered all of these questions in the negative, but neglected to sign the certification on Page 25.

1. *Litigation*

Concerning the representations themselves, the first is whether there is any "pending litigation with respect to any of the Applicant Entities." Mr. DiSchino answered "no." However, Equity Partners, Inc. and Mr. DiSchino personally are both defendants in a civil action currently pending in Norfolk County Superior Court. *Central Street Holding, LLC v. Equity Partners, Inc.*, Docket No. 1682CV00241. Mr. DiSchino is also a plaintiff in two pending actions in Norfolk Probate Court, *DiSchino v. DiSchino*, Docket No. NO12E0105QC, and *DiSchino v. DiSchino*, Docket No. NO13E0020QC. In the latter action, judgment entered against Mr. DiSchino on November 29, 2019, and he subsequently filed a Notice of Appeal on December 14, 2018. Since that was merely two months ago, we find it improbable that Mr. DiSchino forgot about this case.

The PE Application form also asks whether any of the Applicant Entities were a defendant in a lawsuit in the last 10 years involving fraud, gross negligence, misrepresentation, dishonesty, breach of fiduciary responsibility or bankruptcy. By conducting a simple search in court on-line databases, we found several lawsuits in which Mr. DiSchino and Equity Partners have been defendants over the last 10 years, several involving the same counter party, Central

Street Holding, LLC. Both DiSchino and Equity were defendants in a 2013 civil action in Norfolk County Superior Court, *Central Street Holding, LLC v. DiSchino*, Docket No. 1382CV00478. In what may have been a related case in Norfolk Probate Court, Mr. DiSchino was the Petitioner in *In re The Central Street Holding, LLC and Delanson Circle Holding, LLC*, Docket No. NO12P2672PO. Mr. DiSchino was on the other side of the "v" from Central Street Holding, LLC in *DiSchino v. Delanson Circle Holding, LLC*, Docket No. 1582CV01432, filed in Norfolk Superior Court in 2015. Judgment entered in 2018. Mr. DiSchino was a defendant in a Dedham District Court action brought by Central Street Holding, LLC in 2014. See, *Central Street Holding, LLC v. DiSchino*, Docket No. 1454CV000614.

Equity Partners, Inc. was a defendant in a lawsuit filed in Middlesex Superior Court in 2015, *Lucente v. Visions Medical Center, PC*, Docket No. 1581CV04874, which was apparently resolved in 2017. Equity Partners, Inc. was sued in 2010 in what appears to be a contract action; it was dismissed in 2014. See, *Ceppetelli Co., Inc. v. Equity Partners, Inc.* Docket No. 1085CV01139.

While more than 10 years old, Mr. DiSchino was sued by Commerce Bank & Trust Co. in 1993 in a "commercial paper" case, resulting in an agreement for judgment to Commerce "for the outstanding principal plus costs." See, *Commerce Bank & Trust Co. v. DiSchino*, Docket No. 9385CV00124.

Massachusetts court web sites do not provide access to pleadings, so we do not know whether any of these cases involved the types of claims of concern to MassHousing. However, since Mr. DiSchino did not answer at least the first question truthfully, we respectfully suggest that MassHousing require Mr. DiSchino to provide a detailed explanation for every litigation matter he has been involved with, either personally or through any of his corporate entities, in the last 10 years.

2. *Tax Delinquencies*

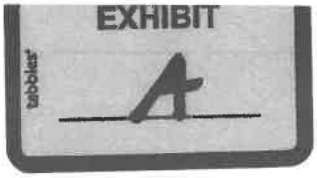
The PE Application also asks whether any of the Applicant Entities have failed to comply with Massachusetts laws related to taxes. Mr. DiSchino answered "no." In 1996, the Town of Framingham took a property owned by Mr. DiSchino, as Trustee of the DMD Realty Trust for nonpayment of real estate taxes. It was redeemed in 2003. Mr. DiSchino was apparently delinquent on his condo fees on the same property - the Smith House Condominium Trust brought a civil action against him in Framingham District Court in 1993 to collect overdue condo fees. See, Docket No. 92-CI-0999 **(Exhibit E).**

In conclusion, we hope that MassHousing shares our concern with the material misrepresentations made by Mr. DiSchino in this PE Application, and at the very least requires Mr. DiSchino to provide detailed explanations for incomplete or inaccurate information. Thank you for your attention to this matter.

Very truly yours,

Daniel C. Hill

Enc.
cc: Clients
Wellesley Board of Selectmen
Wellesley Planning Board
Thomas Harrington, Esq.



SECTION VA. MULTI-FAMILY RESIDENCE DISTRICTS.

A. In Multi-Family Residence Districts, no new building or structure shall be constructed or used, in whole or in part, and no building or structure, or part thereof, shall be altered, enlarged, reconstructed or used, and no land shall be used, for any purpose except one or more of the following:

1. One-family dwelling and with respect thereto any of the purposes authorized in accordance with and subject to the provisions of SECTION II.; in addition, with regard to the multi-family uses hereinafter provided, the Special Permit Granting Authority may grant a special permit in this district for any other purpose authorized by right or by special permit in Single Residence Districts.

2. Any purpose authorized in a Limited Residence District in accordance with and subject to the provisions of SECTION VI. and all other sections applicable to buildings in Limited Residence Districts.

3. A building or group of buildings containing four or more independent dwelling units each having a room or suite of rooms with bathroom and kitchen facilities for such dwelling units, and, in connection therewith, the parking of automobiles and such other accessory uses as are customary; all subject to conformity with the following requirements:

   a. MINIMUM LOT OR BUILDING SITE AREA: No such building or group of buildings or other structures shall be erected on a lot containing less than twenty thousand (20,000) square feet.

   b. MINIMUM OPEN SPACE: There shall be provided for each lot or building site area a minimum open space of not less than 40 percent of the lot area.

   c. MINIMUM LOT AREA PER DWELLING UNIT: There shall be provided for each dwelling unit contained in the building or buildings a lot area of not less than three thousand (3,000) square feet.

   d. MAXIMUM LOT COVERAGE: No building or addition to any building, including accessory buildings, shall be erected or placed on a lot which will result in the covering by buildings of more than thirty per cent (30%) of the lot or building site area.

   e. MAXIMUM HEIGHT OF BUILDING OR STRUCTURE: No building shall exceed a maximum of three (3) stories or forty-five (45) feet in height.

   f. YARDS: No building or structure shall be placed within thirty (30) feet of any property line abutting a public or private way or within twenty (20) feet of any other property boundary line.

   g. FRONTAGE: No such building or structure shall be erected on a lot with less than eighty (80) feet of frontage on a public way or a way approved in accordance

with the Subdivision Control Law or otherwise qualifying a lot for frontage under the Subdivision Control Law.

h. OFF-STREET PARKING:

(1) There shall be provided a permanent off-street parking area or areas, surface and/or underground, of sufficient size to provide not less than one and 5/10 (1.5) automobile spaces for each dwelling unit providing two bedrooms or less and two (2) automobile spaces for each dwelling unit providing three (3) bedrooms or more to be accommodated on the lot.

(2) All off-street parking facilities shall be designed and constructed in accordance with the provisions of SECTION XXI.

i. PROJECT APPROVAL: The provisions of SECTION XVIA. PROJECT APPROVAL. shall apply.

EXHIBIT B

The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: $500.00

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

Certificate of Organization
(General Laws, Chapter)

Identification Number: 001355441

1. The exact name of the limited liability company is: CEDAR PLACE LLC

2a. Location of its principal office:
No. and Street: 868 WORCESTER STREET
City or Town: WELLESLEY State: MA Zip: 02482 Country: USA

2b. Street address of the office in the Commonwealth at which the records will be maintained:
No. and Street: 868 WORCESTER STREET
City or Town: WELLESLEY State: MA Zip: 02482 Country: USA

3. The general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:
THE GENERAL CHARACTER OF THE BUSINESS OF THE LLC IS TO BUY, DEVELOP, IMPROVE, LEASE AND SELL REAL PROPERTY AND TO ENGAGE IN ANY LAWFUL ACTIVITY FOR WHIC H A LIMITED LIABILITY COMPANY MAY BE FORMED UNDER THE LAWS OF THE COMMON WEALTH OF MASSACHUSETTS.

4. The latest date of dissolution, if specified:

5. Name and address of the Resident Agent:
Name: DENNIS M DISCHINO
No. and Street: 868 WORCESTER STREET
City or Town: WELLESLEY State: MA Zip: 02482 Country: USA

I, DENNIS M DISCHINO resident agent of the above limited liability company, consent to my appointment as the resident agent of the above limited liability company pursuant to G. L. Chapter 156C Section 12.

6. The name and business address of each manager, if any:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
MANAGER	DENNIS M DISCHINO	868 WORCESTER STREET WELLESLEY, MA 02482 USA

	First, Middle, Last, Suffix	Address, City or Town, State, Zip Code

8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Title	**Individual Name** First, Middle, Last, Suffix	**Address** (no PO Box) Address, City or Town, State, Zip Code
REAL PROPERTY	DENNIS M DISCHINO	868 WORCESTER STREET WELLESLEY, MA 02482 USA

9. Additional matters:

SIGNED UNDER THE PENALTIES OF PERJURY, this 16 Day of November, 2018,
DENNIS M DISCHINO

(The certificate must be signed by the person forming the LLC.)

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THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

November 16, 2018 03:29 PM



WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

EXHIBIT C

The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: $100.00

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

Annual Report
(General Laws, Chapter 156D, Section 16.22; 950 CMR 113.57)

Identification Number: 043131519

1. Exact name of the corporation: EQUITY PARTNERS, INC.

2. Jurisdiction of Incorporation: State: MA Country:

3,4. Street address of the corporation registered office in the commonwealth and the name of the registered agent at that office:

Name: DENNIS M. DI SCHINO
No. and Street: 868 WORCESTER STREET
City or Town: WELLESLEY State: MA Zip: 02482 Country: USA

5. Street address of the corporation's principal office:

No. and Street: 868 WORCESTER ST.
City or Town: WELLESLEY State: MA Zip: 02482 Country: USA

6. Provide the name and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	DENNIS M DI SCHINO	37 LINDEN STREET #25 WELLESLEY, MA 02482 USA
TREASURER	DENNIS M DI SCHINO	37 LINDEN STREET #25 WELLESLEY, MA 02482 USA
SECRETARY	DENNIS M DI SCHINO	37 LINDEN STREET #25 WELLESLEY, MA 02482 USA
DIRECTOR	DENNIS M DI SCHINO	37 LINDEN STREET #25 WELLESLEY, MA 02482 USA

7. Briefly describe the business of the corporation:

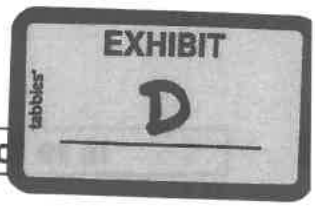
REAL ESTATE

8. Capital stock of each class and series:

10. Report is filed for fiscal year ending: 12/31/ 2017

Signed by DENNIS M. DI SCHINO , its PRESIDENT
on this 15 Day of March, 2018

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Skip to main content

1682CV00241 Central Street Holding, LLC vs. Equity Partners, Inc

- Case Type
- Equitable Remedies
- Case Status
- Open
- File Date
- 03/01/2016
- DCM Track:
- A - Average
- Initiating Action:
- Declaratory Judgment G.L. c. 231A
- Status Date:
- 03/01/2016
- Case Judge:
-
- Next Event:
- 04/10/2019

All Information | Party | Event | Tickler | Docket | Disposition

Party Information

Central Street Holding, LLC
- Plaintiff

Alias	Party Attorney
	Attorney Foley, Esq., Tristan John Bar Code 688442 Address Goulston & Storrs 400 Atlantic Ave Boston, MA 02110 Phone Number (617)574-4136 Attorney Habersaat, Esq., Christian Bar Code 564427 Address Goulston & Storrs PC 400 Atlantic Ave Boston, MA 02110 Phone Number (617)482-1776

More Party Information

Equity Partners, Inc.
- Defendant

Alias	Party Attorney
	Attorney Cavanaugh, Esq., John R Bar Code 558648 Address Clarkin & Phillips, P.C. 55 William St Suite 210 Wellesley Hills, MA 02481 Phone Number (781)431-2525

More Party Information

Dischino, Dennis M
- Defendant

Alias	Party Attorney
	Attorney

- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number
- (781)431-2525

More Party Information

Kovar, Florence
- Defendant

Alias	Party Attorney
	Attorney Roth, Esq., Jonathan R Bar Code 556272 Address Jonathan R. Roth Attorney at Law 57 Wharf St Suite 2G Salem, MA 01970 Phone Number (781)492-1501

More Party Information

Dischino, Anthony L
- Defendant

Alias	Party Attorney

More Party Information

Dischino, Richard
- Defendant

Alias	Party Attorney
	Attorney Roth, Esq., Jonathan R Bar Code 556272 Address Jonathan R. Roth Attorney at Law 57 Wharf St Suite 2G Salem, MA 01970 Phone Number (781)492-1501

More Party Information

Bruno, Claudia T
- Defendant

Alias	Party Attorney
	Attorney Roth, Esq., Jonathan R Bar Code 556272 Address Jonathan R. Roth Attorney at Law 57 Wharf St Suite 2G Salem, MA 01970 Phone Number (781)492-1501

More Party Information

Touhey, Edward C
- Defendant

Alias	Party Attorney
	Attorney Roth, Esq., Jonathan R Bar Code 556272 Address Jonathan R. Roth Attorney at Law 57 Wharf St Suite 2G Salem, MA 01970 Phone Number (781)492-1501

More Party Information

Dischino, Robert K
- Defendant

Alias	Party Attorney
	• Attorney • Cavanaugh, Esq., John R • Bar Code • 558648 • Address • Clarkin & Phillips, P.C. 55 William St Suite 210 Wellesley Hills, MA 02481 • Phone Number • (781)431-2525

More Party Information

Dischino, William D
- Defendant

Alias	Party Attorney
	• Attorney • Cavanaugh, Esq., John R • Bar Code • 558648 • Address • Clarkin & Phillips, P.C. 55 William St Suite 210 Wellesley Hills, MA 02481 • Phone Number • (781)431-2525

More Party Information

Dischino, Charles L
- Defendant

Alias	Party Attorney

More Party Information

Dischino, Meredith
- Defendant

Alias	Party Attorney
	• Attorney • Cavanaugh, Esq., John R • Bar Code • 558648 • Address • Clarkin & Phillips, P.C. 55 William St Suite 210 Wellesley Hills, MA 02481 • Phone Number • (781)431-2525

More Party Information

Dischino, Kevin S
- Defendant

Alias	Party Attorney

More Party Information

Dischino, Lindsay
- Defendant

Alias	Party Attorney
	• Attorney • Cavanaugh, Esq., John R • Bar Code • 558648 • Address • Clarkin & Phillips, P.C. 55 William St Suite 210 Wellesley Hills, MA 02481 • Phone Number • (781)431-2525

More Party Information

Dischino, Daniel G
- Defendant

Alias	Party Attorney
	• Attorney • Cavanaugh, Esq., John R • Bar Code • 558648 • Address • Clarkin & Phillips, P.C. 55 William St Suite 210 Wellesley Hills, MA 02481 • Phone Number • (781)431-2525

More Party Information

Ryan, Deborah A
- Defendant

Alias	Party Attorney

More Party Information

Deborah Ryan Trustee of The Ryan Family Nominee Trust
- Defendant

Alias	Party Attorney

More Party Information

Ryan, Keith
- Defendant

Alias	Party Attorney

More Party Information

Dischino, Mr. Daniel J
- Defendant

Alias	Party Attorney

More Party Information

United Guardianship Services
- Defendant

Alias	Party Attorney

More Party Information

Events

Date	Session	Location	Type	Event Judge	Result
11/15/2016 02:00 PM	Civil C	DED-2nd FL, CR 20 (SC)	Rule 12 Hearing	Davis, Hon. Brian A	Held as Scheduled
07/31/2018 02:00 PM	Civil C	DED-2nd FL, CR 20 (SC)	Rule 56 Hearing	Freniere, Hon Diane	Held as Scheduled
04/10/2019 02:00 PM	Civil A		Final Pre-Trial Conference		

Ticklers

Tickler	Start Date	Due Date	Days Due	Completed Date
Service	03/01/2016	02/14/2017	350	
Answer	03/01/2016	06/29/2016	120	
Rule 12/19/20 Served By	03/01/2016	06/29/2016	120	11/15/2016
Rule 12/19/20 Filed By	03/01/2016	07/29/2016	150	11/15/2016
Rule 12/19/20 Heard By	03/01/2016	08/29/2016	181	11/15/2016
Rule 15 Served By	03/01/2016	04/25/2017	420	
Rule 15 Filed By	03/01/2016	05/25/2017	450	

Tickler	Start Date	Due Date	Days Due	Completed Date
Rule 15 Heard By	03/01/2016	05/25/2017	450	
Discovery	03/01/2016	02/19/2018	720	07/31/2018
Rule 56 Served By	03/01/2016	03/21/2018	750	07/31/2018
Rule 56 Filed By	03/01/2016	04/20/2018	780	07/31/2018
Final Pre-Trial Conference	03/01/2016	08/20/2018	902	
Judgment	03/01/2016	03/01/2019	1095	
Status Review	11/26/2018	12/24/2018	28	12/27/2018

Docket Information

Docket Date	*Docket Text*	File Ref Nbr.
03/01/2016	Original civil complaint filed.	1
03/01/2016	Civil action cover sheet filed.	2
03/01/2016	Appearance entered On this date Christian Habersaat, Esq. added for Plaintiff Central street Holding, LLC	
03/01/2016	Case assigned to: DCM Track A - Average was added on 03/01/2016	
03/14/2016	One Trial case reviewed by Clerk, case to remain in the Superior Court.	
03/22/2016	Central street Holding, LLC's Motion for leave to have the sheriff leave copies of the summons and complaint at the residence of Dennis M. DiSchino, who is Equity Partners, Inc.'s registered agent and sole officer (alternative method of service). (rec'd 3/21/16)	3
03/22/2016	Affidavit of of Tristan J. Foley, Esq. in support of Plaintiff's Motion for leave to emply alternative method of service. (rec'd 3/21/16)	3.1
04/06/2016	Endorsement on Motion for alternate service (#3.0): DENIED without prejudice. The Court is not persuaded that the attached affidavit shows adequate grounds at this time for alternative service. Unspecified difficulties in servicing Dennis Dischino in prior actions does not, without more, show that service here will be unsuccessful. (dated 4/6/16) notice sent dl	
04/19/2016	Attorney appearance On this date John R Cavanaugh, Esq. added as Private Counsel for Defendant Equity Partners, Inc.	
04/19/2016	Service Returned for Defendant Equity Partners, Inc.: Service accepted by counsel; (received 4/15/2016) Applies To: Equity Partners, Inc. (Defendant)	4
04/19/2016	Attorney appearance On this date John R Cavanaugh, Esq. added as Private Counsel for Defendant Dennis M Dischino	
04/19/2016	Service Returned for Defendant Dischino, Dennis M: Service accepted by counsel; (received 4/15/2016) Applies To: Dischino, Dennis M (Defendant)	5
04/27/2016	Defendant's Notice of intent to file motion to dismiss Applies To: Cavanaugh, Esq., John R (Attorney) on behalf of Equity Partners, Inc. (Defendant)	6
04/27/2016	Affidavit of Tristan J. Foley, Esq. notice (service) Mr. Daniel J. DiSchino served by certified mail on April 15, 2015 - return receipt received; Claudia T. Bruno served by certified mail - return receipt received; Deborah and Keith Ryan served on 4/18/2016 - return receipt received; Robert K. DiSchino served on April 16, 2016 certified mail - return receipt received; Edward C Touhey served by certified mail - return receipt received; Florence Kovar served by certified mail on 04/16/16 -return receipt received; Deborah A. Ryan served on 4/18/2016 by certified mail - return receipt received; William D. DiSchino served by certified mail - return receipt received; Meredith DiSchino served certified mail - return reeipt received; Anthony L.DiSchino served certified mail - return receipt received; Kevin S. DiSchino served certified mail on 4/21/2016 - return receipt received; United Guardianship Services served certified mail - return receipt received; Daniel G. DiSchino served certified mail on April 19, 2016 - return receipt received; Lindsay DiSchino served certified mail on 4/19/2016 - return receipt received	7
05/27/2016	Defendant Equity Partners, Inc., Dennis M Dischino's Motion to dismiss all counts and/or stay proceedings	8
05/27/2016	Equity Partners, Inc., Dennis M Dischino's Memorandum in support of Defendants' motion to dismiss under Mass.R.Civ.P.12(b)(6) and/or to stay proceedings	8.1

Docket Date	Docket Text	File Ref Nbr.
05/27/2016	Affidavit of Dennis M.Dischino	8.2
05/27/2016	Request for hearing filed Applies To: Equity Partners, Inc. (Defendant)	8.3
05/27/2016	Opposition to to Defendants' motion to stay count I of the complaint and to dismiss count II filed by Central street Holding, LLC Applies To: Equity Partners, Inc. (Defendant)	8.4
05/27/2016	Brief filed: Reply plaintiff's opposition to motion to dismiss and/or to stay proceedings Applies To: Equity Partners, Inc. (Defendant)	8.5
05/27/2016	Rule 9A list of documents filed.	8.6
06/08/2016	Pleading titled, Affidavit of Notice, filed with the court on 06/08/2016, returned to Christian Habersaat, Esq. -due to it being served by Federal Express with no approval for alternative service permitted by the courts. Applies To: Dischino, Richard (Other interested party)	
06/14/2016	Attorney appearance On this date Tristan John Foley, Esq. added as Private Counsel for Plaintiff Central street Holding, LLC	
07/01/2016	Defendant Equity Partners, Inc., Dennis M Dischino's Motion to dismiss all counts for failure to join and /or serve all necessary parties	9
07/01/2016	Equity Partners, Inc., Dennis M Dischino's Memorandum in support of Defendants' motion to dismiss for failure to serve to join and/or serve all necessary parties	9.1
07/01/2016	Affidavit of William D. Dischino	9.2
07/01/2016	Opposition to Defendants' motion to dismiss for failure to join and/or serve all necessary parties filed by Central street Holding, LLC	9.3
07/01/2016	Request for hearing filed Applies To: Equity Partners, Inc. (Defendant); Dischino, Dennis M (Defendant)	9.4
07/01/2016	Rule 9A list of documents filed.	9.5
07/13/2016	Other Interested Party's Notice of intent to file motion to dismiss Applies To: Dischino, Robert K (Other interested party); Dischino, William D (Other interested party); Dischino, Meredith (Other interested party); Dischino, Lindsay (Other interested party); Dischino, Daniel G (Other interested party)	10
07/21/2016	Plaintiff Central street Holding, LLC's Motion to Join Interested Parties	11
07/21/2016	Central street Holding, LLC's Memorandum in support of Motion to Join Interested Parties	11.1
07/21/2016	Opposition to Motion to Join Interested Parties filed by Equity Partners, Inc., Dennis M Dischino	11.2
07/21/2016	Request for hearing filed Applies To: Equity Partners, Inc. (Defendant); Dischino, Dennis M (Defendant)	11.3
07/21/2016	Rule 9A list of documents filed.	11.4
07/29/2016	Endorsement on Motion to join interested parties (#11.0): DENIED This motion to "join" persons as interested parties individually already named as interested parties in the Verified Complaint for declaratory relief is DENIED. (dated 7/29/16) notice sent dl	
08/03/2016	Defendant Robert K Dischino, William D Dischino, Lindsay Dischino, Daniel G Dischino, Meredith Dischino's Motion to dismiss certain counts (rec'd 8/1/16)	12
08/03/2016	Robert K Dischino's Memorandum in support of Motion to Dismiss (rec'd 8/1/16)	12.1
08/03/2016	Request for hearing filed Applies To: Dischino, Robert K (Other interested party); Dischino, William D (Other interested party); Dischino, Meredith (Other interested party); Dischino, Lindsay (Other interested party); Dischino, Daniel G (Other interested party) (rec'd 8/1/16)	12.2
08/03/2016	Opposition to to Motion to Dismiss filed by (rec'd 8/1/16)	12.3

Docket Date	Docket Text	File Ref Nbr.
08/03/2016	Rule 9A list of documents filed.	12.4
09/22/2016	The following form was generated: Notice to Appear for hearing on November 15,2016 at 2:00pm before Judge Davis regarding (p#8.0) Defendants' motion to dismiss under MRCP 12b(6) and/or to stay proceedings;(p#9.0) Defendants motion to dismiss for failure to join and/or serve all necessary parties;(p#12.0)Other interested parties motion to dismiss Sent On: 09/22/2016 08:50:52	13
11/15/2016	Event Result: The following event: Rule 12 Hearing scheduled for 11/15/2016 02:00 PM has been resulted as follows: Result: Held as Scheduled	
11/18/2016	Endorsement on Motion to dismiss all counts (#8.0): After a hearing, this motion is ALLOWED in part. Count II of Plaintiff's complaint is barred by the doctrine of judicial estoppel because Plaintiff is taking a position on this proceeding (i.e., that the Management Agreement is void) that is contrary to the position that is previously made in another Superior Court proceeding (i.e., that the Management Agreement is valid and enforceable). See Otis v. Arbella Ins. Co., 443 Mass. 634, 640-641 (2008). Plaintiff succeeded in enforcing the Management Agreement in that proceeding. See Agreement for Judgment entered in Norfolk Civil Action No. 2013-0418A. Accordingly, all of the requirements for the application of judicial estoppel have been met and Count II of Plaintiff's Complaint is DISMISSED. The Court declines, in its discretion, to stay proceedings on Count I. (dated 11/13/16) notice sent dl	
11/18/2016	Endorsement on Motion for special motion to dismiss (#9.0): After a hearing, this motion is ALLOWED in part. Plaintiff is granted leave, pursuant to Mass.R.Civ.P 21, to add the Interested Parties as defendants to this action. Plaintiff shall file its proof of service upon the new defendants no later than February 14, 2017. Failure to make timely service shall result in the dismissal of Plaintiff's claims in this action. (dated 11/15/16) notice sent dl	
11/18/2016	Endorsement on Motion to dismiss certain counts (#12.0): This motioin is ALLOWED in part to the extent of and for reasons stated in the Court's decision on Defendant's motion to dismiss (Docket No. 9.0) entered on or about November 15, 2016. (dated 11/13/16) notice sent dl	
12/16/2016	Amended: original complaint filed by Central street Holding, LLC (rec'd 12/14/16)	14
01/03/2017	Received from Defendants' Equity Partners, Inc and Dennis M. Dischino's .: Answer to amended complaint and Jury Demand; (received 12/29/2016) Applies To: Equity Partners, Inc. (Defendant); Dischino, Dennis M (Defendant)	15
01/03/2017	P#15.0 Defendant Dischino, Dennis M: Answer to amended complaint and Jury Demand; (received 12/29/2016)	
02/03/2017	Affidavit of Service Returned for Defendant Dischino, William D: Service made at last and usual -served 12/29/16; Florence Kovar by certified mail green card attached served-1/4/17; Claudia T. Bruno by certified mail green card attached-served 1/3/17;Edward C Touhey by certified mail green card attached -served 1/3/17;Robert K DiSchino by certified mail green card attached-served 12/30/16;Deborah A Ryan Trustee of the Keven S. Dischino by certified mail green card attached -served 12/31/16;United Gardianship Services guardian of Daniel J. Dischino by certified mail green card attached served 12/31/16;Daniel J. DiSchino by certified mail green card attached-served 12/30/16;Lindsay DiSchino by certified mail green card attached-served 12/31/16;Daniel G. DiSchino by certifed mail green card attached -served 12/30/16;Meredith DiSchino by certified mail green card attached -served 12/30/16(Rec'd2/2/17)	16
02/03/2017	Pleading titled, Plaintiff's request for production of documents, filed with the court on 02/03/2017, returned to Tristan John Foley, Esq. Central street Holding, LLC We do not take discovery	
02/14/2017	Service Returned for Defendant Dischino, Richard: Service made via long arm statute on 2/3/2017 at 6:25 PM; Also Anthony (Tony) DiSchino served via long arm statute on 2/11/2017 at 8:30 AM; Kevin DiSchino served by leaving at the last and usual place of abode on 1/30/2017 at 9:25 AM (See service)	17
02/23/2017	Received from Defendants' Robert Dischino, William D. Dischino, Lindsay Dischino, Daniel G. Dischino and Merideth Dischino: Answer to amended complaint and Jury Demand; Applies To: Dischino, Robert K (Defendant); Dischino, William D (Defendant); Dischino, Meredith (Defendant); Dischino, Lindsay (Defendant); Dischino, Daniel G (Defendant)	18
02/23/2017	Attorney appearance On this date John R Cavanaugh, Esq. added as Private Counsel for Defendant Robert K Dischino	
02/23/2017	P#18.0 Defendant Dischino, William D: Answer to amended complaint and jury demand;	
02/23/2017	Attorney appearance On this date John R Cavanaugh, Esq. added for Defendant William D Dischino	
02/23/2017	P#18.0 Defendant Dischino, Lindsay: Answer to amended complaint and jury demand;	

Docket Date	Docket Text	File Ref Nbr.
02/23/2017	Attorney appearance On this date John R Cavanaugh, Esq. added as Private Counsel for Defendant Lindsay Dischino	
02/23/2017	P#18.0 Defendant Dischino, Daniel G: Answer to amended complaint and jury demand;	
02/23/2017	Attorney appearance On this date John R Cavanaugh, Esq. added as Private Counsel for Defendant Daniel G Dischino	
02/23/2017	P#18.0 Defendant Dischino, Meredith: Answer to amended complaint and jury demand;	
02/23/2017	Attorney appearance On this date John R Cavanaugh, Esq. added as Private Counsel for Defendant Meredith Dischino	
04/02/2018	Attorney appearance On this date Jonathan R Roth, Esq. added as Private Counsel for Defendant Florence Kovar (Received on 3/30/2018)	
04/02/2018	Attorney appearance On this date Jonathan R Roth, Esq. added as Private Counsel for Defendant Richard Dischino (Received on 3/30/2018)	
04/02/2018	Attorney appearance On this date Jonathan R Roth, Esq. added as Private Counsel for Defendant Claudia T Bruno (Received on 3/30/2018)	
04/02/2018	Attorney appearance On this date Jonathan R Roth, Esq. added as Private Counsel for Defendant Edward C Touhey (Received on 3/30/2018)	
04/30/2018	Plaintiff Central Street Holding, LLC's Motion for summary judgment, MRCP 56 (Rec'd/. 4/27/2018)	19
04/30/2018	Central Street Holding, LLC's Memorandum in support of Motion for Summary Judgment (Rec'd. 4/27/2018)	19.1
04/30/2018	Opposition to Plff's. Motion for Summary Judgment (Rec'd. 4/27/2018) filed by Equity Partners, Inc., Dennis M Dischino, Robert K Dischino, William D Dischino, Lindsay Dischino, Daniel G Dischino, Meredith Dischino (Rec'd. 4/27/2018)	19.2
04/30/2018	Brief filed: Reply in support of Plff's. Motion for Summary Judgment (Rec'd. 4/27/2018) Applies To: Central Street Holding, LLC (Plaintiff)	19.3
04/30/2018	Statement of Undisputed Facts Applies To: Equity Partners, Inc. (Defendant); Dischino, Dennis M (Defendant); Dischino, Robert K (Defendant); Dischino, William D (Defendant); Dischino, Meredith (Defendant); Dischino, Lindsay (Defendant); Mr. Daniel J Dischino Trustee of Dischino-Sammartino Nominee Trust (Defendant) (Rec'd 4/27/2018)	19.4
04/30/2018	Affidavit of compliance with Superior Court Rule 9A E-MAIL (Rec'd 4/27/2018) Applies To: Habersaat, Esq., Christian (Attorney) on behalf of Central Street Holding, LLC (Plaintiff)	19.5
04/30/2018	Joint appendix for Summary Judgment motion package filed.	19.6
04/30/2018	Request for hearing filed (Rec'd. 4/27/2018) Applies To: Equity Partners, Inc. (Defendant); Dischino, Dennis M (Defendant); Dischino, Robert K (Defendant); Dischino, William D (Defendant); Dischino, Meredith (Defendant); Dischino, Lindsay (Defendant); Dischino, Daniel G (Defendant)	19.7
04/30/2018	Rule 9A notice of filing and Document List (Rec'd. 4/27/2018)	19.8
05/29/2018	The following form was generated: before Judge Freniere on 7/31/18 at 2:00PM for p#19.0 Plaintiff's Motion for Summary Judgment p#19.1-19.8 Notice to Appear Sent On: 05/29/2018 10:08:23	20

Docket Date	Docket Text	File Ref Nbr.
07/31/2018	Event Result:: Rule 56 Hearing scheduled on: 07/31/2018 02:00 PM Has been: Held as Scheduled Hon Diane Freniere, Presiding Appeared: Staff:	
09/13/2018	Endorsement on Motion for summary judgment, MRCP 56 (#19.0): DENIED See Memorandum of Decision of this same date. (dated 9/11/18) notice sent dl Judge: Freniere, Hon Diane	
09/13/2018	MEMORANDUM & ORDER: Memorandum of Decision and Order on Plaintiff's Motion for Summary Judgment (dated 9/11/18) copy sent dl Judge: Freniere, Hon Diane	21
09/13/2018	Defendant Equity Partners, Inc.'s Motion to strike Affidavit of Charles L. Dischino dated April 25, 2018	22
09/13/2018	Endorsement on Motion to strike affidavit (#22.0): No Action Taken Court takes no action. In light of the Court's ruling that the contract language is ambiguous, the issues raised relative to whether Dennis was aware of certain owners attempt to terminate the Modified Agreement does not need to be decided by this Court. (dated 9/11/18) notice sent dl Judge: Freniere, Hon Diane	
09/13/2018	Opposition to to Motion to Strike Affidavit of Charles Dischino filed by Applies To: Central Street Holding, LLC (Plaintiff)	23
09/13/2018	Affidavit of in support of Central Street Holding's opposition to motion to strike Applies To: Central Street Holding, LLC (Plaintiff)	24
11/26/2018	ORDER sent for Status Review, if notice is not received by 12/17/2018 the complaint will be dismissed. Judge: Connors, Hon. Thomas A	25
12/27/2018	Status review notice returned Needs a pre trial conference, April 9, 10 or 11, 2019 (rec'd 12/20/18) Applies To: Habersaat, Esq., Christian (Attorney) on behalf of Central Street Holding, LLC (Plaintiff)	26
12/27/2018	The following form was generated: Notice to Appear for Final Pre-Trial Conference on April 10, 2019 at 2:00P.M. Sent On: 12/27/2018 08:46:56	27

Case Disposition

Disposition	Date	Case Judge
Pending		

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NO12E0105QC DiSchino, Dennis M vs. Dischino, Charles

- Case Type
- Equity Complaint
- Case Status
- Active
- File Date
- 11/27/2012
- DCM Track:
-
- Initiating Action:
- General complaint
- Status Date:
- 11/27/2012
- Case Judge:
- Ordoñez, Hon. Angela M
- Next Event:
-

All Information | Party | Docket | Disposition

Party Information

Dischino, Charles
- Defendant

- DOD
-

Alias

Party Attorney

More Party Information

DiSchino, Dennis M.
- Plaintiff

- DOD
-

Alias

Party Attorney
- Attorney
- Auburn, Esq., Albert
- Bar Code
- 023780
- Address
- Auburn & Auburn
  277 Linden St
  Suite 200
  Wellesley, MA 02482
- Phone Number
- (781)235-0400

More Party Information

Docket Information

Docket Date	*Docket Text*	File Ref Nbr.
11/27/2012	Complaint	1
11/28/2012	Summons Issued Applies To: Auburn, Esq., Albert (Attorney) on behalf of DiSchino, Dennis M (Plaintiff)	
06/19/2013	Summons Filed, Date of Service 04/05/2013	2
06/19/2013	Summons Filed, Date of Service 04/08/2013	3
06/19/2013	Affidavit of service	4

Case Disposition

Disposition	Date	Case Judge
Active		Ordoñez, Hon. Angela M

Skip to main content

NO13E0020QC DiSchino, Dennis M vs. DiSchino, Daniel J

- Case Type
- Equity Complaint
- Case Status
- Closed
- File Date
- 04/04/2013
- DCM Track:
-
- Initiating Action:
- General complaint
- Status Date:
- 07/13/2018
- Case Judge:
- Cronan, Hon. Paul
- Next Event:
-

All Information | Party | Event | Docket | Disposition

Party Information

DiSchino, Daniel J
- Defendant

- DOD

Alias

Party Attorney

More Party Information

DiSchino, Charles L
- Defendant

- DOD

Alias

Party Attorney
- Attorney
- Vecchio, Esq., Lisa Ann
- Bar Code
- 670869
- Address
- MacDougall Biomedical Communications, Inc.
  888 Worcester St
  Suite 200
  Wellesley, MA 02482
- Phone Number
- (781)235-3060

More Party Information

Capobianco, Daniel B
- Defendant

- DOD

Alias

Party Attorney
- Attorney
- Vecchio, Esq., Lisa Ann
- Bar Code
- 670869
- Address
- MacDougall Biomedical Communications, Inc.
  888 Worcester St
  Suite 200
  Wellesley, MA 02482
- Phone Number
- (781)235-3060

More Party Information

DiSchino, Dennis M
- Plaintiff

- DOD
  -

Alias

Party Attorney
- Attorney
- Auburn, Esq., Albert
- Bar Code
- 023780
- Address
- Auburn & Auburn
  277 Linden St
  Suite 200
  Wellesley, MA 02482
- Phone Number
- (781)235-0400
- Attorney
- Riley, Esq., Michael H
- Bar Code
- 420520
- Address
- King & Navins, P.C.
  20 Walnut St
  Suite 101
  Wellesley Hills, MA 02481
- Phone Number
- (781)237-0150

More Party Information

Events

Date	Session	Location	Type	Event Judge	Result
06/05/2013 08:30 AM	Judge Ordoñez Session	Courtroom 5	Motion	Ordoñez, Hon. Angela M	Event Held
07/13/2015 09:00 AM	Judge Casey Session	Courtroom 1	Motion	Casey, Hon. John D	Neither Party Appeared
04/07/2016 09:00 AM	Judge Casey Session	Courtroom 1	Status Conference	Casey, Hon. John D	Neither Party Appeared
11/22/2017 09:00 AM	FLS Session - Norfolk	Courtroom 3	Status Conference	Moriarty, Hon. Elaine M	Event Held
12/21/2017 09:00 AM	FLS Session - Norfolk	Courtroom 3	Status Conference	Moriarty, Hon. Elaine M	Event Held
03/20/2018 09:00 AM	FLS Session - Norfolk	Courtroom 3	Motion Hearing: Contested	Moriarty, Hon. Elaine M	Event Held

Docket Information

Docket Date	*Docket Text*	File Ref Nbr.
04/04/2013	Complaint	1
04/30/2013	Motion to Dismiss Applies To: DiSchino, Daniel J (Defendant); DiSchino, Charles L (Defendant); Capobianco, Daniel B (Defendant)	2
04/30/2013	Notice of hearing Applies To: DiSchino, Daniel J (Defendant); DiSchino, Charles L (Defendant); Capobianco, Daniel B (Defendant)	3
05/01/2013	Motion to Dismiss Applies To: Capobianco, Daniel B (Defendant)	4
05/01/2013	Notice of hearing	5
05/06/2013	Motion to Dismiss Applies To: DiSchino, Charles L (Defendant)	6
05/06/2013	Affidavit of Charles Dischino	7
05/06/2013	Notice of hearing	8

Docket Date	Docket Text	File Ref Nbr.
06/05/2013	Motion to dismiss Denied 06/05/2013	9
06/05/2013	Motion to dismiss Denied 06/05/2013	10
06/05/2013	Motion to dismiss Denied 06/05/2013	11
06/05/2013	Appearance by attorney Lisa Ann Vecchio, Esq. Applies To: DiSchino, Charles L (Defendant); Capobianco, Daniel B (Defendant)	12
06/27/2013	counterclaim and Answer to plaintiff's complaint Applies To: Capobianco, Daniel B (Defendant)	13
06/27/2013	counterclaim and Answer to complaint of plaintiff, Dennis DiSchino Applies To: DiSchino, Charles L (Defendant); Vecchio, Esq., Lisa Ann (Attorney) on behalf of Capobianco, Daniel B (Defendant)	14
07/23/2013	Appearance by attorney Michael H Riley, Esq.	15
07/23/2013	Answer to counterclaim of defendant Charles Dischino Applies To: DiSchino, Dennis M (Plaintiff)	16
07/23/2013	Answer to counterclaim of defendant Daniel Capobianco Applies To: DiSchino, Dennis M (Plaintiff)	17
02/25/2014	Motion of Dennis M. Dischino for enforcement of Settlement Agreement	18
06/16/2014	Motion of Charles L. Dischino and Daniel B. Capobianco to stay the conduct of discovery not related to the motion of Dennis M. Dischino for enforcement of settlement agreement	19
06/16/2014	Notice of Hearing	20
06/16/2014	Certificate of Service	21
08/04/2014	Memorandum in support of motion of Dennis M. Dischino for enforcement of settlement agreement	22
08/04/2014	Motion to quash subpoenae Duck Tecum of Lisa A. Vecchio and Daniel B. Capobianco	23
02/04/2015	Motion of Dennis Dischino for enforcement of agreement Denied 01/13/2015	24
02/04/2015	Order and memorandum entered January 13, 2015	25
02/04/2015	Motion of Dennis M. Dischino for enforcement of Settlement Agreement Denied 01/13/2015	26
02/04/2015	Order and Memorandum of Decision 1/13/15	27
06/12/2015	Motion to compel	28
06/12/2015	Affidavit of Dennis Dischino	29
06/12/2015	Motion for preliminary injunction	30
06/12/2015	plt's Memorandum	31
06/12/2015	Motion to Dismiss	32
09/01/2015	copy of Motion for appt of independant trustee and entry of dismissal	33
09/01/2015	copy of Memorandum	34
09/01/2015	copy of Motion for partial dismissal	35
09/24/2015	Statement of Payment Received Pursuant to SJC Rule 1:07 Judge: Casey, Hon. John D	64
09/24/2015	Fee Generating Appointment, John G Dugan, Esq. appointed as D Guardian ad litem in an Estate/Administration ca On 09/23/2015 by Hon. John D Casey Reason: Appointee has particular subject matter knowledge Appointment Terminated on 10/02/2015	36
09/28/2015	Opposition to def's mtn for partial dismissal	37
09/28/2015	Opposition to def's mtn for entry of dismissal	38
10/08/2015	Declination of gal appt by John Dugan	39

Docket Date	Docket Text	File Ref Nbr.
10/22/2015	Fee Generating Appointment, James R DeGiacomo, Esq. appointed as D Guardian ad litem in an Estate/Administration ca On 10/22/2015 by Hon. John D Casey For the elderly Reason: Appointee has particular subject matter knowledge	40
10/29/2015	Motion for Appointmentc GAL	41
10/29/2015	Motion to appt GAL Allowed 10/27/2015 File Reference # 41	42
08/03/2016	James DeGiacomo's Acceptance of Appointment as GAL	43
08/03/2016	Report of James DeGiacomo, gal	44
12/08/2016	Statement	45
10/11/2017	Notice of Reassignment to the Fiduciary Litigation Session-allowed 1/15/2019 as of 10/11/2017 Judge: Moriarty, Hon. Elaine M	68
10/24/2017	JOINT Motion To REQUEST STATUS CONFERENCE IN FIDUCIARY LITIGATION SESSION	46
10/24/2017	Motion To REQUEST ALLOWED on 10/11/2017 File Reference # 46 Judge: Casey, Hon. John D	47
11/27/2017	Memorandum of Decision (Order) after status conference Judge: Moriarty, Hon. Elaine M	48
12/22/2017	(Amended) Memorandum and Order after Status Conference. Cross Motions in Summary Judgment to be filed as single package on March 9, 2018. Judge: Moriarty, Hon. Elaine M	49
07/13/2018	Decree of Dismissal Judge: Moriarty, Hon. Elaine M	50
07/20/2018	Motion To Amend Judgment	51
07/30/2018	Opposition to motion to alter/alter	54
08/13/2018	Memorandum in support of motion for legal fees, expenses, and costs	58
08/13/2018	Affidavit Of Dennis R. Brown	66
08/13/2018	Motion For legal fees, expenses, and costs	60
08/13/2018	Affidavit Of Mark Swirbalus	67
08/20/2018	Motion To Amend DENIED on 08/07/2018 File Reference # 51 Judge: Moriarty, Hon. Elaine M	52
08/20/2018	Motion To request for hearing DENIED on 08/07/2018 File Reference # Judge: Moriarty, Hon. Elaine M	53
08/22/2018	Opposition to motion for legal fees	65
08/24/2018	Action on Appeal as follows: Notice of Appeal by Dennis M. Dischino, from Decree of Dismissal Entered July,13,2018 and from Deniel on Motion to Alter and Amend Entered on August 20,2018	55
08/24/2018	Action on Appeal as follows: Notified date Of Receipt and Filing of A Notice of Appeal Applies To: DiSchino, Dennis M (Plaintiff); DiSchino, Daniel J (Defendant); DiSchino, Charles L (Defendant); Riley, Esq., Michael H (Attorney) on behalf of DiSchino, Dennis M (Plaintiff); Vecchio, Esq., Lisa Ann (Attorney) on behalf of Capobianco, Daniel B (Defendant); Event Judge: Moriarty, Hon. Elaine M	56
08/29/2018	Statement Pursuant to Mass.R.APP.P(c)(2)	57
11/29/2018	Judgment/Decree of Dismissal on General Petitions Amended entered on 11/28/2018 Related to File Reference # 50 Judge: Moriarty, Hon. Elaine M	59
11/29/2018	Motion For Legal fees, expenses, and costs ALLOWED on 11/27/2018 File Reference # 60 Judge: Moriarty, Hon. Elaine M	61
11/29/2018	Memorandum and Order Judge: Moriarty, Hon. Elaine M	62

Docket Date	*Docket Text*	File Ref Nbr.
12/14/2018	Action on Appeal as follows: Notice of Appeal by Dennis M. Dischino	69
12/21/2018	Statement Pursuant to Mass. R. App.p 9(c)(2)	63
01/16/2019	Notice of Completion of the Fiduciary Litigation Session	
01/30/2019	Action on Appeal as follows: Notified date Of Receipt And Filing Of A Notice Of Appeal, Dated December 14,2018 Applies To: Riley, Esq., Michael H (Attorney) on behalf of DiSchino, Dennis M (Plaintiff); Event Judge: Moriarty, Hon. Elaine M	70
01/30/2019	Action on Appeal as follows: Notice of Assembly of Record Dated January 30,2019	71

Case Disposition

Disposition	Date	Case Judge
Judgment of Dismissal	07/12/2018	Cronan, Hon. Paul

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NO12P2672PO In the matter of: The Central Street Holding,LLC and The Delanson Circle Holding LLC

- Case Type
- Probate Other
- Case Status
- Closed
- File Date
- 11/06/2012
- DCM Track:
-
- Initiating Action:
- General Petition
- Status Date:
- 11/22/2017
- Case Judge:
- Cronan, Hon. Paul
- Next Event:
-

All Information | Party | Event | Disposition

Party Information

Dishino, Dennis M
- Petitioner

- DOD
  - **Alias**
  - **Party Attorney**
    - Attorney
    - Auburn, Esq., Albert
    - Bar Code
    - 023780
    - Address
    - Auburn & Auburn
      277 Linden St
      Suite 200
      Wellesley, MA 02482
    - Phone Number
    - (781)235-0400

More Party Information

The Central Street Holding,LLC and The Delanson Circle Holding LLC
- Subject/Respondent

- DOD
  - **Alias**
  - **Party Attorney**

More Party Information

DiSchino, Dennis M
- Objector

- DOD
  - **Alias**
  - **Party Attorney**
    - Attorney
    - Auburn, Esq., Albert
    - Bar Code
    - 023780
    - Address
    - Auburn & Auburn
      277 Linden St
      Suite 200
      Wellesley, MA 02482
    - Phone Number
    - (781)235-0400
    - Attorney
    - Riley, Esq., Michael H
    - Bar Code

- 420520
- Address
- King & Navins, P.C.
  20 Walnut St
  Suite 101
  Wellesley Hills, MA 02481
- Phone Number
- (781)237-0150

More Party Information

Capobianco, Daniel B
- Other

- DOD

Alias

Party Attorney
- Attorney
- Swirbalus, Esq., Mark E
- Bar Code
- 631650
- Address
- Goulston & Storrs
  400 Atlantic Ave
  Boston, MA 02110-3333
- Phone Number
- (617)574-4119

More Party Information

DiSchino, Charles L
- Trustee

- DOD

Alias

Party Attorney
- Attorney
- Swirbalus, Esq., Mark E
- Bar Code
- 631650
- Address
- Goulston & Storrs
  400 Atlantic Ave
  Boston, MA 02110-3333
- Phone Number
- (617)574-4119

More Party Information

Events

Date	Session	Location	Type	Event Judge	Result
05/06/2013 08:30 AM	Judge Casey Session	Courtroom 1	Motion	Casey, Hon. John D	Event not held: Continued by parties agreement
05/23/2013 10:00 AM	Judge Casey Session	Courtroom 1	Pretrial Conference - Probate and Guardianship	Casey, Hon. John D	Event not held: Continued by parties agreement
06/10/2013 09:00 AM	Judge Casey Session	Courtroom 1	Motion	Casey, Hon. John D	Event Held
06/10/2013 09:00 AM	Judge Casey Session	Courtroom 1	Motion	Casey, Hon. John D	Event Held
08/01/2013 09:00 AM	Judge Casey Session	Courtroom 1	Pretrial Continued	Casey, Hon. John D	Event not held: Continued by parties agreement
11/14/2013 10:00 AM	Judge Casey Session	Courtroom 1	Pretrial Conference - Probate and Guardianship	Casey, Hon. John D	Event not held: Continued by parties agreement
03/06/2014 09:00 AM	Judge Casey Session	Courtroom 1	Pretrial Continued	Casey, Hon. John D	Event Held
07/23/2014 09:00 AM	Judge Casey Session	Courtroom 1	Evidentiary Hearing	Casey, Hon. John D	Event Held
10/08/2014 09:00 AM	Judge Casey Session	Courtroom 1	Status Conference	Casey, Hon. John D	Event Taken off List
12/19/2014 09:00 AM	Judge Casey Session	Courtroom 1	Review Hearing	Casey, Hon. John D	Event Held

Date	Session	Location	Type	Event Judge	Result
03/05/2015 10:00 AM	Judge Casey Session	Courtroom 1	Pretrial Conference - Probate and Guardianship	Casey, Hon. John D	Event not held: Continued by parties agreement
06/25/2015 09:00 AM	Judge Casey Session	Courtroom 1	Pretrial Conference - Probate and Guardianship	Casey, Hon. John D	Event Taken off List
06/25/2015 09:00 AM	Judge Casey Session	Courtroom 1	Pretrial Continued	Casey, Hon. John D	
09/23/2015 02:00 PM	Judge Casey Session	Courtroom 1	Trial 1 Hour	Casey, Hon. John D	Event Held
04/07/2016 09:00 AM	Judge Casey Session	Courtroom 1	Status Conference	Casey, Hon. John D	Neither Party Appeared
11/22/2017 09:00 AM	FLS Session - Norfolk	Courtroom 3	Status Conference	Moriarty, Hon. Elaine M	Event Held

Case Disposition

Disposition	Date	Case Judge
Decree of Dismissal	11/22/2017	Cronan, Hon. Paul

Skip to main content

1382CV00478 Central Street Holding LLC v Dischino et al

- Case Type
- Contract / Business Cases
- Case Status
- Closed
- File Date
- 04/03/2013
- DCM Track:
- F - Fast Track
- Initiating Action:
- Services, Labor and Materials
- Status Date:
- 04/03/2013
- Case Judge:
-
- Next Event:
-

All Information | Party | Event | Docket | Disposition

Party Information

Central Street Holding LLC
- Plaintiff

Alias

Party Attorney
- Attorney
- Brown, Esq., Dennis R
- Bar Code
- 059980
- Address
- Dennis R. Brown, P.C.
  869 Concord St
  Framingham, MA 01701
- Phone Number
- (508)879-6300
- Attorney
- Vecchio, Esq., Lisa Ann
- Bar Code
- 670869
- Address
- MacDougall Biomedical Communications, Inc.
  888 Worcester St
  Suite 200
  Wellesley, MA 02482
- Phone Number
- (781)235-3060

More Party Information

Dischino, Dennis M
- Defendant

Alias

Party Attorney
- Attorney
- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number
- (781)431-2525

More Party Information

Equity Partners Inc
- Defendant

Alias

Party Attorney

- Attorney
- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number
- (781)431-2525

More Party Information

Brookline Bank
- Other interested party

Alias	Party Attorney

More Party Information

Events

Date	Session	Location	Type	Event Judge	Result
04/10/2013 02:00 PM	Civil A		Hearing on Preliminary Injunction		Rescheduled
09/05/2013 02:00 PM	Civil A		Rule 12 Hearing		Rescheduled
10/10/2013 02:00 PM	Civil A		Rule 12 Hearing		Canceled

Docket Information

Docket Date	*Docket Text*	File Ref Nbr.
04/03/2013	Complaint filed $275.00 entry fee paid-O/N to issue under prayers c & d ret. April 10, 2013 at 2:00PM(Wilson,J) (Receipt #37420 for $275.00)	1
04/03/2013	Origin 1, Type A01, Track F.	
04/03/2013	Civil action cover sheet filed	2
04/03/2013	plffs motion for approval of trustee process to attach bank account-O/N to issue ret. April 10, 2013 at 2:00PM (Wilson,J)	3
04/03/2013	Affidavit of Charles L. DiSchino manager of Central Street Holding LLC in support of motion for trustee process	4
04/03/2013	plffs motion for appointment of special process server-motion is allowed (Wilson,J)	5
04/03/2013	Notice sent fast track to plffs attorney	
04/08/2013	SERVICE RETURNED: (summons and order of notice) in hand to Dennis M Dischino(Defendant)- affidavit of special process server attached s/o 4/3/13	6
04/08/2013	ONE TRIAL review by Clerk, case is to remain in the Superior Court	
04/09/2013	Defts. Dennis M. DiSchino and Equity Partners, Inc.'s Opposition to Plff's. Application for Preliminary Injunction and Motion for Trustee Process filed	7
04/09/2013	Affidavit of Dennis M. DiSchino	8
04/24/2013	Defendants Dennis M. DiSchino and Equity Partners, Inc. Notice of intent to file motion to dismiss pursuant to Rule 9E	9
06/21/2013	Defendants Dennis M Dischino Et Al's MOTION to Dismiss (Rec'd. 6/20/2013)	10
06/21/2013	Defts'. Memorandum of Law (Rec'd. 6/20/2013)	10.1
06/21/2013	Affidavit of Dennis M. DiSchino (Rec'd. 6/20/2013)	10.2
06/21/2013	Plff. Central Street Holding LLC's Opposition (Rec'd. 6/20/2013)	10.3
06/21/2013	Request for hearing filed by Dennis M Dischino Et Al (Rec'd. 6/20/2013)	10.4
06/21/2013	Document List (Rec'd. 6/20/2013)	10.5

Docket Date	Docket Text	File Ref Nbr.
07/05/2013	Pleading returned: First amended verified complaint returned to Attorney Vecchio - A motion to dismiss was entered on the docket on 6/21/13	
07/12/2013	Case status changed to 'Needs review for answers' at service deadline review	
07/19/2013	Notice sent to appear on 9/5/2013 for a hearing on Defts' motion to dismiss (p#10.0)before Judge Fishman at 2:00pm	11
08/06/2013	Joint motion to continue hearing on defendants' motion to dismiss and to extend time for defendant to answer amended complaint (rec'd 8/5/13)	12
08/07/2013	Plaintiff's motion for leave to file an amended complaint (rec'd 8/5/13)	13
08/07/2013	Plaintiff's memorandum in support of its motion for leave to file an amended complaint (rec'd 8/5/13)	13.1
08/07/2013	Superior Court Rule 9A(b)(2) document listing, affidavit of compliance and no receipt of opposition (rec'd 8/5/13)	13.2
08/07/2013	Motion (P#12.0) is allowed; The Motion to Dismiss is rescheduled to 10/10/13 at 2:00 P.M. Defendants are granted 20 days from the date of the decision on the Motion to Dismiss, to answer the amended complaint. (Kenneth J. Fishman, Regional Administrative Justice). Notices mailed 8/7/2013	
08/07/2013	Motion (P#13.0) Allowed pursuant to Rule 9A review, there being no opposition filed. (Kenneth J. Fishman, Regional Administrative Justice). Notices mailed 8/7/2013	
08/07/2013	First AMENDED Complaint of the Plaintiff	14
09/13/2013	Stipulated MOTION for entry of judgment and waiver of hearing	15
09/20/2013	Motion (P#15.0) ALLOWED. See Agreement for Judgment (Kenneth J. Fishman, Regional Administrative Justice) dated September 20, 2013 Notices mailed 9/20/2013	
09/20/2013	Agreement for Judgment as follows: Now come the Plaintiff, Central Street Holding LLC, and the Defendants, Dennis M. Dischino and Equity Partners, Inc., and they stipulate that the following judgment may be entered in this action as set forth below: 1. Dennis M. dischino and Equity Partners, Inc., Defendants, hereby agree that monthly payments of all net rent due Central Street Holding LLC under the modification and extension agreement between Equity Partners, Inc. and the owners of 25-35 Central Street, Wellesley, Massachusetts and 53-61 Central Street, Wellesley, Massachusetts dated December 20, 2011 hall be paid promptly without unreasonable delay or excuse; 2. In the event the Defendants breach the foregoing agreement, in addition to any other relief the court may grant, the Defendant shall pay the Plaintiff's reasonable attorney's fees and costs incurred in enforcing the agreement; 3. All parties to bear their own attorney's fees and costs incurred to date, without prejudice as to any future fees and costs that may be incurred. (Kenneth J. Fishman, Regional Administrative Justice)	16

Case Disposition

Disposition	Date	Case Judge
Disposed by Agreement / Settled	09/20/2013	

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1454CV000614 Central Street Holding LLC v. DiSchino, Dennis M

- Case Type
- Civil
- Case Status
- Disposed for Statistical Purposes
- File Date
- 08/29/2014
- DCM Track:
-
- Initiating Action:
- Money Action - District Court Filing (c231 §§ 103-104)
- Status Date:
- 08/11/2015
- Case Judge:
-
- Next Event:
-

All Information | Party | Event | Docket | Disposition

Party Information

Central Street Holding LLC
- Plaintiff

Alias

Party Attorney
- Attorney
- Brown, Esq., Dennis R
- Bar Code
- 059980
- Address
- Dennis R. Brown, P.C.
  869 Concord St
  Framingham, MA 01701
- Phone Number
- (508)879-6300

More Party Information

DiSchino, Dennis M
- Defendant

Alias

Party Attorney
- Attorney
- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number
- (781)431-2525

More Party Information

Equity Partners, Inc.
- Defendant

Alias

Party Attorney
- Attorney
- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number
- (781)431-2525

More Party Information

Events

Date	Session	Location	Type	Result
01/02/2015 04:00 PM	Civil Administrative Session		Dismissal Under Mass.R.Civ.P. 4(j)	Not Held But Event Resolved
01/16/2015 10:00 AM	Civil Session		Motion Hearing (CV)	Held - under advisement
01/21/2015 09:00 AM	Civil Session		Case Management Conference	Held
06/01/2015 04:00 PM	Civil Administrative Session		Dismissal Under Mass.R.Civ.P. 4(j)	Not Held But Event Resolved
07/17/2015 10:00 AM	Civil Session		Pretrial Conference (CV)	Held
07/31/2015 10:00 AM	Civil Session		Motion Hearing (CV)	Event Continued
08/07/2015 10:00 AM	Civil Session		Motion Hearing (CV)	Held
09/18/2015 10:00 AM	Civil Session		Motion Hearing (CV)	Event Continued
10/02/2015 10:00 AM	Civil Session		Motion Hearing (CV)	Held
11/02/2015 09:00 AM	Civil Session		Bench Trial (CV)	Event Continued
12/18/2015 10:00 AM	Civil Session		Motion Hearing (CV)	Held - under advisement
01/07/2016 09:00 AM	Civil Session		Bench Trial (CV)	Not Held But Event Resolved

Docket Information

Docket Date	*Docket Text*	Amount Owed	File Ref Nbr.
08/29/2014	Complaint filed		2
08/29/2014	Statement of damages filed by Plaintiff (Dist./Mun.Cts.Supp.R.Civ.P. 102A).		3
08/29/2014	ADR Uniform Counsel Certifcation filed by plainfiff's attorney.		4
09/02/2014	Filed On this date Tue Sep 02 00:00:00 EDT 2014 Brown, Esq., Dennis R added for Central Street Holding LLC		1
09/02/2014	Event Scheduled Event: Dismissal Under Mass.R.Civ.P. 4(j) Date: 01/02/2015 Time: 04:00 PM Result: Not Held But Event Resolved		
09/02/2014	Event Scheduled Event: Dismissal Under Mass.R.Civ.P. 4(j) Date: 06/01/2015 Time: 04:00 PM Result: Not Held But Event Resolved		
10/08/2014	Return of service on complaint and summons to Dennis M Dischino: Officer service SERVED in hand (Mass.R.Civ.P. 4(f)). 9/30/2014 $45.62		5
10/10/2014	Event Resulted The following event: Dismissal Under Mass.R.Civ.P. 4(j) scheduled for 01/02/2015 04:00 PM has been resulted as follows: Result: Not Held But Event Resolved Appeared:		
10/21/2014	Answer filed by Dennis M Dischino, Equity Partners, Inc..		6
10/22/2014	Event Resulted The following event: Dismissal Under Mass.R.Civ.P. 4(j) scheduled for 06/01/2015 04:00 PM has been resulted as follows: Result: Not Held But Event Resolved Appeared:		
10/22/2014	Event Scheduled Event: Case Management Conference Date: 01/21/2015 Time: 09:00 AM Result: Held		
10/22/2014	Filed On this date John R Cavanaugh, Esq. added as Private Counsel for Defendant Dennis M DiSchino		7

Docket Date	Docket Text	Amount Owed	File Ref Nbr.
10/22/2014	Filed On this date John R Cavanaugh, Esq. added as Private Counsel for Defendant Equity Partners, Inc.		8
12/31/2014	Motion to dismiss for failure to join needed party filed by Dennis M DiSchino, Equity Partners, Inc..		9
12/31/2014	Affidavit of Dennis M. DiSchino in support of motion to to dismiss filed by Dennis M DiSchino, Equity Partners, Inc..		10
01/06/2015	Event Scheduled Event: Motion Hearing (CV) Date: 01/16/2015 Time: 10:00 AM Result: Held - under advisement		
01/16/2015	Opposition filed by Central Street Holding LLC to Motion to dismiss that was filed on 12/31/2014.		11
01/16/2015	Motion to dismiss for failure to join needed party denied.		
01/16/2015	Proposed Case Managment Order		
01/20/2015	Order; After hearing, Defendants Motion to dismiss for failure to join needed party is denied.		
01/20/2015	Opposition filed by Central Street Holding LLC to Motion to dismiss that was filed on 12/31/2014.		12
01/21/2015	Event Resulted The following event: Case Management Conference scheduled for 01/21/2015 09:00 AM has been resulted as follows: Result: Held Appeared:		
01/21/2015	Case Management conference report filed.		13
01/30/2015	Event Scheduled Event: Pretrial Conference (CV) Date: 07/17/2015 Time: 10:00 AM 01/21/2015- Proposed Case Management Order is ATTACHED. (Honorable James H. McGuinness, JR.) Result: Held		
07/13/2015	PreTrial Memorandum filed jointly by all parties.		15
07/16/2015	Motion for summary judgment (Mass.R.Civ.P.56) filed by Dennis M DiSchino, Equity Partners, Inc..		16
07/16/2015	Affidavit of Dennis M DiSchino filed.		17
07/16/2015	Affidavit of William D. Dischino filed.		18
07/16/2015	Memorandum filed by Dennis M DiSchino, Equity Partners, Inc..		19
07/17/2015	Event Scheduled Event: Motion Hearing (CV) Date: 07/31/2015 Time: 10:00 AM Result: Event Continued		
07/17/2015	Event Resulted The following event: Pretrial Conference (CV) scheduled for 07/17/2015 10:00 AM has been resulted as follows: Result: Held Appeared:		
07/17/2015	Event Resulted The following event: Motion Hearing (CV) scheduled for 07/31/2015 10:00 AM has been resulted as follows: Result: Event Continued Reason: Request of all parties Appeared:		
07/17/2015	Event Scheduled Event: Motion Hearing (CV) Date: 08/07/2015 Time: 10:00 AM Result: Held		
07/27/2015	Opposition filed by Central Street Holding LLC to Motion for summary judgment that was filed on 07/16/2015.		20
07/27/2015	Plaintiff's cross motion for summary judgment filed		
07/27/2015	Affidavit of Charles DiSchino and Dennis Brown filed.		21

Docket Date	Docket Text	Amount Owed	File Ref Nbr.
08/03/2015	Notice of Change of Address John R. Cavanaugh, Esq., Clarkin & Phillips, P.C. 55 William Street Suite 210 Wellesley, Massachusetts		
08/07/2015	Event Resulted The following event: Motion Hearing (CV) scheduled for 08/07/2015 10:00 AM has been resulted as follows: Result: Held Appeared:		
08/07/2015	Motion for summary judgment (Mass.R.Civ.P.56) denied.		
08/07/2015	Motion for summary judgment (Mass.R.Civ.P.56) denied.		
08/07/2015	Decision on Defendants Motion for Summary Judgment and Plaintiff's Cross Motion for Summary Judgment.		
08/12/2015	Event Scheduled Event: Bench Trial (CV) Date: 11/02/2015 Time: 09:00 AM 08/07/2015- After motion hearing, Dennis M. DiSchino and Equity Partners, Inc.'s Motion for Summary Judgment (Mass.R.Civ.P.56) is DENIED. Central Street Holding LLC's Motion for Summary Judgment (Mass.R.Civ.P.56) is DENIED. The enclosed indicates the Court's action in this matter on "Decision on Defendants Motion for Summary Judgment and Plaintiff's Cross Motion for Summary Judgment". Result: Event Continued		
08/31/2015	Motion for continuance (Mass.R.Civ.P.40[b]) filed by Dennis M DiSchino and assented to by other party(ies).		22
09/08/2015	Event Scheduled Event: Motion Hearing (CV) Date: 09/18/2015 Time: 10:00 AM Result: Event Continued		
09/18/2015	Event Resulted The following event: Motion Hearing (CV) scheduled for 09/18/2015 10:00 AM has been resulted as follows: Result: Event Continued		
09/21/2015	Event Scheduled Event: Motion Hearing (CV) Date: 10/02/2015 Time: 10:00 AM Motion for continuance (Mass.R.Civ.P.40[b]) filed by Dennis M DiSchino and assented to by other party(ies). Attorneys to appear with Clients. Result: Held		
10/02/2015	Event Resulted The following event: Motion Hearing (CV) scheduled for 10/02/2015 10:00 AM has been resulted as follows: Result: Held		
10/02/2015	Event Resulted The following event: Bench Trial (CV) scheduled for 11/02/2015 09:00 AM has been resulted as follows: Result: Event Continued Reason: Request of all parties		
10/02/2015	Motion for continuance of trial date (Mass.R.Civ.P.40[b]) allowed Hon. James H McGuinness, Jr.		
10/02/2015	Event Scheduled Event: Bench Trial (CV) Date: 01/07/2016 Time: 09:00 AM Dennis M DiSchino's Assented To Motion for Continuance of Trial (Mass.R.Civ.P.40[b]) is ALLOWED. (Honorable James H. McGuinness, JR.) Result: Not Held But Event Resolved		
10/08/2015	Cassette or CD copy request received from John Cavanaugh, Esq. (Dist Ct Special Rule 211(A)(5)(c)).		
10/29/2015	CD copy made; requester notified (Dist Ct Special Rule 211(A)(5)).		
12/03/2015	Motion to amend complaint (Mass.R.Civ.P. 4[g] & 15) filed by Central Street Holding LLC.		23
12/03/2015	Affidavit of Dennis Brown, Esq. in support of motion to amend complaint filed by Central Street Holding LLC.		24
12/07/2015	Event Scheduled Event: Motion Hearing (CV) Date: 12/18/2015 Time: 10:00 AM Result: Held - under advisement		

Docket Date	*Docket Text*	Amount Owed	File Ref Nbr.
12/10/2015	Cross-claim filed by Dennis M DiSchino, Equity Partners, Inc. against Central Street Holding LLC (Mass.R.Civ.P. 13(g) or 14).		25
12/18/2015	Motion under advisement by judicial officer		
01/04/2016	Stipulation of dismissal with prejudice filed (Mass.R.Civ.P. 41(a)(1) & 58(a)).		26
01/05/2016	Event Resulted The following event: Bench Trial (CV) scheduled for 01/07/2016 09:00 AM has been resulted as follows: Result: Not Held But Event Resolved Reason: Dismissed		
01/06/2016	Motion to amend its complaint (Mass.R.Civ.P. 4[g] & 15) denied.		
01/06/2016	Order; 01/06/2015 (12/18/2015)- After hearing and upon due consideration, Central Street Holding LLC.'s Motion to Amend Complaint (Mass.R.Civ.P. 4[g] & 15) is DENIED. parties notified.		

Case Disposition

Disposition	Date
Pending	

Skip to main content

1582CV01432 Dischino, William et al vs. Delanson Circle Holding LLC et al

- Case Type
- Equitable Remedies
- Case Status
- Open
- File Date
- 11/04/2015
- DCM Track:
- A - Average
- Initiating Action:
- Declaratory Judgment G.L. c. 231A
- Status Date:
- 11/04/2015
- Case Judge:
-
- Next Event:
-

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

Party Information

Dischino, William
- Plaintiff

Alias

Party Attorney
- Attorney
- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number
- (781)431-2525

More Party Information

Dischino, Dennis M
- Plaintiff

Alias

Party Attorney
- Attorney
- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number
- (781)431-2525

More Party Information

Dischino, Robert K
- Plaintiff

Alias

Party Attorney
- Attorney
- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number

- (781)431-2525

More Party Information

Dischino, Lindsay
- Plaintiff

Alias

Party Attorney
- Attorney
- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number
- (781)431-2525

More Party Information

Dischino, Meredith
- Plaintiff

Alias

Party Attorney
- Attorney
- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number
- (781)431-2525

More Party Information

Dischino, Daniel G
- Plaintiff

Alias

Party Attorney
- Attorney
- Cavanaugh, Esq., John R
- Bar Code
- 558648
- Address
- Clarkin & Phillips, P.C.
  55 William St
  Suite 210
  Wellesley Hills, MA 02481
- Phone Number
- (781)431-2525

More Party Information

Delanson Circle Holding LLC
- Defendant

Alias

Party Attorney
- Attorney
- Foley, Esq., Tristan John
- Bar Code
- 688442
- Address
- Goulston & Storrs
  400 Atlantic Ave
  Boston, MA 02110
- Phone Number
- (617)574-4136
- Attorney
- Habersaat, Esq., Christian
- Bar Code
- 564427
- Address
- Goulston & Storrs PC
  400 Atlantic Ave
  Boston, MA 02110
- Phone Number
- (617)482-1776

More Party Information

Central Street Holding LLC
- Defendant

Alias	Party Attorney
	• Attorney • Foley, Esq., Tristan John • Bar Code • 688442 • Address • Goulston & Storrs 400 Atlantic Ave Boston, MA 02110 • Phone Number • (617)574-4136 • Attorney • Habersaat, Esq., Christian • Bar Code • 564427 • Address • Goulston & Storrs PC 400 Atlantic Ave Boston, MA 02110 • Phone Number • (617)482-1776

More Party Information

United Guardianship Services
- Defendant

Alias	Party Attorney

More Party Information

Dischino, Charles L
- Defendant

Alias	Party Attorney
	• Attorney • Pro Se • Bar Code • PROPER • Address • Phone Number •

More Party Information

Ryan, Deborah A
- Defendant

Alias	Party Attorney

More Party Information

Ryan, Keith
- Defendant

Alias	Party Attorney

More Party Information

Ryan, Deborah A
- Defendant

Alias	Party Attorney

More Party Information

Dischino, Daniel J
- Defendant

Alias	Party Attorney

More Party Information

Sammartino, Hallie
- Defendant

Alias	Party Attorney

More Party Information

Bruno, Claudia T
- Defendant

Alias	Party Attorney
	• Attorney

- Roth, Esq., Jonathan R
- Bar Code
- 556272
- Address
- Jonathan R. Roth Attorney at Law
  57 Wharf St Suite 2G
  Salem, MA 01970
- Phone Number
- (781)492-1501

More Party Information

Touhey, Edward C
- Defendant

Alias

Party Attorney
- Attorney
- Roth, Esq., Jonathan R
- Bar Code
- 556272
- Address
- Jonathan R. Roth Attorney at Law
  57 Wharf St Suite 2G
  Salem, MA 01970
- Phone Number
- (781)492-1501

More Party Information

Dischino, Richard
- Defendant

Alias

Party Attorney
- Attorney
- Roth, Esq., Jonathan R
- Bar Code
- 556272
- Address
- Jonathan R. Roth Attorney at Law
  57 Wharf St Suite 2G
  Salem, MA 01970
- Phone Number
- (781)492-1501

More Party Information

Dischino, Anthony L
- Defendant

Alias

Party Attorney
- Attorney
- Roth, Esq., Jonathan R
- Bar Code
- 556272
- Address
- Jonathan R. Roth Attorney at Law
  57 Wharf St Suite 2G
  Salem, MA 01970
- Phone Number
- (781)492-1501

More Party Information

Kovar, Florence
- Defendant

Alias

Party Attorney
- Attorney
- Roth, Esq., Jonathan R
- Bar Code
- 556272
- Address
- Jonathan R. Roth Attorney at Law
  57 Wharf St Suite 2G
  Salem, MA 01970
- Phone Number
- (781)492-1501

More Party Information

Subsequent Action/Subject

SA/Subject #	Status Date	Pleading Party	Responding Party	Judgments	Description	Status
1	02/05/2016	Kovar, Florence	Dischino, Daniel G	0	Counterclaim	Open
2	02/05/2016	Kovar, Florence	Sammartino, Hallie	0	Crossclaim	Open

Events

Date	Session	Location	Type	Event Judge	Result
11/09/2016 02:00 PM	Civil B		Motion Hearing to Compel	Cannone, Hon. Beverly J	Held as Scheduled
02/26/2018 02:00 PM	Civil B		Rule 56 Hearing	Connors, Hon. Thomas A	Not Held
03/13/2018 02:00 PM	Civil B		Rule 56 Hearing	Connors, Hon. Thomas A	Not Held
04/03/2018 02:00 PM	Civil B		Rule 56 Hearing		Held as Scheduled
06/11/2018 02:00 PM	Civil B	DED-1st FL, CR 3 (SC)	Final Pre-Trial Conference	Krupp, Hon. Peter B	Not Held

Ticklers

Tickler	Start Date	Due Date	Days Due	Completed Date
Service	11/04/2015	02/02/2016	90	05/03/2016
Answer	11/04/2015	03/03/2016	120	
Rule 12/19/20 Served By	11/04/2015	03/03/2016	120	05/15/2018
Rule 12/19/20 Filed By	11/04/2015	04/04/2016	152	05/15/2018
Rule 12/19/20 Heard By	11/04/2015	05/02/2016	180	05/15/2018
Rule 15 Served By	11/04/2015	12/28/2016	420	05/15/2018
Rule 15 Filed By	11/04/2015	01/27/2017	450	05/15/2018
Rule 15 Heard By	11/04/2015	01/27/2017	450	05/15/2018
Discovery	11/04/2015	10/24/2017	720	04/03/2018
Rule 56 Served By	11/04/2015	11/23/2017	750	04/03/2018
Rule 56 Filed By	11/04/2015	12/25/2017	782	04/03/2018
Final Pre-Trial Conference	11/04/2015	04/23/2018	901	05/15/2018
Judgment	11/04/2015	11/05/2018	1097	05/15/2018
Status Review	07/10/2017	08/03/2017	24	07/19/2017
Appeal - No Transcript	06/25/2018	07/09/2018	14	

Docket Information

Docket Date	*Docket Text*	File Ref Nbr.
11/04/2015	Original civil complaint filed. (Exhibits A-F not scanned)	1
11/04/2015	Civil action cover sheet filed.	2
11/04/2015	Appearance entered On this date John R Cavanaugh, Esq. added as Private Counsel for Plaintiff Lindsay Dischino	
11/04/2015	Appearance entered On this date John R Cavanaugh, Esq. added as Private Counsel for Plaintiff William Dischino	
11/04/2015	Appearance entered On this date John R Cavanaugh, Esq. added as Private Counsel for Plaintiff Dennis M Dischino	
11/04/2015	Appearance entered On this date John R Cavanaugh, Esq. added as Private Counsel for Plaintiff Robert K Dischino	

Docket Date	Docket Text	File Ref Nbr.
11/04/2015	Appearance entered On this date John R Cavanaugh, Esq. added as Private Counsel for Plaintiff Daniel G Dischino	
11/04/2015	Appearance entered On this date John R Cavanaugh, Esq. added as Private Counsel for Plaintiff Meredith Dischino	
11/04/2015	Case assigned to: DCM Track A - Average was added on 11/04/2015 (SENT TO ATTORNEY)	
11/05/2015	One Trial case reviewed by Clerk, case to remain in the Superior Court.	
11/19/2015	Service Returned for Defendant United Guardianship Services: Service via certified mail; on 11/10/2015 with green card attached (received 11/16/2015) Applies To: United Guardianship Services (Defendant)	3
11/19/2015	Service Returned for Defendant Kovar, Florence: Service via certified mail; on 11/10/2015 with green card attached (received 11/16/2015) Applies To: Kovar, Florence (Defendant)	4
11/19/2015	Service Returned for Defendant Dischino, Richard: Service via certified mail; on 11/9/2015 with green card attached (received 11/16/2015) Applies To: Dischino, Richard (Defendant)	5
11/19/2015	Service Returned for Defendant Touhey, Edward C: Service via certified mail; on 11/13/2015 with green card attached (received 11/16/2015) Applies To: Touhey, Edward C (Defendant)	6
11/20/2015	Service Returned for Defendant Daniel J Dischino Trustee of The Dischino-Sammartino Nominee Trust: Service via certified mail; on 11/10/2015 with green card attached Applies To: Daniel J Dischino Trustee of The Dischino-Sammartino Nominee Trust (Defendant)	7
11/20/2015	Service Returned for Defendant Deborah A Ryan Trustee of The Ryan Family Nominee Trust: Service via certified mail; on 11/9/2015 with green card attached Applies To: Deborah A Ryan Trustee of The Kenin S Dischino Intervivos Trust (Defendant); Deborah A Ryan Trustee of The Ryan Family Nominee Trust (Defendant)	8
11/24/2015	Service Returned for Defendant Dischino, Anthony L: Service via certified mail; on 11/19/2015 with green card attached (received 11/23/2015) Applies To: Dischino, Anthony L (Defendant)	9
11/24/2015	Service Returned for Defendant Bruno, Claudia T: Service via certified mail; on 11//19/2015 with green card attached (received 11/23/2015) Applies To: Bruno, Claudia T (Defendant)	10
12/08/2015	Service Returned for Defendant Keith Ryan Trustee of The Ryan Family Nominee Trust: Service via certified mail; on 11/9/2015 with green card attached (received 12/7/2015) Applies To: Keith Ryan Trustee of The Ryan Family Nominee Trust (Defendant)	11
12/08/2015	Pleading titled, Summons in regards to Central Street Holding LLC and Delanson Circle Holding LLC, filed with the court on 12/08/2015, returned to John R Cavanaugh, Esq. due to person that accepted service was not properly named on back of original Summons Applies To: Delanson Circle Holding LLC (Defendant); Central Street Holding LLC (Defendant)	
12/10/2015	Received from Defendant Delanson Circle Holding LLC: Answer to original complaint; (received 12/9/2015) Applies To: Delanson Circle Holding LLC (Defendant); Central Street Holding LLC (Defendant)	12
12/10/2015	Appearance entered On this date Christian Habersaat, Esq. added as Private Counsel for Defendant Delanson Circle Holding LLC	
12/10/2015	P#12.0 Received from Defendant Central Street Holding LLC: Answer to original complaint; (received 12/9/2015)	
12/10/2015	Appearance entered On this date Christian Habersaat, Esq. added as Private Counsel for Defendant Central Street Holding LLC	

Docket Date	Docket Text	File Ref Nbr.
12/10/2015	Pleading titled, Keith Ryan and Deborah A Ryan as trustees, filed with the court on 12/10/2015, returned to Keith Ryan Trustee of The Ryan Family Nominee Trust Debroah A Ryan must sign document or have an attorney represent her. Mr. Ryan can not represent a separate individual	
12/16/2015	Service Returned for Defendant Dischino, Charles L: Service made in hand; on 12/10/2015 Applies To: Dischino, Charles L (Defendant)	13
12/28/2015	Appearance entered On this date Jonathan R Roth, Esq. added for Defendant Claudia T Bruno (rec'd 12/24/15)	
12/28/2015	Appearance entered On this date Jonathan R Roth, Esq. added for Defendant Edward C Touhey (rec'd 12/24/15)	
12/28/2015	Appearance entered On this date Jonathan R Roth, Esq. added for Defendant Anthony L Dischino (rec'd 12/24/15)	
12/28/2015	Appearance entered On this date Jonathan R Roth, Esq. added for Defendant Richard Dischino (rec'd 12/24/15)	
12/28/2015	Received from Defendant Dischino, Charles L: Answer to original complaint; (received 12/24/2015) Applies To: Dischino, Charles L (Defendant)	14
12/28/2015	Appearance entered On this date Pro Se added as Self Represented for Defendant Charles L Dischino	
12/28/2015	Service Returned for Defendant Hallie Sammartino Trustee of The Dischino-Sammartino Nominee Trust: Service via certified mail; on 12/17/2015 with green card attached (received 12/24/2015) Applies To: Hallie Sammartino Trustee of The Dischino-Sammartino Nominee Trust (Defendant)	15
01/05/2016	Received from Defendant Deborah A Ryan Trustee of The Kenin S Dischino Intervivos Trust and Keith Ryan as trustee of the Ryan Family Nominee Trust's Answer to original complaint (rec'd12/29/15) tracking notice sent to both defendants	16
01/14/2016	Summons, returned SERVED in hand to Dennis R Brown Esq agent and person in charge at the time of service on 11/13/2015 at 3:00pm (received 01/13/2016) Applies To: Delanson Circle Holding LLC (Defendant)	17
01/14/2016	Summons, returned SERVED in hand to Dennis R Brown Esq agent and person in charge at the time of service on 11/13/2015 at 3:10pm (received 01/13/2016) Applies To: Central Street Holding LLC (Defendant)	18
02/05/2016	Received from Defendant Bruno, Claudia T: Answer with a counterclaim and Cross-Claim; Applies To: Bruno, Claudia T (Defendant); Touhey, Edward C (Defendant); Dischino, Richard (Defendant); Dischino, Anthony L (Defendant); Kovar, Florence (Defendant)	19
02/05/2016	P#19.0 Received from Defendant Touhey, Edward C: Answer with a counterclaim and Cross-Claim;	
02/05/2016	P#19.0 Received from Defendant Dischino, Richard: Answer with a counterclaim and Cross-Claim;	
02/05/2016	P#19.0 Received from Defendant Dischino, Anthony L: Answer with a counterclaim and Cross-Claim;	
02/05/2016	P#19.0 Received from Defendant Kovar, Florence: Answer with a counterclaim and Cross-Claim;	
02/05/2016	Appearance entered On this date Jonathan R Roth, Esq. added as Private Counsel for Defendant Florence Kovar	
02/05/2016	P#19.0 Counterclaim filed.	
02/05/2016	P#19.0 Crossclaim filed	
02/09/2016	Received from Defendant Dischino, William: Answer to the Counterclaim; Applies To: Dischino, William (Defendant); Dischino, Dennis M (Defendant); Dischino, Robert K (Defendant); Dischino, Lindsay (Defendant); Dischino, Meredith (Defendant); Dischino, Daniel G (Defendant)	20

Docket Date	Docket Text	File Ref Nbr.
02/09/2016	P#20.0 Received from Defendant Dischino, Robert K: Answer to the Counterclaim;	
02/09/2016	P#20.0 Received from Defendant Dischino, Dennis M: Answer to the Counterclaim;	
02/09/2016	P#20.0 Received from Defendant Dischino, Daniel G: Answer to the Counterclaim;	
02/09/2016	P#20.0 Received from Defendant Dischino, Lindsay: Answer to the Counterclaim;	
02/09/2016	P#20.0 Received from Defendant Dischino, Meredith: Answer to the Counterclaim;	
03/08/2016	Received from Defendant Delanson Circle Holding LLC: Answer to the Crossclaim; (received 3/4/2016) Applies To: Delanson Circle Holding LLC (Defendant); Central Street Holding LLC (Defendant)	21
03/08/2016	P#21.0 Received from Defendant Central Street Holding LLC: Answer to the Crossclaim; (received 3/4/2016)	
09/19/2016	Plaintiff(s) William Dischino, Dennis M Dischino, Robert K Dischino, Lindsay Dischino, Meredith Dischino, Daniel G Dischino motion filed to compel	22
09/19/2016	William Dischino, Dennis M Dischino, Robert K Dischino, Lindsay Dischino, Meredith Dischino, Daniel G Dischino's Memorandum in support of Plaintiff's motion to compel discovery	22.1
09/19/2016	Response to Plaintiff's motion to compel discovery filed by Delanson Circle Holding LLC, Central Street Holding LLC	22.2
09/19/2016	Brief filed: Reply to Defendants response Applies To: Dischino, William (Plaintiff)	22.3
09/19/2016	Affidavit of compliance with Superior Court Rule 9A Applies To: Dischino, William (Plaintiff)	22.4
09/19/2016	Rule 9A list of documents filed. Applies To: Dischino, William (Plaintiff)	22.5
10/20/2016	The following form was generated: Notice to Appear for hearing on November 9,2016 before Judge Cannone regarding(p#22.0)Plaintiff's motion to compel discovery Sent On: 10/20/2016 15:44:24	23
11/09/2016	Event Result: The following event: Motion Hearing to Compel scheduled for 11/09/2016 02:00 PM has been resulted as follows: Result: Held as Scheduled	
07/10/2017	ORDER sent for Status Review, if notice is not received by 07/27/2017 the complaint will be dismissed.	24
07/19/2017	Status review notice returned On 7/5/17 Defendants served Plaintiff with a Motion for Summary Judgment under Rule 9A. Also, Defendants' depositions scheduled for 8/16/17(case is still in discovery per tracking order) (rec'd 7/17/17) Applies To: Cavanaugh, Esq., John R (Attorney) on behalf of Dischino, William (Plaintiff)	25
08/29/2017	Defendant Delanson Circle Holding LLC, Central Street Holding LLC's Motion for summary judgment, MRCP 56 (received 8/25/2017)	26
08/29/2017	Delanson Circle Holding LLC, Central Street Holding LLC's Memorandum in support of Motion for Summary Judgment (received 8/25/2017)	26.1
08/29/2017	Opposition to and cross-motion for Summary Judgment——OPPOSITION filed by William Dischino, Dennis M Dischino, Robert K Dischino, Lindsay Dischino, Meredith Dischino, Daniel G Dischino (received 8/25/2017)	26.2
08/29/2017	Defendant Delanson Circle Holding LLC, Central Street Holding LLC's Reply and opposition to plaintiffs' cross-motion for Summary Judgment (received 8/25/2017)	26.3
08/29/2017	General correspondence regarding Consolidated Statement of Material Facts in support of defendants' Delanson Circle HoldingLLC and Central Street Holding LLC's Motion for Summary Judgment and plaintiffs' opposition and cross-motion (received 8/25/2017)	26.4
08/29/2017	Joint appendix for Summary Judgment motion package filed. (received 8/25/2017)	26.5

Docket Date	Docket Text	File Ref Nbr.
08/29/2017	Request for hearing filed by the plaintiffs' Applies To: Dischino, William (Plaintiff); Dischino, Dennis M (Plaintiff); Dischino, Robert K (Plaintiff); Dischino, Lindsay (Plaintiff); Dischino, Meredith (Plaintiff); Dischino, Daniel G (Plaintiff)	26.6
08/29/2017	Attorney appearance On this date Tristan John Foley, Esq. added as Private Counsel for Defendant Delanson Circle Holding LLC	
08/29/2017	Attorney appearance On this date Tristan John Foley, Esq. added as Private Counsel for Defendant Central Street Holding LLC	
08/29/2017	Affidavit of compliance with Superior Court Rule 9A (received 8/25/2017) Applies To: Foley, Esq., Tristan John (Attorney) on behalf of Delanson Circle Holding LLC (Defendant)	26.7
08/29/2017	Rule 9A notice of filing (received 8/25/2017)	26.8
08/29/2017	Rule 9A list of documents filed. (received 8/25/2017)	26.9
01/31/2018	The following form was generated: Notice to Appear for hearing on February 26,2018 at 2:00pm before Judge Connors regarding p.#26.0 Defts Delanson Circle Holding LLC and Central Holding LLC's Motion For Summary Judgt and p.#26.2 Pltffs' ....Cross Motion For Summary Judgt. Sent On: 01/31/2018 10:58:56	27
02/02/2018	Event Result: Judge: Delaney, Nancy J The following event: Rule 56 Hearing scheduled for 02/26/2018 02:00 PM has been resulted as follows: Result: Not Held Reason: Request of Defendant	
03/12/2018	Event Result: Judge: Delaney, Nancy J The following event: Rule 56 Hearing scheduled for 03/13/2018 02:00 PM has been resulted as follows: Result: Not Held Reason: Joint request of parties	
03/14/2018	The following form was generated: Notice to Appear Sent On: 03/14/2018 15:03:23	
04/03/2018	Event Result: Judge: Krupp, Hon. Peter B The following event: Rule 56 Hearing scheduled for 04/03/2018 02:00 PM has been resulted as follows: Result: Held as Scheduled	
04/19/2018	Endorsement on Motion for summary judgment, MRCP 56 (#26.0): After hearing, ALLOWED See Memorandum and Order of same date. (Dated 4/17/18) notice sent dl Judge: Krupp, Hon. Peter B	
04/19/2018	Endorsement on Motion for summary judgment, MRCP 56 (#26.2): Cross Motion - Plaintiff's cross-motion is DENIED See Memorandum and Order of same date. (dated 4/17/18) notice sent dl Judge: Krupp, Hon. Peter B	
04/19/2018	ORDER: Memorandum and Order on Cross-Motions for Summary Judgment (dated 4/17/18) copy sent dl Judge: Krupp, Hon. Peter B	28
05/08/2018	The following form was generated: Notice to Appear for Final Pre-Trial Conference on Monday, June 11, 2018 at 2:00 P.M. before the Honorable Peter B. Krupp in Courtroom 3 Sent On: 05/08/2018 12:13:53 Judge: Krupp, Hon. Peter B	29

Docket Date	Docket Text	File Ref Nbr.
05/15/2018	Judgment. It is ORDERED, ADJUDGED and DECREED: and DECLARED that the Counter-claim and Cross-Claim by Claudia Bruno, Edward C. Touhey, Richard DiSchino, Anthony L. DiSchino and Florence Kovar is dismissed with prejudice. (dated 5/11/18) copy sent dl Judge: Krupp, Hon. Peter B	30
06/14/2018	Notice of appeal filed by the plaintiff's on final Judgment and Declaration entered on May 15, 2018, which Final Judgment and Declaration was entered in accordance with this Court's Memorandum and Order on Cross-Notion for Summary Judgment dated April 17, 2018 and docketed on April 19, 2018 (received 6/12/2018) Applies To: Dischino, William (Plaintiff); Dischino, Dennis M (Plaintiff); Dischino, Robert K (Plaintiff); Dischino, Lindsay (Plaintiff); Dischino, Meredith (Plaintiff); Dischino, Daniel G (Plaintiff)	31
06/14/2018	Notice of appeal sent to Applies To: Dischino, Charles L (Defendant); Habersaat, Esq., Christian (Attorney) on behalf of Central Street Holding LLC, Delanson Circle Holding LLC (Defendant); Roth, Esq., Jonathan R (Attorney) on behalf of Bruno, Claudia T, Dischino, Anthony L, Dischino, Richard, Kovar, Florence, Touhey, Edward C (Defendant); Cavanaugh, Esq., John R (Attorney) on behalf of Dischino, Dennis M, Dischino, Lindsay, Dischino, Meredith, Dischino, Robert K, Dischino, William (Plaintiff); Foley, Esq., Tristan John (Attorney) on behalf of Central Street Holding LLC, Delanson Circle Holding LLC (Defendant)	32
06/25/2018	Notice to Court RE: NO transcript ordered Applies To: Cavanaugh, Esq., John R (Attorney) on behalf of Dischino, William (Plaintiff)	33
07/10/2018	Appeal: notice of assembly of record sent to Counsel Applies To: United Guardianship Services (Defendant); Deborah A Ryan Trustee of The Kenin S Dischino Intervivos Trust (Defendant); Keith Ryan Trustee of The Ryan Family Nominee Trust (Defendant); Deborah A Ryan Trustee of The Ryan Family Nominee Trust (Defendant); Daniel J Dischino Trustee of The Dischino-Sammartino Nominee Trust (Defendant); Hallie Sammartino Trustee of The Dischino-Sammartino Nominee Trust (Defendant); Habersaat, Esq., Christian (Attorney) on behalf of Central Street Holding LLC, Delanson Circle Holding LLC (Defendant); Roth, Esq., Jonathan R (Attorney) on behalf of Bruno, Claudia T, Dischino, Anthony L, Dischino, Richard, Kovar, Florence, Touhey, Edward C (Defendant); Pro Se (Attorney) on behalf of Dischino, Charles L (Defendant); Cavanaugh, Esq., John R (Attorney) on behalf of Dischino, Daniel G, Dischino, Dennis M, Dischino, Lindsay, Dischino, Meredith, Dischino, Robert K, Dischino, William (Plaintiff); Foley, Esq., Tristan John (Attorney) on behalf of Delanson Circle Holding LLC (Defendant)	
07/10/2018	Notice to Clerk of the Appeals Court of Assembly of Record	34
07/10/2018	Appeal: Statement of the Case on Appeal (Cover Sheet).	35
08/17/2018	Motion to withdraw/ waive paper #31.0 Notice of Appeal Applies To: Dischino, William (Plaintiff); Dischino, Dennis M (Plaintiff); Dischino, Robert K (Plaintiff); Dischino, Lindsay (Plaintiff); Dischino, Meredith (Plaintiff); Dischino, Daniel G (Plaintiff)	36
08/17/2018	Affidavit of compliance with Superior Court Rule 9A Applies To: Cavanaugh, Esq., John R (Attorney) on behalf of Dischino, Dennis M (Plaintiff)	36.1
08/17/2018	Rule 9A list of documents filed. Applies To: Cavanaugh, Esq., John R (Attorney) on behalf of Dischino, Dennis M (Plaintiff)	36.2
08/20/2018	Endorsement on Motion to withdraw notice of appeal (#36.0): ALLOWED No opposition. (dated 8/20/18) notice sent dl Judge: Connors, Hon. Thomas A	
08/21/2018	Endorsement on Motion to withdraw Notice of appeal (#36.0): ALLOWED No opposition (dated 8/20/2018) notice sent ni Judge: Connors, Hon. Thomas A	
08/31/2018	Court received Notice of Failure to enter Appeal timely related to appeal (received 8/30/2018)	37

Case Disposition

Disposition	Date	Case Judge
Disposed by Court Finding	05/15/2018	

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1581CV04874 Lucente, Anthony et al vs. Visions Medical Center,P.C. et al

- Case Type
- Torts
- Case Status
- Activity Suspended
- File Date
- 07/02/2015
- DCM Track:
- F - Fast Track
- Initiating Action:
- Other Negligence - Personal Injury / Property Damage
- Status Date:
- 10/13/2016
- Case Judge:
-
- Next Event:
-

All Information | Party | Subsequent Action/Subject | Tickler | Docket | Disposition

Party Information

Lucente, Anthony
- Plaintiff

Alias

Party Attorney
- Attorney
- Beagan, Esq., Sean M
- Bar Code
- 644929
- Address
- BEAGAN LAW OFFICE, LLC
  Zero Governors Ave
  Unit 33
  Medford, MA 02155
- Phone Number
- (781)393-9948

More Party Information

Lucente, Diane
- Plaintiff

Alias

Party Attorney
- Attorney
- Beagan, Esq., Sean M
- Bar Code
- 644929
- Address
- BEAGAN LAW OFFICE, LLC
  Zero Governors Ave
  Unit 33
  Medford, MA 02155
- Phone Number
- (781)393-9948

More Party Information

Visions Medical Center,P.C.
- Defendant

Alias

Party Attorney
- Attorney
- Teravainen, Esq., Dennis M
- Bar Code
- 654849
- Address
- Law Office of Patricia C. Fraizer
  100 High St
  Suite 810
  Boston, MA 02110
- Phone Number

- (617)556-0200

More Party Information

Karp, Daniel
- Defendant

Alias	Party Attorney
	Attorney Lucey, Esq., Jeanette Marie Bar Code 549119 Address Law Office of Steven B. Stein PO Box 2903 Hartford, CT 06104-2903 Phone Number (617)772-2855

More Party Information

Equity Partners, Inc.
- Defendant

Alias	Party Attorney
	Attorney Lucey, Esq., Jeanette Marie Bar Code 549119 Address Law Office of Steven B. Stein PO Box 2903 Hartford, CT 06104-2903 Phone Number (617)772-2855

More Party Information

Levitan, Edward
- Other interested party

Alias	Party Attorney

More Party Information

Subsequent Action/Subject

SA/Subject #	Status Date	Pleading Party	Responding Party	*Judgments*	Description	Status
1	04/21/2017	Karp, Daniel	Visions Medical Center,P.C.	0	Crossclaim	Closed
2	04/21/2017	Visions Medical Center,P.C.	Karp, Daniel	0	Crossclaim	Closed
3	04/21/2017	Visions Medical Center,P.C.	Equity Partners, Inc.	0	3rd Party Complaint	Closed

Ticklers

Tickler	Start Date	Due Date	Days Due	Completed Date
Service	07/02/2015	09/30/2015	90	
Answer	07/02/2015	10/30/2015	120	
Rule 12/19/20 Served By	07/02/2015	10/30/2015	120	04/21/2017
Rule 12/19/20 Filed By	07/02/2015	11/30/2015	151	04/21/2017
Rule 12/19/20 Heard By	07/02/2015	12/29/2015	180	04/21/2017
Rule 15 Served By	07/02/2015	10/30/2015	120	04/21/2017
Rule 15 Filed By	07/02/2015	11/30/2015	151	04/21/2017
Rule 15 Heard By	07/02/2015	12/29/2015	180	04/21/2017
Discovery	07/02/2015	04/27/2016	300	04/21/2017
Rule 56 Served By	07/02/2015	05/27/2016	330	04/21/2017
Rule 56 Filed By	07/02/2015	06/27/2016	361	04/21/2017
Final Pre-Trial Conference	07/02/2015	10/24/2016	480	04/21/2017

Tickler	Start Date	Due Date	Days Due	Completed Date
Judgment	07/02/2015	07/03/2017	732	04/21/2017

Docket Information

Docket Date	Docket Text	File Ref Nbr.
07/02/2015	Original civil complaint filed.	1
07/02/2015	Civil action cover sheet filed.	2
07/02/2015	Demand for jury trial entered.	
07/02/2015	Appearance entered On this date Sean M. Beagan, Esq. added for Plaintiff Diane Lucente	
07/02/2015	Appearance entered On this date Sean M. Beagan, Esq. added for Plaintiff Anthony Lucente	
07/02/2015	Case assigned to: DCM Track F - Fast Track was added on 07/02/2015	
07/23/2015	Received from Defendant Visions Medical Center,P.C.: Answer with claim for trial by jury;	3
07/23/2015	Appearance entered On this date Dennis M Teravainen, Esq. added for Defendant Visions Medical Center,P.C.	
07/27/2015	Service Returned for Defendant Visions Medical Center,P.C.: Service made in hand;	4
07/27/2015	Affidavit of Service for: Defendant Daniel Karp Trustee of Hyman Feldman Family Trust: Service via certified mail; copy of green card enclosed, 4500 Merrie Lane, Bellaire, TX 77401	5
08/17/2015	Received from Defendant Daniel Karp Trustee of Hyman Feldman Family Trust: Answer with claim for trial by jury;	6
08/17/2015	Appearance entered On this date Jeanette Marie Lucey, Esq. added for Defendant Daniel Karp Trustee of Hyman Feldman Family Trust	
08/17/2015	Crossclaim filed Applies To: Visions Medical Center,P.C. (Defendant); Daniel Karp Trustee of Hyman Feldman Family Trust (Defendant)	
09/10/2015	Received from Defendant Visions Medical Center,P.C.: Answer to the Crossclaim;	7
09/10/2015	Crossclaim filed Applies To: Visions Medical Center,P.C. (Defendant); Daniel Karp Trustee of Hyman Feldman Family Trust (Defendant)	
10/08/2015	Received from Defendant Daniel Karp Trustee of Hyman Feldman Family Trust: Answer to the Crossclaim;	8
04/21/2016	Defendant Visions Medical Center,P.C.'s Motion to file a 3rd party complaint	9
04/21/2016	Affidavit of compliance with Superior Court Rule 9A Applies To: Visions Medical Center,P.C. (Defendant)	9.1
05/03/2016	Endorsement on Motion for Leave to file a third-party (#9.0): ALLOWED	
05/23/2016	3rd Party Complaint filed.	10
06/20/2016	Visions Medical Center,P.C.'s MOTION for appointment of Special Process Server. Edmund Vogt of Four Seasons Investigation. Motion ALLOWED (Henry, J.). Copy and notice mailed 6/20/16.	11
07/28/2016	Service Returned for Defendant Equity Partners, Inc.: Service through person in charge / agent; 868 Worcester St. Wellesley MA 02482. July 18, 2016	12
08/11/2016	Received from Defendant Equity Partners, Inc.: Answer to original complaint;	13
08/11/2016	Attorney appearance On this date Jeanette Marie Lucey, Esq. added for Defendant Equity Partners, Inc.	
10/13/2016	Party Status: Other interested party Levitan, Edward: (a/k/a Visions Medical Center) Inactive: Suggestion of Bankruptcy;	14

Docket Date	Docket Text	File Ref Nbr.
01/06/2017	Defendant Visions Medical Center,P.C.'s Submission of Notice to Remove Suggestion of Bankruptcy	15
04/21/2017	Stipulation of dismissal with Prejudice, without Costs as to Anthony Lucente, Diane Lucente's original complaint (and with all rights of appeal waived)	16

Case Disposition

Disposition	Date	Case Judge
Disposed by Agreement / Settled	04/21/2017	

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1085CV01139 Henry J Ceppetelli Co Inc v Equity Partners Inc

- Case Type
- Contract / Business Cases
- Case Status
- Closed
- File Date
- 05/25/2010
- DCM Track:
- F - Fast Track
- Initiating Action:
- Services, Labor and Materials
- Status Date:
- 05/25/2010
- Case Judge:
-
- Next Event:
-

All Information | Party | Subsequent Action/Subject | Event | Docket | Disposition

Party Information

Henry J Ceppetelli Co Inc
- Plaintiff

Alias

Party Attorney
- Attorney
- Morse, Esq., Elizabeth W
- Bar Code
- 551630
- Address
- Wickstrom Morse LLP
  339 Main St Suite 506
  Worcester, MA 01608
- Phone Number
- (508)756-7740

More Party Information

Equity Partners Inc
- Defendant

Alias

Party Attorney
- Attorney
- Colby, Esq., Drew W
- Bar Code
- 547945
- Address
- Partridge Snow & Hahn LLP
  30 Federal St 7th Floor
  Boston, MA 02110
- Phone Number
- (508)599-3014

More Party Information

Subsequent Action/Subject

SA/Subject #	Status Date	Pleading Party	Responding Party	Judgments	Description	Status
1		Equity Partners Inc	Henry J Ceppetelli Co Inc	0	Counterclaim	Open

Events

Date	Session	Location	Type	Event Judge	Result

Date	Session	Location	Type	Event Judge	Result
01/08/2013 02:00 PM	Civil D		Final Pre-Trial Conference		Rescheduled
02/26/2013 02:00 PM	Civil D		Final Pre-Trial Conference		Held as Scheduled
10/02/2013 09:00 AM	Civil D		Jury Trial		Not Held
10/02/2013 09:00 AM	Criminal / Civil E		Jury Trial		Rescheduled
01/08/2014 10:00 AM	Civil D		Final Trial Conference		Held as Scheduled
01/15/2014 09:00 AM	Criminal / Civil E		Jury Trial		Not Held
01/15/2014 09:00 AM	Civil D		Jury Trial		Canceled
03/24/2014 09:00 AM	Civil D		Status Review		Held as Scheduled

Docket Information

Docket Date	*Docket Text*	File Ref Nbr.
05/25/2010	Complaint & civil action cover sheet filed and rule 29 statement.-CJ	1
05/25/2010	Origin 1, Type A01, Track F.	
05/25/2010	Filing fee paid in the amount of $275 including $15.00 surcharge and $20.00 security fee.	
07/02/2010	SERVICE RETURNED (summons): Equity Partners Inc, service made on 5/24/2010 (incomplete)	2
07/26/2010	Atty Drew W Colby's notice of appearance for Equity Partners Inc	
07/26/2010	ANSWER: Equity Partners Inc(Defendant) & cj	3
07/26/2010	COUNTERCLAIM of Equity Partners Inc v Henry J Ceppetelli Co Inc & cj	
08/25/2010	ANSWER by Deft. in counterclaim Henry J. Ceppetelli, Co. Inc. to COUNTERCLAIM of Equity Partners, Inc.	4
08/08/2011	Attorney Drew W. Colby counsel for the deft. Equity Partners Inc. notice of change of address	
10/02/2012	Notice sent to appear for pre-trial conference on 1/8/2013	
12/13/2012	Assented to motion to continue pre trial conference until February 26, 2013	5
12/19/2012	Motion (P#5) ALLOWED (Daniel M Wrenn, Justice) Notices mailed 12/21/2012	
02/26/2013	JOINT Motion of parties to continue pre-trial conference scheduled for 2/26/13	6
02/26/2013	Motion (P#6) This shall be accepted for filing without the need for a hard copy and ALLOWED as requested. (Daniel M. Wrenn, Justice) Notices mailed 2/26/2013	
02/26/2013	Joint pre-trial memorandum filed in Court	7
04/19/2013	Session assignment changed to Civil E - Courtroom 17 located at CtRm 17- 3rd fl (225 Main St.,Worcester) for all future activity. Per order of RAJ.	
06/21/2013	Application of Plff. Henry J. Ceppetelli, Co. Inc. v. deft. Equity Partners, Inc. for Final Judgment and affidavit.	8
06/21/2013	JUDGMENT (33a) for plaintiff Henry J. Ceppetelli Co. Inc. as against Equity Partners Inc. on LIABILITY ONLY. Plff. is directed to file and have heard a motion for Assessment of damages and entry of final judgment by 7/21/2013, or the action will be dismissed copies mailed 6/27/13	9
07/01/2013	Assented to motion to vacate judgment	10
07/02/2013	Motion (P#10) ALLOWED as assented to (Daniel M. Wrenn, Justice) Notices mailed 7/8/2013	
09/26/2013	Notice sent to appear for trial by jury on 1/15/2014	
09/26/2013	JOINT Motion of parties to continue trial date	11
09/26/2013	Motion (P#11) ALLOWED as requested. New trial date is 1/15/14 (Daniel M. Wrenn, Justice) Notices mailed 9/30/2013	

Docket Date	*Docket Text*	File Ref Nbr.
01/08/2014	Defendant Equity Partners Inc's MOTION in limine to preclude Plff from introducing expert testimony filed in court	12
01/08/2014	Motion (P#12) ALLOWED as to retained expert (Daniel M. Wrenn, Justice) Notices mailed 1/8/2014	
01/08/2014	Defendant Equity Partners Inc's MOTION in limine to preclude testimony or evidence that contract was not a lump sum contract filed in court	12.1
01/14/2014	Nisi dismissal; agreement or stipulation to be filed by 3/14/2014 (Daniel M. Wrenn, Justice) Copies mailed 1/15/14	13
03/26/2014	JUDGMENT of dismissal: failure to comply with nisi order. It is Ordered and Adjudged: that the complaint, crossclaim, counterclaim and third party action be and hereby is dismissed under MRCP 41(b)(1) without prejudice (Daniel M. Wrenn, Justice). Entered and Copies mailed 3/26/2014	14

Case Disposition

Disposition	Date	Case Judge
Disposed by Agreement / Settled	03/26/2014	

Skip to main content

9385CV00124 Commerce Bank & Trust Company v Dischino

- Case Type
- Contract / Business Cases
- Case Status
- Open
- File Date
- 01/14/1993
- DCM Track:
- F - Fast Track
- Initiating Action:
- Commercial Paper
- Status Date:
- 01/14/1993
- Case Judge:
-
- Next Event:
-

All Information | Party | Event | Docket | Disposition

Party Information

Commerce Bank & Trust Company
- Plaintiff

Alias

Party Attorney
- Attorney
- D'Amico, Esq., Howard B
- Bar Code
- 553420
- Address
- Howard B. D'Amico, P.C.
  33 Waldo St
  Worcester, MA 01608
- Phone Number
- (508)793-1606

More Party Information

Dischino, Dennis M
- Defendant

Alias

Party Attorney
- Attorney
- Garrahan, Esq., William C
- Bar Code
- 545945
- Address
- Law Offices of William C. Garrahan
  615 Concord St
  Framingham, MA 01702
- Phone Number
- (508)820-2514

More Party Information

Events

Date	Session	Location	Type	Event Judge	Result
01/29/1993 10:30 AM	Civil A		Hearing for Real Estate Attachment		Unknown result at conversion

Docket Information

Docket Date	*Docket Text*	File Ref Nbr.

Docket Date	*Docket Text*	File Ref Nbr.
01/14/1993	Verified complaint filed with cover sheet and rule 29 statement	1
01/14/1993	Origin 1, Type A03, Track F.	
01/14/1993	Plff's ex parte motion for short order of notice	2
01/14/1993	Plff's motion for real estate attachment against the deft Dennis M Dischino	3
01/14/1993	Affidavit of Mamerto B Endriga, Jr	4
04/05/1993	Agreement for judgment for Commerce Bank & Trust Company for the outstanding principal plus all costs . Copies mailed 4/5/93.	5
06/29/1995	Stipulation of dismissal, Plff's. verified complaint is hereby dismissed with prejudice copies mailed 6/30/95	6

Case Disposition

Disposition	Date	Case Judge
Disposed	06/29/1995	

INSTRUMENT OF TAKING

BK26817PG016

EXHIBIT E

THE COMMONWEALTH OF MASSACHUSE

TOWN OF FRAMINGHAM

Office of the Collector of Taxes

I, PAUL S. MORMINO, Collector of Taxes for the TOWN OF FRAMINGHAM pursuant and subject to the provisions of General Laws, Chapter 60, Sections 53 and 54, hereby take for said City/Town the following described land:

PROPERTY DESCRIPTION

[The description must be sufficiently accurate to identify the premises and must agree with the notice of taking. In the case of registered land, the Certificate of Title Number and The Registry Volume and Page must be given.]

(ACCOUNT # 044730-00)

PROPERTY ADDRESS: 915 EDGELL ROAD #76 0785-0001-0076

A CONDOMINIUM DESCRIBED AS ~~A~~ M.76 UNIT, BEING PART OF MAP 785 BLOCK 0001 LOT 76 IN THE OFFICE OF THE ASSESSORS AND IDENTIFIED IN BOOK 021604 ON PAGE 00570 AT THE COUNTY REGISTRY OF DEEDS IN THE COUNTY OF MIDDLESEX SOUTH

Said land is taken for non-payment of taxes as defined in Section 43 of said Chapter 60 assessed theron to DISCHINO, DENNIS M.,TRUSTEE, D. M. D. REALTY TRUST for the year 1993-94, which were not paid within fourteen days after demand therefor made upon DISCHINO, DENNIS M.,TRUSTEE, D. M. D. REALTY TRUST on JUNE 01 1994, and now remains unpaid together with interest and incidental expenses and costs to the date of taking in the amounts hereinafter specified, after notice of intention to take said land given as required by law.

1993-94 TAXES REMAINING UNPAID . . . . . .$	799.15
INTEREST (TO THE DATE OF TAKING). . . . . .$	281.53
INCIDENTAL EXPENSES AND COSTS (TO THE DATE OF TAKING) . . . .$	36.55
SUM FOR WHICH LAND IS TAKEN . . . . . .$	1,117.23

WITNESS my hand and seal this THIRTIETH DAY OF SEPTEMBER, 1996
*(Date of Taking)

(Collector of Taxes)

THE COMMONWEALTH OF MASSACHUSETTS

Date: 9-30-96

Then personally appeared the above named PAUL S. MORMINO and acknowledged the foregoing instrument to be his/her free act and deed as Collector of Taxes, before me, Deborah G. Fox
Notary Public - ~~Justice of the Peace~~

My commission expires 2/27, 19 98

_____, _____, at _____ o'clock and _____ minutes _____ M.
Received and entered with _____,
Book _____, Page _____. Document No. _____, Certificate of Title No. _____

Attest: _____ Register

MSB 11/12/96 03:15:13 706 10.00

B 22423 P 305

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss. FRAMINGHAM DISTRICT COURT
No.

92-CI-0999

ALICE JEAN, LORNA SHUMAN, EDWARD VETSTEIN, MARK HANNA, JR., MICHAEL SHAVELSON, JOHN McMAHON, TRUSTEES OF SMITH HOUSE CONDOMINIUM TRUST,
Plaintiffs

vs.

DENNIS M. DISCHINO, TRUSTEE OF D.M.D. REALTY TRUST,
Defendant

COMPLAINT

1. The Plaintiffs are Alice Jean, Lorna Shuman, Edward Vetstein, Mark Hanna, Jr., Michael Shavelson and John McMahon, Trustees of Smith House Condominium Trust under Declaration of Trust dated August 31, 1981 and recorded in Middlesex County Registry of Deeds in Book 14404, Page 268, as amended with a usual place of business in Framingham within our County of Middlesex.

2. The Defendant is Dennis M. Dischino, Trustee of D.M.D. Realty Trust under Declaration of Trust dated November 6, 1991 and recorded in Middlesex County Registry of Deeds in Book 21604, Page 567 with a usual place of business in Framingham within our County of Middlesex.

3. The Defendant is the owner of Unit No. 76 of the Smith House Condominium acquired by Deed dated November 6, 1991, and recorded in the Middlesex County Registry of Deeds Book 21604, Page 570. A copy of said Deed is appended hereto and marked "A".

4. By acceptance of said Deed the Defendant expressly adopted and agreed to the provisions of Masssachusetts General Laws Chapter 183A and the provisions of the By-Laws of the Smith House Condominium Trust.

5. The provisions of Massachusetts General Laws Chapter 183A, Section 6 provide, inter alia:

   a. Each unit owner shall be personally liable for all sums lawfully assessed for his share of the condominium expenses; and

   b. A unit owner's share of the common expenses, which shall include without limitation all costs of collection, including all reasonable attorneys' fees, plus interest, late fees, and fines lawfully assessed by the organization of unit owners, shall constitute a lien upon the unit which shall be enforced in accordance with applicable law.

MSD 09/24/92 08:56:34 49 10.00

HOWARD L. NEWELL
ATTORNEY AT LAW
855 WORCESTER ROAD
POST OFFICE BOX 2589
FRAMINGHAM, MASS
01701
(508) 875-4
(617) 431-1267

A True Copy Attest
Assistant Clerk

5. The provisions of Section 5.4.2 of the By-Laws of the Smith House Condominium Trust dated and recorded as aforesaid, provide, inter alia, that the amount of any unpaid condominium assessments together with interest thereon and costs and reasonable attorneys fees shall constitute a lien on the unit pursuant to the provisions of Section 6 of said Chapter 183A.

7. As of September 1, 1992, the Defendant was indebted to the Plaintiffs for common area expenses and late fees lawfully assessed on Unit 76 of the Smith House Condominium in the amount of $1,279.46 exclusive of interest and attorneys fees. Said amount increases at the rate of $104.91 per month together with late charges of $25.00 per month and interest.

8. The Defendant has failed, refused and neglected to pay said common area expenses and late charges despite repeated demands.

WHEREFORE, the Plaintiffs pray as follows:

1. That judgment enter in favor of the Plaintiffs against the Defendant for all unpaid common area expenses together with late charges, costs, interest and attorneys fees.

2. That this Honorable Court determine and establish that a lien exists pursuant to the provisions of Chapter 183A, Section 6 and Chapter 254, Sections 5 and 5A as amended in favor of the Plaintiffs on the above-described condominium unit to the full extent of the Plaintiffs' damages as determined herein.

3. That pursuant to the provisions of Chapter 254, Section 5A as amended this Honorable Court order that the subject condominium unit be sold and that the proceeds of said sale be applied to the Plaintiffs' damages established in this action and the costs of enforcing this lien and that the Defendant shall remain personally liable for any deficiency.

4. That in the event of such entry and sale, the Plaintiffs be entitled to possession free and clear of all tenants and occupants including but not limited to the Defendant and anyone claiming, by, through or under the Defendant and that the Defendant be ordered to vacate said premises forthwith at the time of sale.

HOWARD L. NEWELL
ATTORNEY AT LAW
855 WORCESTER ROAD
POST OFFICE BOX 2589
FRAMINGHAM, MASS.
01701

(508) 875-3151
(617) 431-1267

A True Copy Attest
Assistant Clerk

5. For such other and further relief as this Honorable Court shall deem meet and just.

SMITH HOUSE CONDOMINIUM
TRUST,
By its attorney,
LAW OFFICES OF
HOWARD L. NEWELL

Michael M. Greenburg

HOWARD L. NEWELL
ATTORNEY AT LAW
855 WORCESTER ROAD
POST OFFICE BOX 2589
FRAMINGHAM, MASS.
01701

(508) 875-3151
(617) 431-1267

A True Copy Attest
Assistant Clerk

B21604 P570

DEED

Dennis M. DiSchino of Wellesley, Norfolk County, Massachusetts, for consideration paid and in full consideration of Forty-Seven Thousand Five Hundred ($47,500.00) Dollars

Grant to Dennis M. DiSchino, Trustee of D.M.D. Realty Trust, A Nominee Trust, under Declaration of Trust dated November 6, 1991 and recorded herewith at the Middlesex South District Registry of Deeds

With quitclaim covenants the land located at 915 Edgell Road, Smith House Condominium, Unit #76, Framingham, Massachusetts. The premises conveyed by said deed is sold subject to and with the benefit of all restrictions, easements, improvements to and any unpaid taxes, tax titles, tax liens, tax takings, water and sewer charges, municipal or other public taxes, assessments or liens, to all existing tenancies and parties in possession, if any.

For title please see Foreclosure Deed from Pioneer Financial dated October 17, 1991 to Dennis M. DiSchino recorded in Middlesex South District Registry of Deeds herewith.

Witness my hand and seal this 6th day of November, 1991.

Dennis M. DiSchino

Commonwealth of MASSACHUSETTS

NORFOLK, SS NOVEMBER 6, 1991

Then personally appeared the above-named Dennis M. DiSchino and acknowledged the foregoing to be his free act and deed before me,

Barbara Margolis
Notary Public
My Commission Expires: 4/8/94

MASS. EXCISE TAX 215.00 *** 12/13/91 B313 T50 636 25.00

ORIGINAL NOT REPRODUCIBLE

A True Copy Attest
Assistant Clerk

ORIGINAL NOT REPRODUCIBLE