

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EMMANUEL ANDRO,
Plaintiff

v.

TOWN OF BROOKLINE, DANIEL C. O'LEARY,
MICHAEL JOHN McCARTHY, PAUL
CAMPBELL, JENNIFER PASTER, ILYA D.
GRUBER, RUSSELL T. LLOYD, JOSEPH
CAPUCCIO, DOREEN GALLAGHER, RAY
RICHARDS MATTHEW BARONAS, KELLY
CHAMBLISS, PATRICK DOBER, BROOKLINE
DOES 1-10, MICHAEL W. MORRISSEY,
PAMELA FRIEDMAN, ERICA L. MARATHAS,
STEVEN G. NELSON, NORFOLK DOES 11-20,
SEAN GALLAGHER, TODD THURLOW,
FRANCK SAPIA, ROBERT McNEICE, WILLIAM
CHAMGERS, CHRISOTPHER MILLEY, JAY
GILBERT I.C.E. DOES 21-30, STEVEN W.
TOMPKINS, SUFFOLK DOES 31-40, NORFOLK
COUNTY and the UNITED STATES

CASE NO. 1:15-cv-13030-NMG

**ANSWER OF DEFENDANTS MATTHEW BARONAS,
KELLEY CHAMBLISS AND PATRICK DOBER**

FIRST DEFENSE

1. The Defendants Matthew Baronas, Kelley (misspelled as "Kelly" in the Complaint) Chambliss, and Patrick Dober [hereafter referred to as "these Defendants"] are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 of the Plaintiff's Complaint. To the extent that the "state officials" referred to in the last sentence of said paragraph are intended to refer to these Defendants, that sentence is denied.

2. These Defendants are without knowledge or information sufficient to form a belief as to the truth of allegations of Paragraph 2 of the Plaintiff's Complaint.

3. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 of the Plaintiff's Complaint. To the extent that the "authorities" referred to in said paragraph are intended to refer to these Defendants, the allegations pertaining to said "authorities" are denied.

4. Answering Paragraph 4 of the Plaintiff's Complaint, these Defendants state that the federal and state Constitutional provisions, statutes, and reported cases described therein speak for themselves.

5. Answering Paragraph 5 of the Plaintiff's Complaint, these Defendants state that the text of the Plaintiff's Complaint speaks for itself.

6. Answering Paragraph 6 of the Plaintiff's Complaint, these Defendants state that the text of the Plaintiff's Complaint speaks for itself. To the extent that the "officials" referred to in said paragraph are intended to refer to these Defendants, then the allegations pertaining to said "officials" are denied. Answering further, these Defendants deny that any of the Plaintiff's rights, under "VAWA" or otherwise, were denied.

7. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7 of the Plaintiff's Complaint.

8. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 8 of the Plaintiff's Complaint.

9. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 9 of the Plaintiff's Complaint.

10. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 10 of the Plaintiff's Complaint.

11. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 11 of the Plaintiff's Complaint.

12. Answering Paragraph 12 of the Plaintiff's Complaint, these Defendants deny that the Town of Brookline "is responsible for . . . the Brookline Housing Authority", deny that the Town of Brookline is "responsible for ensuring that its housing authority complies with all applicable legal requirements imposed by VAWA", and are otherwise without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of said paragraph.

13. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 13 of the Plaintiff's Complaint. To the extent that the "policymakers" referred to in said Paragraph are intended to refer to these Defendants, then the allegations pertaining to said "policymakers" are denied.

14. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 14 of the Plaintiff's Complaint.

15. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 15 of the Plaintiff's Complaint.

16. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 16 of the Plaintiff's Complaint.

17. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 17 of the Plaintiff's Complaint.

18. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 18 of the Plaintiff's Complaint.

19. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 19 of the Plaintiff's Complaint.

20. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 20 of the Plaintiff's Complaint.

21. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 21 of the Plaintiff's Complaint.

22. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 22 of the Plaintiff's Complaint.

23. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 23 of the Plaintiff's Complaint.

24. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 24 of the Plaintiff's Complaint.

25. These Defendants admit the first sentence of Paragraph 25 of the Plaintiff's Complaint, and deny the remaining allegations of said paragraph.

26. These Defendants admit the first sentence of Paragraph 26 of the Plaintiff's Complaint, and deny the remaining allegations of said paragraph.

27. These Defendants admit the first two sentences of Paragraph 27 of the Plaintiff's Complaint, and deny the remaining allegations of said paragraph.

28. These Defendants deny the allegations of Paragraph 28 of the Plaintiff's Complaint to the extent that the Defendants "Brookline Does 1-10" are alleged to be agents, employees, officers, or representatives of the Brookline Housing Authority, and are otherwise without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of said paragraph.

29. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 29 of the Plaintiff's Complaint.

30. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 30 of the Plaintiff's Complaint.

31. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 31 of the Plaintiff's Complaint.

32. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 32 of the Plaintiff's Complaint.

33. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 33 of the Plaintiff's Complaint.

34. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 34 of the Plaintiff's Complaint.

35. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 35 of the Plaintiff's Complaint.

36. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 36 of the Plaintiff's Complaint.

37. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 37 of the Plaintiff's Complaint.

38. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 38 of the Plaintiff's Complaint.

39. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 39 of the Plaintiff's Complaint.

40. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 40 of the Plaintiff's Complaint.

41. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 41 of the Plaintiff's Complaint.

42. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 42 of the Plaintiff's Complaint.

43. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 43 of the Plaintiff's Complaint.

44. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 44 of the Plaintiff's Complaint.

45. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 45 of the Plaintiff's Complaint.

46. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 46 of the Plaintiff's Complaint.

47. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 47 of the Plaintiff's Complaint.

48. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 48 of the Plaintiff's Complaint.

49. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 49 of the Plaintiff's Complaint.

50. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 50 of the Plaintiff's Complaint.

51. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 51 of the Plaintiff's Complaint.

52. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 52 of the Plaintiff's Complaint.

53. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 53 of the Plaintiff's Complaint.

54. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 54 of the Plaintiff's Complaint.

55. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 55 of the Plaintiff's Complaint.

56. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 56 of the Plaintiff's Complaint.

57. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 57 of the Plaintiff's Complaint.

58. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 58 of the Plaintiff's Complaint.

59. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 59 of the Plaintiff's Complaint.

60. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 60 of the Plaintiff's Complaint.

61. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 61 of the Plaintiff's Complaint.

62. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 62 of the Plaintiff's Complaint.

63. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 63 of the Plaintiff's Complaint.

64. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 64 of the Plaintiff's Complaint.

65. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 65 of the Plaintiff's Complaint.

66. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 66 of the Plaintiff's Complaint.

67. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 67 of the Plaintiff's Complaint.

68. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 68 of the Plaintiff's Complaint.

69. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 69 of the Plaintiff's Complaint.

70. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 70 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

71. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 71 of the Plaintiff's Complaint. To the

extent that the “Brookline Defendants” are intended to refer to these Defendants, then the allegations pertaining to said “Brookline Defendants” are denied.

72. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 72 of the Plaintiff’s Complaint. To the extent that the “Brookline Defendants” are intended to refer to these Defendants, then the allegations pertaining to said “Brookline Defendants” are denied.

73. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 73 of the Plaintiff’s Complaint.

74. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 74 of the Plaintiff’s Complaint.

75. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 75 of the Plaintiff’s Complaint.

76. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 76 of the Plaintiff’s Complaint.

77. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 77 of the Plaintiff’s Complaint.

78. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 78 of the Plaintiff’s Complaint.

79. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 79 of the Plaintiff’s Complaint.

80. These Defendants deny the allegations of Paragraph 80 of the Plaintiff’s Complaint to the extent they pertain to the Brookline Housing Authority, and are otherwise

without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of said paragraph.

81. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 81 of the Plaintiff's Complaint.

82. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 82 of the Plaintiff's Complaint.

83. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 83 of the Plaintiff's Complaint.

84. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 84 of the Plaintiff's Complaint.

85. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 85 of the Plaintiff's Complaint.

86. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 86 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

87. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 87 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

88. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 88 of the Plaintiff's Complaint. To the

extent that the “Brookline Defendants” are intended to refer to these Defendants, then the allegations pertaining to said “Brookline Defendants” are denied.

89. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 89 of the Plaintiff’s Complaint. To the extent that the “Brookline Defendants” are intended to refer to these Defendants, then the allegations pertaining to said “Brookline Defendants” are denied.

90. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 90 of the Plaintiff’s Complaint.

91. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 91 of the Plaintiff’s Complaint.

92. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 92 of the Plaintiff’s Complaint.

93. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 93 of the Plaintiff’s Complaint.

94. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 94 of the Plaintiff’s Complaint.

95. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 95 of the Plaintiff’s Complaint. To the extent that the “Brookline Defendants” are intended to refer to these Defendants, then the allegations pertaining to said “Brookline Defendants” are denied.

96. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 96 of the Plaintiff’s Complaint. To the

extent that the “Brookline Defendants” are intended to refer to these Defendants, then the allegations pertaining to said “Brookline Defendants” are denied.

97. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 97 of the Plaintiff’s Complaint.

98. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 98 of the Plaintiff’s Complaint.

99. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 99 of the Plaintiff’s Complaint.

100. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 100 of the Plaintiff’s Complaint.

101. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 101 of the Plaintiff’s Complaint.

102. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 102 of the Plaintiff’s Complaint. To the extent that the “Brookline Defendants” are intended to refer to these Defendants, then the allegations pertaining to said “Brookline Defendants” are denied.

103. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 103 of the Plaintiff’s Complaint.

104. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 104 of the Plaintiff’s Complaint.

105. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 105 of the Plaintiff’s Complaint.

106. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 106 of the Plaintiff's Complaint.

107. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 107 of the Plaintiff's Complaint.

108. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 108 of the Plaintiff's Complaint.

109. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 109 of the Plaintiff's Complaint.

110. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 110 of the Plaintiff's Complaint.

111. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 111 of the Plaintiff's Complaint.

112. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 112 of the Plaintiff's Complaint.

113. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 113 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

114. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 114 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

115. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 115 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

116. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 116 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

117. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 117 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

118. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 118 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

119. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 119 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

120. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 120 of the Plaintiff's Complaint. To the

extent that the “Brookline Defendants” are intended to refer to these Defendants, then the allegations pertaining to said “Brookline Defendants” are denied.

121. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 121 of the Plaintiff’s Complaint.

122. Answering Paragraph 122, these Defendants repeat their responses to Paragraphs 1 through 121 as if fully stated herein.

123. Answering Paragraph 123, these Defendants admit that the Fourth Amendment to the U.S. Constitution contains the language quoted therein.

124. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 124 of the Plaintiff’s Complaint.

125. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 125 of the Plaintiff’s Complaint.

126. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 126 of the Plaintiff’s Complaint.

127. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 127 of the Plaintiff’s Complaint.

128. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 128 of the Plaintiff’s Complaint.

129. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 129 of the Plaintiff’s Complaint.

130. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 130 of the Plaintiff’s Complaint.

131. Answering Paragraph 131 of the Plaintiff's Complaint, these Defendants repeat their responses to Paragraphs 1 through 130 as if fully stated herein.

132. Answering Paragraph 132 of the Plaintiff's Complaint, these Defendants admit that the Fifth Amendment to the U.S. Constitution contains the language quoted therein.

133. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 133 of the Plaintiff's Complaint.

134. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 134 of the Plaintiff's Complaint.

135. Answering Paragraph 135 of the Plaintiff's Complaint, these Defendants repeat their responses to Paragraphs 1 through 134 as if fully stated herein.

136. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 136 of the Plaintiff's Complaint.

137. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 137 of the Plaintiff's Complaint.

138. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 138 of the Plaintiff's Complaint.

139. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 139 of the Plaintiff's Complaint.

140. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 140 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

141. Answering Paragraph 141 of the Plaintiff's Complaint, these Defendants repeat their responses to Paragraphs 1 through 140 as if fully stated herein.

142. Answering Paragraph 142 of the Plaintiff's Complaint, these Defendants admit that the Fourth Amendment to the U.S. Constitution contains the language quoted therein, and otherwise state that the holding of the *Wolf v. Colorado* case speaks for itself.

143. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 143 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

144. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 144 of the Plaintiff's Complaint.

145. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 145 of the Plaintiff's Complaint.

146. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 146 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

147. Answering Paragraph 147 of the Plaintiff's Complaint, these Defendants state that the *United States v. Brignoni-Ponce* case cited therein contains the language quoted therein.

148. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 148 of the Plaintiff's Complaint.

149. Answering Paragraph 149 of the Plaintiff's Complaint, these Defendants repeat their responses to Paragraphs 1 through 148 of said Complaint as if fully stated herein.

150. Answering Paragraph 150 of the Plaintiff's Complaint, these Defendants admit that the Fourteenth Amendment to the U.S. Constitution contains the language quoted therein.

151. Answering Paragraph 151 of the Plaintiff's Complaint, these Defendants state that the holdings of the cases cited therein speak for themselves.

152. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 152 of the Plaintiff's Complaint.

153. Answering Paragraph 153 of the Plaintiff's Complaint, these Defendants state that the *Fex v. Michigan* case referenced therein contains the language quoted therein. These Defendants are otherwise without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of said paragraph.

154. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 154 of the Plaintiff's Complaint.

155. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 155 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

156. Answering Paragraph 156 of the Plaintiff's Complaint, these Defendants repeat their responses to Paragraphs 1 through 155 as if fully stated herein.

157. Answering Paragraph 157 of the Plaintiff's Complaint, these Defendants admit that the Fourteenth Amendment to the U.S. Constitution contains the language quoted therein.

158. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 158 of the Plaintiff's Complaint.

159. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 159 of the Plaintiff's Complaint.

160. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 160 of the Plaintiff's Complaint.

161. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 161 of the Plaintiff's Complaint.

162. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 162 of the Plaintiff's Complaint.

163. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 163 of the Plaintiff's Complaint.

164. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 164 of the Plaintiff's Complaint.

165. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 165 of the Plaintiff's Complaint.

166. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 166 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

167. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 167 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

168. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 168 as they pertain to the Defendant Richards, and otherwise deny the remaining allegations of said paragraph.

169. Answer Paragraph 169 of the Plaintiff's Complaint, these Defendants repeat their responses to Paragraphs 1 through 168 of the Plaintiff's Complaint as if fully stated herein.

170. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 170 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

171. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 171 of the Plaintiff's Complaint.

172. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 172 of the Plaintiff's Complaint.

173. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 173 of the Plaintiff's Complaint.

174. Answering Paragraph 174 of the Plaintiff's Complaint, these Defendants repeat their Responses to Paragraphs 1 through 173 of said Complaint as if fully stated herein.

175. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 175 of the Plaintiff's Complaint. To the extent that the "Brookline Defendants" are intended to refer to these Defendants, then the allegations pertaining to said "Brookline Defendants" are denied.

176. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 176 of the Plaintiff's Complaint. To the

extent that the “Brookline Defendants” are intended to refer to these Defendants, then the allegations pertaining to said “Brookline Defendants” are denied.

177. Answering Paragraph 177 of the Plaintiff’s Complaint, these Defendants repeat their responses to Paragraphs 1 through 176 of said Complaint as if fully stated herein.

178. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 178 of the Plaintiff’s Complaint.

179. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 179 of the Plaintiff’s Complaint.

180. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 180 of the Plaintiff’s Complaint.

181. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 181 of the Plaintiff’s Complaint.

182. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 182 of the Plaintiff’s Complaint.

183. Answering Paragraph 183 of the Plaintiff’s Complaint, these Defendants repeat their responses to Paragraphs 1 through 182 of said Complaint as if fully stated herein.

184. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 184 of the Plaintiff’s Complaint.

185. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 185 of the Plaintiff’s Complaint.

186. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 186 of the Plaintiff’s Complaint.

187. Answering Paragraph 187 of the Plaintiff's Complaint, these Defendants admit that the statute referenced therein contains the language quoted therein, and are otherwise without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of said paragraph.

188. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 188 of the Plaintiff's Complaint.

189. Answering Paragraph 1 of Count XII of the Plaintiff's Complaint, these Defendants repeat their responses to paragraphs 1 through 188 of said Complaint as if fully stated herein.

190. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2 of Count XII of the Plaintiff's Complaint.

191. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 of Count XII of the Plaintiff's Complaint.

SECOND DEFENSE

192. The Plaintiff's Complaint fails to state claims against these Defendants upon which relief may be granted.

THIRD DEFENSE

193. The Plaintiff's Complaint is barred by the applicable period of limitations.

FOURTH DEFENSE

194. These Defendants are immune from the claims asserted against them by the Plaintiff as a matter of law.

FIFTH DEFENSE

195. The Plaintiff's claims against these Defendants are barred by the doctrines of collateral estoppel or *res judicata*.

SIXTH DEFENSE

196. The Plaintiff's injuries, if any, were caused in whole or in part by his own negligence, and his recovery, if any, should be barred or reduced accordingly.

SEVENTH DEFENSE

197. The Plaintiff's injuries, if any, were caused in whole or in part by persons or entities over whom or which these Defendants exercised no right of control.

EIGHTH DEFENSE

198. The claims asserted by the Plaintiff against these Defendants are barred by the provisions of the Massachusetts Tort Claims Act, *Mass. Gen. Laws*, ch. 258, including, without limitation, the presentment requirements of Section 4 thereof, and the affirmative defenses contained in Section 10 thereof.

NINTH DEFENSE

199. The Plaintiff's claims are barred by a waiver.

TENTH DEFENSE

200. The Plaintiff's claims are barred by fraud.

ELEVENTH DEFENSE

201. The Plaintiff has no standing to bring claims against these Defendants.

WHEREFORE, these Defendants demand judgment

- A. Dismissing the Plaintiff's Complaint with prejudice;
- B. Awarding these Defendants their costs incurred in defending this action, including a reasonable attorneys' fee; and
- C. For such other and further relief as the Court deems meet and just.

Respectfully submitted,

MATTHEW BARONAS, KELLEY
CHAMBLISS and PATRICK DOBER

By their Attorney,

/s/ John Egan

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Date: May 27, 2016

CERTIFICATE OF SERVICE

I, John Egan, hereby certify that on the 27th day of May, 2016, I caused a copy of Answer of Defendants, Matthew Baronas, Kelley Chambliss and Patrick Dober to be served electronically, through the ECF system.

/s/ John Egan

John Egan