

# 2282CV00038 Joanne Delapa of Delapa Realty Trust vs. Town Of Westwood Conservation Commission

- Case Type:
- Administrative Civil Actions
- Case Status:
- Open
- File Date
- 01/12/2022
- DCM Track:
- X - Accelerated
- Initiating Action:
- Certiorari Action, G. L. c. 249 § 4
- Status Date:
- 01/12/2022
- Case Judge:
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- Next Event:
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All Information	Party	Tickler	Docket	Disposition
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## Party Information

Joanne Delapa of Delapa Realty Trust  
- Plaintiff

Alias

### Party Attorney

- Attorney
- Watsky, Esq., Matthew
- Bar Code
- 546308
- Address
- Matthew Watsky, Attorney at Law/WatskyLaw  
30 Eastbrook Rd  
Suite 301  
Dedham, MA 02026
- Phone Number
- (781)329-5009
- Attorney
- Watsky, Esq., Rachel
- Bar Code
- 704043
- Address
- WatskyLaw  
30 Eastbrook Rd Suite 301  
Dedham, MA 02026
- Phone Number
- (781)329-5009

[More Party Information](#)

Town Of Westwood Conservation Commission  
- Defendant

Alias

### Party Attorney

- Attorney
- Ahearn, Esq., Patrick J
- Bar Code
- 560976
- Address
- Town of Westwood  
50 Carby St  
Westwood, MA 02090








- Phone Number
- (781)251-2579
- Attorney
- Bailey, III, Esq., Daniel J
- Bar Code
- 552612
- Address
- Pierce Atwood LLP
- 100 Summer St
- 22nd Floor
- Boston, MA 02110
- Phone Number
- (617)488-8165

[More Party Information](#)

## Ticklers

<u>Tickler</u>	<u>Start Date</u>	<u>Due Date</u>	<u>Days Due</u>	<u>Completed Date</u>
Service	01/12/2022	04/12/2022	90	06/23/2023
Judgment	01/12/2022	01/12/2023	365	06/23/2023
Status Review	08/14/2022	09/16/2022	33	09/08/2022
Status Review	09/09/2022	11/16/2022	68	11/23/2022
Status Review	03/27/2023	05/05/2023	39	04/24/2023
60 Day Nisi Review	04/24/2023	07/03/2023	70	06/23/2023

## Docket Information

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
01/12/2022	Petition for Certiorari pursuant to M.G.L.c. 249, § 4; and for Declaratory Judgment pursuant to M.G.L.c. 231A, § 1 filed (efiled 1/12/22)	1	 <a href="#">Image</a>
01/12/2022	Civil action cover sheet filed.  (efiled 1/12/22)	2	 <a href="#">Image</a>
01/12/2022	Case assigned to: DCM Track X - Accelerated was added on 01/12/2022		
03/31/2022	Affidavit of Rachel Watsky of compliance with the requirements for service as provided in G.L. C. 249 s4	3	 <a href="#">Image</a>
03/31/2022	Service Returned for Defendant - Acceptance of service  Applies To: Town Of Westwood Conservation Commission (Defendant)	4	 <a href="#">Image</a>
03/31/2022	Attorney appearance On this date Patrick J Ahearn, Esq. added as City / Town Counsel for Defendant Town Of Westwood Conservation Commission		
04/20/2022	Answer to original complaint  Applies To: Town Of Westwood Conservation Commission (Defendant)	5	 <a href="#">Image</a>
08/14/2022	ORDER sent for Status Review, if notice is not received by 09/09/2022 the complaint will be dismissed.  Judge: Leighton, Hon. Joseph	6	 <a href="#">Image</a>
09/08/2022	Status review notice returned the Parties' counsel have had several meeting and discussions and believe the parties have reached an agreement in principal that we need to reduce to writing and have the Commission discuss and vote on in a public meeting. We request the issuance of another Notice of Status Review for an update in 60 days. It is possible that we will have settlement papers filed prior to then, but if not we should have a firm time line by that date (Rec'd 9/7/22)	7	 <a href="#">Image</a>

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
	Applies To: Watsky, Esq., Matthew (Attorney) on behalf of Joanne Delapa of Delapa Realty Trust (Plaintiff)		
09/09/2022	ORDER: Status review is continued to November 9, 2022. If an additional written status report is not received by said date, the case (and all remaining claims) shall be dismissed (cs)  Judge: Leighton, Hon. Joseph	8	 <a href="#">Image</a>
11/17/2022	Attorney appearance On this date Daniel J Bailey, III, Esq. added for Defendant Town Of Westwood Conservation Commission		
11/18/2022	Docket Note: Joint Status Report was received on 11/17/2022 and given to clerk for review		
12/20/2022	Status review notice returned Joint report - request the Court to extend the timeline set in the Sept. 9, 2022 Order for parties to file a Status Report. The current deadline for submittal was November 9, 2022. At this time, the parties have nearly completed the settlement process, and request an additional thirty (3) days in order to complete the remaining administrative tasks. The parties request that the Court extend the timeline set from November 16, 2022 and additional 30 days to Friday, December 16, 2022 (rec'd 11/  Applies To: Ahearn, Esq., Patrick J (Attorney) on behalf of Town Of Westwood Conservation Commission (Defendant); Watsky, Esq., Matthew (Attorney) on behalf of Joanne Delapa of Delapa Realty Trust (Plaintiff); Bailey, III, Esq., Daniel J (Attorney) on behalf of Town Of Westwood Conservation Commission (Defendant)	9	 <a href="#">Image</a>
03/27/2023	ORDER sent for Status Review, if notice is not received by 04/28/2023 the complaint will be dismissed.  Judge: Cannone, Hon. Beverly J	10	 <a href="#">Image</a>
04/24/2023	Status review notice returned The case is settled. We request the issuance of an Order requiring the filing of a status report or stipulation of dismissal in 60 days. This will allow the plaintiff time to complete remaining tasks per a condition of the settlement (rec'd 4/17/23)  Applies To: Watsky, Esq., Rachel (Attorney) on behalf of Joanne Delapa of Delapa Realty Trust (Plaintiff)	11	 <a href="#">Image</a>
04/24/2023	ORDER of dismissal nisi entered after action was reported settled; Agreement or Stipulation shall be filed in this court by 06/26/2023  Judge: Hallal, Hon. Mark A	12	 <a href="#">Image</a>
06/22/2023	Party(s) file Stipulation of Dismissal (Joint) (E-Filed 06/22/2023) mk The Parties in accordance with the provisions of the Order for Entry of Dismissal Nisi issued April 24, 2023, hereby notify the Court that the Parties have successfully settled the matter to the satisfaction of all parties, and have complied with the terms of the settlement agreement. Parties thus, in accordance with the Order for Entry of Dismissal Nisi, jointly stipulate to dismissal of the Complaint and all other claims in this action, with prejudice, and waiving any and all rights of appeal, and with each party to bear its own legal fees and costs.  Applies To: Town Of Westwood Conservation Commission (Defendant)	13	 <a href="#">Image</a>

## Case Disposition

<u>Disposition</u>	<u>Date</u>	<u>Case Judge</u>
Disposed by Agreement / Settled	06/23/2023	