

VOLUME: 1
PAGES: 1 - 57
EXHIBITS: 4

COMMONWEALTH OF MASSACHUSETTS
MIDDLESEX, ss. SUPERIOR COURT DOCKET
NO. 08-04641-B

-----X
JOHNSON GOLF MANAGEMENT, INC.,
Plaintiff,

vs

TOWN OF DUXBURY, and
NORTH HILL ADVISORY COMMITTEE,
CONSISTING OF MICHAEL DOOLIN, CHAIRMAN,
SCOTT WHITCOMB, ROBERT M. MUSTARD, JR.,
MICHAEL MARLBOROUGH, ANTHONY
FLOREANO, MICHAEL T. RUFO, THOMAS K.
GARRITY, RICHARD MANNING, W. JAMES FORD,
and GORDON CUSHING (EX OFFICIO)
and CALM GOLF, INC., and
CHARLES LANZETTA,

Defendants
-----X

DEPOSITION OF STEVEN STUDLEY, taken on
behalf of the Plaintiff, pursuant to the
applicable provisions of the Massachusetts Rules
of Civil Procedure, before Jessica F. Story,
Certified Shorthand Reporter and Notary Public
in and for the Commonwealth of Massachusetts, at
the offices of Follansbee & McLeod, LLP, 536
Granite Avenue, Braintree, Massachusetts, on
Tuesday, July 19, 2011, commencing at 10:08 a.m.

-----X
BRAMANTI & LYONS COURT REPORTING, INC.
REGISTERED PROFESSIONAL REPORTERS
92 STATE STREET, BOSTON, MA 02109
TEL: 617.723.7321 / FAX: 617.723.7322
www.bramanti-lyons.com

APPEARANCES:

Stephen R. Follansbee, Esq.
Follansbee & McLeod, LLP
536 Granite Street
Braintree, Massachusetts 02184
Attorney for the Plaintiff

Leonard H. Kesten, Esq.
Brody Hardoon Perkins & Kesten, LLP
One Exeter Plaza
Boston, Massachusetts 02116
Attorney for the Defendants,
Town of Duxbury and North Hill Advisory
Committee, Consisting of Michael Doolin,
Chairman, Scott Whitcomb, Robert M. Mustard,
Jr., Michael Marlborough, Anthony Floreano,
Michael T. Rufo, Thomas K. Garrity, Richard
Manning, W. James Ford, and Gordon Cushing (Ex
officio)

Craig S. Jordan, Esq.
Troy Wall Associates
90 Route 6A
Sandwich, Massachusetts 02563
Attorney for the Defendants,
Town of Duxbury and North Hill Advisory
Committee, Consisting of Michael Doolin,
Chairman, Scott Whitcomb, Robert M. Mustard,
Jr., Michael Marlborough, Anthony Floreano,
Michael T. Rufo, Thomas K. Garrity, Richard
Manning, W. James Ford, and Gordon Cushing (Ex
officio)

ALSO PRESENT:

Douglas Johnson

INDEX

Deposition of:	Page
STEVEN STUDLEY	
Examination by Mr. Follansbee	4
Exhibits	Page
1 Request for Proposal	4
2 Non-Price Valuation Form	4
3 CALM Golf Proposal to Operate and Maintain	4
4 Deponent's Evaluation Sheet	21

PROCEEDINGS

(Exhibits No. 1-3 ID pre-marked.)

MR. FOLLANSBEE: Same stipulations and
waive notary on the signing?

MR. KESTEN: Correct.

STEVEN STUDLEY, a witness called on
behalf of the Plaintiff, first having been
satisfactorily identified by his Massachusetts
driver's license, then duly sworn, on oath
deposes and says as follows:

EXAMINATION BY MR. FOLLANSBEE:

Q. Good morning, sir. Could you give us your name
and residential address?

A. Steven Studley, and I live at 383 Plymouth
Avenue, Marshfield, Mass.

Q. And do you spell Steven with a ph or a v?

A. V.

Q. Sorry about that.

A. No problem.

Q. And what is your occupation, sir?

- 1 **A. I'm the assistant rec director for the Town of**
 2 **Duxbury.**
 3 **Q.** Your immediate supervisor is Mr. Gordon Cushing;
 4 is that correct?
 5 **A. Correct.**
 6 **Q.** Have you ever been deposed before?
 7 **A. No.**
 8 **Q.** Well, by way of background, I'll be asking some
 9 questions this morning, and we need you to
 10 answer verbally rather than with a nod of the
 11 head.
 12 **A. Sure.**
 13 **Q.** So, and if you don't understand any of my
 14 questions, please just say so and I'll try to
 15 rephrase it and make it more clear for you.
 16 **A. Will do.**
 17 **Q.** What is your educational background beginning
 18 with high school?
 19 **A. Graduated from Marshfield High School 1989, and**
 20 **I graduated from Castleton College in Vermont,**
 21 **1994.**
 22 **Q.** Did you receive a degree from Castleton?
 23 **A. Yes. Bachelors degree in communication, minor**
 24 **in physical education.**

- 1 **Q.** Since 1994 when you got out of Castleton and
 2 received your degree, what has been your
 3 occupation consecutively?
 4 **A. I worked for a company called South Shore**
 5 **Service Master as a cleaner.**
 6 **Q.** What years did you do that?
 7 **A. I did that from 1994 until 1997, I believe.**
 8 **Q.** And then what was your next job?
 9 **A. Then I was a physical education and social**
 10 **studies teacher at Duxbury High School and**
 11 **Duxbury Middle School.**
 12 **Q.** And what year did you do that?
 13 **A. '97 to '99, I believe.**
 14 **Q.** And after that what --
 15 **A. I also was a high school baseball coach at**
 16 **Duxbury.**
 17 **Q.** What years were you a baseball coach?
 18 **A. From '95 to '99.**
 19 **Q.** Were you the head coach?
 20 **A. Assistant varsity coach, yeah. Then in '99 I**
 21 **became the assistant baseball coach at Stonehill**
 22 **College for four years. I also became the**
 23 **assistant rec director in '99.**
 24 **Q.** So from '99 to 2003 you had two jobs, one was

- 1 the assistant coach at Stone Hill as well as
 2 your job in the Town of Duxbury as assistant rec
 3 director?
 4 **A. Correct, yes.**
 5 **Q.** Now is your only job assistant rec director?
 6 **A. No. I'm the head baseball coach at Wentworth in**
 7 **Boston.**
 8 **Q.** How much time do you devote to each occupation?
 9 **A. In hours or --**
 10 **Q.** Or percentages of work week.
 11 **A. It varies from what time of the year it is.**
 12 **During the spring baseball season, probably**
 13 **70-30 Rec Department. Outside of the actual**
 14 **baseball season, you know, it's 90-10 rec**
 15 **department.**
 16 **Q.** So even in the spring and during the season
 17 you'd still be devoting 70 percent of your work
 18 week to Duxbury and 30 percent to Wentworth?
 19 **A. Yeah. That's a little tainted because it -- I**
 20 **still actually devote 100 percent to Duxbury Rec**
 21 **because all my Wentworth stuff takes place after**
 22 **my regular workday anyway. I think 100's a**
 23 **tough number.**
 24 **Q.** What's your regular workday?

- 1 **A. At the Rec Department, seven to three.**
 2 **Q.** What are your duties at the Rec Department?
 3 **A. My primary duty is the program coordinator. I**
 4 **left out that I'm also the assistant -- I'm**
 5 **sorry. I'm the freshman basketball coach at**
 6 **Duxbury High School currently. I've been that**
 7 **since 2001.**
 8 **Q.** As far as your role as the program coordinator
 9 for the Rec Department, what programs do you
 10 coordinate?
 11 **A. Well, would you like me to go season by season?**
 12 **Q.** That would be helpful.
 13 **A. In the fall, soccer, flag football, after school**
 14 **athletics. We have cooking programs. I'm**
 15 **amiss. We run about 70 programs a year. Would**
 16 **you like me to try to remember as many of the 70**
 17 **as I can?**
 18 **Q.** No.
 19 **A. Whatever the season is primarily for a sport is**
 20 **what our programs primarily are. In the winter**
 21 **it's mainly basketball and indoor things. In**
 22 **the spring --**
 23 **Q.** What other indoor things other than basketball
 24 do you have in the winter?

1 **A. We have -- it varies from year to year.**
 2 **Sometimes we have indoor cheerleading programs,**
 3 **wrestling programs. Our after school athletic**
 4 **program in the winter is indoors.**

5 **Q.** In your role as the assistant recreation
 6 director in Duxbury, did you have any
 7 interaction with the golf course?

8 **A. Yes.**

9 **Q.** What role did you play in that?

10 **A. I guess as a department my understanding is**
 11 **we're to oversee the management. It's very**
 12 **limited, but of course our office is very small**
 13 **so and it's a two-man operation with Gordon and**
 14 **myself. We have a secretary, as well, so just**
 15 **anything that might need to be taken care.**

16 **We answer a lot of phone calls if people**
 17 **call in regards to this golf course, because**
 18 **they associate, a lot of times, the Rec**
 19 **Department with the golf course, so we say no**
 20 **and give them the course's number, things like**
 21 **that. Nothing day-to-day, though.**

22 **Q.** In the Recreation Department during the years
 23 from '99 to the present, in your role overseeing
 24 the management at the golf course, were you the

1 principal contact for the operations of the golf
 2 course?

3 **A. No.**

4 **Q.** Who was the principal contact?

5 **A. Gordon.**

6 **Q.** Did you have any specific responsibilities
 7 during that period of time, from '99 up until,
 8 say 2010? Did you have any principal
 9 responsibilities regarding the golf course?

10 **A. No.**

11 **Q.** When you say that it's a two-man operation and
 12 therefore you'd be involved, do you remember
 13 anything specific that you had to do as far as
 14 overseeing the management of the golf course?

15 **A. No.**

16 **Q.** Do you play golf?

17 **A. Yes.**

18 **Q.** Did you -- during that period of time did you
 19 play golf at North Hill?

20 **A. From when?**

21 **Q.** '99 to 2010.

22 **A. Yeah. Yes.**

23 **Q.** Do you play any other golf courses?

24 **A. Yes.**

1 **Q.** Do you maintain a handicap?

2 **A. Not very -- in the past I didn't play enough the**
 3 **last few years to make it worthwhile.**

4 **Q.** Prior to that did you maintain one?

5 **A. Yes.**

6 **Q.** What was the best handicap you maintained?

7 **A. 8.**

8 (Discussion off the record.)

9 **Q.** During that period of time, and I'm now
 10 directing you from '99 up until 2010, how often
 11 do you think you did play at North Hill on an
 12 average per year?

13 **A. I haven't played there in the last three years.**
 14 **I would guess, I am not positive of that, but**
 15 **maybe once or twice.**

16 **Q.** Were there any specific -- were they tournaments
 17 or something you played or just a casual round?

18 **A. No. I never played a tournament there. Just a**
 19 **quick nine or something like that.**

20 **Q.** Did you know who the personnel were at the golf
 21 course?

22 **A. Some, and at different points some better than**
 23 **others.**

24 **Q.** Do you remember anyone being a golf pro up

1 there?

2 **A. No.**

3 **Q.** Are you familiar with an individual named Bill
 4 Allen?

5 **A. I know that name. I honestly wouldn't recognize**
 6 **him, I don't believe.**

7 **Q.** In your role in the Recreation Department, did
 8 you have any involvement with the junior golf
 9 program at North Hill?

10 **A. No.**

11 **Q.** Did you have any -- the Rec Department have any
 12 involvement with that?

13 **A. No.**

14 **Q.** Did they do any advertising for them?

15 **A. Specifically, I don't know. We do put in our**
 16 **pamphlet that comes out four times a year,**
 17 **there's information about North Hill's number.**
 18 **I don't think specifically any programs were**
 19 **listed in that, though.**

20 **Q.** What names do you recall of individuals who
 21 worked up at North Hill during the period that
 22 you played golf up there, '99 to 2010?

23 **A. The superintendent, the old superintendent,**
 24 **Hillsy. It was John Hills. I think I knew him,**

1 **Hillsy. That's who I probably knew the best.**
 2 **And then just, you know, Joe Eckstrom I know**
 3 **pretty well, Kelly Johnson.**

4 **Q.** Kelly Johnson?

5 **A.** Yep.

6 **Q.** As far as if something came up and you had to
 7 contact someone at Johnson Golf, would Joe
 8 Eckstrom be the guy you'd contact?

9 **A.** Yes.

10 **Q.** Did you have any problems dealing with Joe
 11 Eckstrom?

12 **A.** No.

13 **Q.** As far as your interaction with John Hills, you
 14 described him as the superintendent there. Did
 15 you know what his role was at the golf course
 16 specifically?

17 **A.** Maintenance superintendent.

18 **Q.** And did you have occasion to interact with him
 19 about issues about the golf course?

20 **A.** Yes. **When I first started back in '99 and early**
 21 **2000's, times were better in the department**
 22 **budget-wise and things like that. We did more**
 23 **capital projects at North Hill, and so**
 24 **therefore, with those I would see John more.**

1 **Q.** Were you working for the Town of Duxbury when
 2 Johnson Golf Management built the new clubhouse
 3 up there?

4 **A.** I don't know the dates specifically. I don't
 5 remember, but I do remember early on in my time
 6 starting there, I want to say -- if I knew the
 7 date of when it happened. I was there when we
 8 demolished the other clubhouse. That was one of
 9 my first, I'm going to say months on the job. I
 10 don't know when it was done, but early on I was
 11 there when they demolished the old clubhouse.

12 **Q.** You were able to observe them building the new
 13 clubhouse, as well, correct?

14 **A.** Correct. Yes.

15 **Q.** And as far as your communication with Gordon,
 16 did Gordon Cushing ever communicate to you that
 17 there were any problems up at the golf course?

18 **A.** Specifically, I don't remember.

19 **Q.** Did you interact with the individuals on the
 20 North Hill Advisory Committee as part of your
 21 job?

22 **A.** No.

23 **Q.** And so did you ever attend meetings of the North
 24 Hill Advisory Committee?

1 **A.** Specifically, I don't know how many. I would
 2 guess twice in my 12 years in this position. If
 3 maybe Gordon was out of town or sick, but don't
 4 hold me to that, but I don't remember any more
 5 than one or two.

6 **Q.** Is there anything that comes to mind right now
 7 as being issues with the North Hill Advisory
 8 Committee that involved you in those meetings?

9 **A.** To be honest, I basically unlocked the door, sat
 10 at the table and made copies if they needed it.
 11 I wasn't involved.

12 **Q.** Did you -- when the -- are you familiar with the
 13 RFP process that took place in 2008 and 2009?

14 **A.** Not really.

15 **Q.** Did you attend any pre-bid conferences?

16 **A.** Yes. One I remember at North Hill, I don't
 17 remember when it was, and that's the only one I
 18 remember.

19 **Q.** As far as other individuals, did you know any --
 20 well, strike that.

21 Did you become aware in 2008 that the
 22 contract was going to be re-bid?

23 **A.** I knew that, yes.

24 **Q.** And did you have anything to do with preparing

1 the document known as the Request For Proposals?

2 **A.** No.

3 **Q.** Did you have any -- did you know any of the
 4 bidders in 2008, any of the other bidders other
 5 than the folks from Johnson Golf?

6 **A.** Who were they?

7 **Q.** Did you know anybody from Eagles Nest
 8 Landscaping?

9 **A.** I know of -- Eagles Nest was, I believe the
 10 current owner was Emmett Sheehan, but I just
 11 knew him by name because it's a landscaping
 12 company in Duxbury. I didn't know him.

13 **Q.** Did you know Mr. Stiles?

14 **A.** No.

15 **Q.** Did you know Mr. Lanzetta?

16 **A.** No.

17 **Q.** Did you know Mr. Gunnarson?

18 **A.** No.

19 **Q.** At some point were you approached by somebody
 20 and asked to review the proposals of various
 21 companies who were seeking to run the golf
 22 course?

23 **A.** Yes.

24 **Q.** Who came to you with that?

- 1 **A. Gordon.**
- 2 **Q.** Do you remember when that took place?
- 3 **A. No.**
- 4 **Q.** Were you aware that there had been a previous
- 5 series of proposals that had been submitted and
- 6 were rejected by the town?
- 7 **A. Yes.**
- 8 **Q.** Who told you that?
- 9 **A. Gordon.**
- 10 **Q.** What do you remember Gordon saying to you with
- 11 regard to his request that you become one of the
- 12 evaluators?
- 13 **A. He gave me a package on the companies that were**
- 14 **bidding, said to read through, review them, and**
- 15 **then gave me a rating sheet to rate them.**
- 16 **Q.** And did he give you any other instruction other
- 17 than that?
- 18 **A. To just follow directions exactly.**
- 19 **Q.** Okay. So he gave you the proposals of the
- 20 individuals, correct?
- 21 **A. I believe. Again, it was -- I don't remember**
- 22 **exactly, but yes. I'm assuming that's how it**
- 23 **happened.**
- 24 **Q.** He gave you a score sheet, as you described it?

- 1 **A. Yes.**
- 2 **Q.** For each company?
- 3 **A. Yes.**
- 4 **Q.** Did he give you the document that had been
- 5 prepared by the town which disclosed how to
- 6 evaluate each company?
- 7 **MR. JORDAN:** Objection. You can answer.
- 8 **A. I don't remember. But I'm assuming if I did it,**
- 9 **I would have known how to do it.**
- 10 **Q.** I'm going to show you what has been marked as
- 11 Exhibit No. 1. This is the North Hill Country
- 12 Club Request For Proposals, and that was in
- 13 January of 2009 that the bids were due.
- 14 Could you take a look at that, and my
- 15 question is, is that the document, one of the
- 16 documents that you were given in order to
- 17 determine how to rate the various companies?
- 18 **A. I don't remember.**
- 19 **Q.** Well, take a look at it and see if it refreshes
- 20 your memory.
- 21 **A. I mean, I can -- like I said, I had it for a**
- 22 **couple of days, read it and it was done, and it**
- 23 **was probably the last time I've thought about**
- 24 **it. So I honestly don't -- it could say**

- 1 **something in there. I wouldn't remember.**
- 2 **Q.** Have you discussed coming here today with
- 3 anybody?
- 4 **A. Sure. Gordon said, "Don't forget you have a**
- 5 **meeting." And we met -- I met with --**
- 6 **Q.** Other than counsel, other than lawyers, did you
- 7 discuss it with anybody else?
- 8 **A. Could you clarify discuss? Gordon telling me**
- 9 **don't forget you have a deposition, is that**
- 10 **discussing? If that's the case, yes. Or me**
- 11 **actually bringing it to him that I can't be at**
- 12 **work tomorrow because I have this deposition.**
- 13 **Q.** All right. So you discussed -- you had that
- 14 conversation with Gordon. When did you have
- 15 that conversation? Last week?
- 16 **A. Yesterday. I said, "Don't forget I won't be**
- 17 **here tomorrow. I have a deposition."**
- 18 **Q.** Other than in the past couple of months, have
- 19 you talked about this case with Gordon at all?
- 20 **A. No.**
- 21 **Q.** Have you talked to anybody else about it other
- 22 than lawyers?
- 23 **A. No.**
- 24 **Q.** I'm going to show you what's been marked Exhibit

- 1 Number 2 and ask if you -- ask you to look
- 2 through that.
- 3 (Witness complies.)
- 4 **Q.** Do you recognize that document?
- 5 **A. Yes.**
- 6 **Q.** Are those the score sheets that you talked about
- 7 a little bit earlier?
- 8 **A. Yes.**
- 9 **Q.** Is that your handwriting on there?
- 10 **A. Yes.**
- 11 **Q.** And when you filled out the score sheet, you
- 12 indicated that you had the proposals of the
- 13 various companies, also?
- 14 **A. I believe I must have to do it, but I don't**
- 15 **specifically remember.**
- 16 **Q.** I'm going to show you what's been marked as
- 17 Exhibit 3. That's the -- according to the Town
- 18 of Duxbury, that's the proposal from CALM Golf
- 19 in January of 2009 seeking management of the
- 20 North Hill Country Club.
- 21 Is that a document that you reviewed?
- 22 **A. I don't remember. Probably if this is what it**
- 23 **was, but I don't specifically remember it.**
- 24 **Q.** Well, with regard to -- I'm going to show you

1 one more document that -- I haven't marked this,
2 and ask you to look at that document.

3 (Witness complies.)

4 Q. Is that your handwriting, sir?

5 A. Yes.

6 MR. FOLLANSBEE: I'd ask that be marked
7 as the next exhibit.

8 (Exhibit No. 4 ID marked.)

9 Q. Here's the actual exhibit.

10 MR. KESTEN: It's the same thing.

11 Q. Are these the notes that you prepared while you
12 were doing your evaluations of the various
13 proposals?

14 A. I guess. I don't remember specifically. Again,
15 I specifically don't remember doing it as it was
16 a long time ago and it was one of many things I
17 did, but I'm assuming. That's what it looks
18 like.

19 Q. With regard to your role as an evaluator in the
20 process of obtaining a new vendor for the North
21 Hill Country Club in the December 2008 to
22 January 2009 timeframe, did Gordon tell you that
23 there was a lawsuit pending regarding this
24 matter?

1 A. I don't remember.

2 Q. Has Gordon ever talked to you about the fact
3 there was a lawsuit having to do with the North
4 Hill Country Club?

5 A. Oh, sure. We work together. He has to go to
6 court every now and then, so obviously I'm aware
7 of that.

8 Q. You knew -- when you did the evaluations, you
9 knew that the various proposals had been thrown
10 out earlier and that this was the second time
11 they were going through the bidding process,
12 correct?

13 A. Yes.

14 Q. Did Gordon tell you anything about any of the
15 companies involved?

16 A. No.

17 Q. Did anybody from the town other than Gordon talk
18 to you about the process and what was necessary
19 in order to evaluate these proposals?

20 A. I'm not sure I understand. What do you mean by
21 the process?

22 Q. The process of evaluating the proposals, putting
23 it in writing, make an overall recommendation at
24 the bottom of that page on that score sheet.

1 A. He told me to read the directions and fill out
2 the -- go through the individual companies and
3 rate them as I saw after doing that, and he was
4 very specific in make sure you follow the
5 directions specifically.

6 Q. Okay. And where are the directions?

7 A. I have no idea.

8 Q. Did he give you some written directions?

9 A. I don't remember.

10 Q. You do remember specifically he told you you had
11 to follow directions, though, right?

12 A. Yes.

13 Q. But you don't know that you got any directions?

14 A. I'm assuming I did but I'm not going to tell
15 you. Again, I don't remember looking at any of
16 these pieces of paper from three years ago so I
17 don't know. I'm assuming I wouldn't have been
18 able to fill this out if I didn't have
19 directions.

20 Q. Okay. If you look at the score sheet,
21 Exhibit -- which one is that? Is that --

22 MR. KESTEN: Number --

23 A. Number 2.

24 Q. Exhibit Number 2. When you were given this

1 score sheet, did you get any instruction from
2 anybody on how to arrive at the various scores
3 that are listed on the page?

4 A. If I was, I don't recall.

5 Q. Did you attend any classes or have any direction
6 from anybody other than Gordon on how to go
7 through this process?

8 A. I don't believe so.

9 Q. Is it possible you had that and you forgot or
10 you're pretty confident?

11 A. I don't remember.

12 Q. So are you confident that there was nobody other
13 than Gordon you talked to about this?

14 A. Since I don't remember, I don't want to swear to
15 it, but I believe Gordon was the only one that
16 gave me this information, these packets of
17 information. I believe he was the only one that
18 instructed me on this.

19 Q. Directing you attention to Exhibit No. 1, the
20 Request For Proposals, starting at Page 6,
21 they're on both sides so it might be the back of
22 the page. If you read the top it says, "The
23 criteria below will be used to evaluate the
24 non-priced proposals."

- 1 **A. A-huh.**
- 2 **Q.** Is that a yes?
- 3 **A. Yes.**
- 4 **Q.** Do you understand that?
- 5 **A. Yes.**
- 6 **Q.** And over the next several pages it describes the
- 7 categories of relevant experience,
- 8 organizational capability, maintenance equipment
- 9 and staff and financial information, correct?
- 10 **A. Yes.**
- 11 **Q.** Are those the same categories that are on the
- 12 score sheet?
- 13 **A. Yes.**
- 14 **Q.** So did you understand that your job was to look
- 15 at the proposal of each individual and evaluate
- 16 it according to these guidelines on Pages 6
- 17 through 8 and then put your conclusions on the
- 18 score sheet which is Exhibit Number 2?
- 19 **A. Yes.**
- 20 **Q.** And with that in mind, on your score sheet in
- 21 the category of financial information for CALM
- 22 Golf, I think it's the top page.
- 23 **A. Yes.**
- 24 **Q.** You concluded that the financial information for

- 1 CALM Golf was highly advantageous, correct?
- 2 **A. That's what it says here.**
- 3 **Q.** If we look at Page 8 it describes what a vendor
- 4 would need to do in order to achieve the rating
- 5 of highly advantageous, correct?
- 6 **A. Yes.**
- 7 **Q.** And that they would have to provide financial
- 8 statements, it says, independently audited by a
- 9 certified public accountant, correct?
- 10 **A. Yes.**
- 11 **Q.** And that's fairly easy to understand for you,
- 12 isn't it?
- 13 **A. Yes.**
- 14 **Q.** Now, looking at -- it says -- I believe it's
- 15 Exhibit Number 3, the proposal of CALM Golf, and
- 16 if you look at the back, start from the back and
- 17 go back to Page 91, it does not indicate that
- 18 they are providing audited financial statements,
- 19 correct?
- 20 **A. Correct.**
- 21 **Q.** Can you explain how you arrived at the
- 22 conclusion that CALM Golf should be rated highly
- 23 advantageous in the area of financial
- 24 information if they did not provide audited

- 1 financial statements?
- 2 **A. No.**
- 3 **Q.** So would you agree with me that under the
- 4 guidelines that were provided by the Town of
- 5 Duxbury, CALM Golf could not conceivably have
- 6 earned a rating of highly advantageous?
- 7 **A. If this is all there was, yes.**
- 8 **Q.** If you -- do you think there was any other
- 9 information that was provided to you?
- 10 **A. I honestly have no idea.**
- 11 **Q.** Now, with regard to the category of relevant
- 12 experience which is on Page 6 of the guidelines
- 13 in the Town of Duxbury's document.
- 14 **A. A-huh.**
- 15 **Q.** It indicates that in order to achieve a rating
- 16 of highly advantageous, the proposer and his or
- 17 her firm has to have managed more than one
- 18 municipal operation or comparable business
- 19 enterprise for a period of at least three years.
- 20 And looking at the proposal from CALM
- 21 Golf, at Page 11 in his it indicates that CALM
- 22 Golf had one contract from May 1, 2003 to August
- 23 31st of 2003, correct?
- 24 **A. Yes.**

- 1 **Q.** So it would not be possible to fairly evaluate
- 2 them as highly advantageous given they had only
- 3 one contract for a period of approximately four
- 4 months, correct?
- 5 **MR. JORDAN:** Objection.
- 6 **MR. KESTEN:** You can answer.
- 7 **A. Yes. Again, if this is all there is to it. But**
- 8 **again, I don't remember. I don't remember if I**
- 9 **read more because I don't remember a lot of**
- 10 **this.**
- 11 **Q.** Well, why don't you take a look at the proposal
- 12 of CALM Golf and tell me if you see anything
- 13 else in there indicating that they managed other
- 14 golf courses?
- 15 **MR. KESTEN:** What was the question? Can
- 16 you repeat the question?
- 17 **(The question was read back.)**
- 18 **Q.** Do you see anything else in there that said they
- 19 managed other golf courses?
- 20 **A. No.**
- 21 **Q.** Nothing indicates they managed another golf
- 22 course?
- 23 **A. No.**
- 24 **Q.** So is it your opinion now that they did not

1 deserve the rating highly advantageous given
2 that they didn't manage at least two municipal
3 golf course operations for a period of at least
three years?

5 MR. JORDAN: Objection.

6 MR. KESTEN: He's asking for your current
7 opinion based on what you see today.

8 **A. The specific wording I guess I'm -- I know it's**
9 **black and white but I guess I'm grey in the term**
10 **that -- and again, I'm not positive but I am**
11 **speculating as to why I would have given that,**
12 **and that's that the Green Harbor -- they've**
13 **worked at Green Harbor Golf Course in lessons**
14 **and junior programs, et cetera, for many years,**
15 **and all I can think is that maybe that I**
16 **considered a separate --**

17 **Q.** Okay. When you say CALM Golf worked at Green
18 Harbor, where do you ascertain that information
19 from?

20 **A. Page 11.**

21 **Q.** And is there something on here that I'm missing
22 that says CALM Golf worked at Green Harbor?

23 **A. At the bottom, instructional program locations,**
24 **Green Harbor Golf Club.**

1 **Q.** Having to do with Charles Lanzetta, you mean?

2 **A. The course, Rockland Golf Course, runs lessons**
3 **in junior programs at Green Harbor Golf Course.**

4 **Q.** And Rockland Golf Course is not CALM Golf,
5 correct?

6 **A. Correct. But isn't that where I read he was**
7 **managing?**

8 **Q.** Where who was managing?

9 **A. The president of -- Charlie Lanzetta.**

10 **Q.** So Mr. Lanzetta, according to what you see here,
11 you determined that Mr. Lanzetta was running the
12 Rockland Golf Course?

13 MR. KESTEN: Just tell him what you
14 think.

15 **A. Yeah.**

16 **Q.** And you knew that you were evaluating a company
17 called CALM Golf, not Mr. Lanzetta, correct?

18 **A. I was evaluating what I was reading here based**
19 **on his references.**

20 **Q.** But according to -- let's go back to the
21 guidelines given by the Town of Duxbury to you,
22 and let's look at Page 6 again.

23 **A. Okay.**

24 **Q.** And under number 1, the relevant experience

1 category, under not advantageous, could you read
2 that to yourself and then I'll ask you a few
3 questions about it.

4 (Witness complies.)

5 **Q.** Have you had a chance to read that?

6 **A. Yes.**

7 **Q.** So it was clear the proposer was the company
8 CALM Golf, correct?

9 **A. Correct.**

10 **Q.** The proposer's personnel may have included
11 Mr. Lanzetta, correct?

12 **A. Correct.**

13 **Q.** And Mr. Lanzetta may have had experience within
14 the business of golf but the firm itself, it had
15 less than three years experience, correct?

16 **A. Correct.**

17 **Q.** So a review of CALM's proposal and the
18 guidelines put forth by the Town of Duxbury
19 would direct you to arrive at the conclusion
20 that the CALM Golf proposal in the category of
21 relevant experience should have received a
22 rating of not advantageous, correct?

23 MR. JORDAN: Objection.

24 **A. Based on right now what I'm looking at, yes.**

1 **Q.** That's the same information you had in January
2 of 2009 when you were evaluating those
3 proposals, correct?

4 MR. JORDAN: Objection.

5 MR. KESTEN: He already told you he
6 doesn't know.

7 **A. I'm assuming, but I don't know specifically.**

8 **MR. FOLLANSBEE: That, that is a problem,**
9 **because I thought that -- I thought you were**
10 **testifying, but evidently counsel wanted to tell**
11 **you what to say there so he repeated the fact**
12 **that you said you didn't know before to suggest**
13 **that you should say it again.**

14 MR. KESTEN: Steve, I am not coaching
15 him. He's been clear with you. You're trying
16 to force him to say something which he's told
17 you he doesn't know. Nobody's going to recall.

18 It probably is. I haven't reviewed it.
19 He's told you, I don't remember what I saw.
20 He's told you repeatedly. Just because you keep
21 telling him that's what you saw doesn't make it
22 so, and you know it. And you know it.

23 MR. FOLLANSBEE: Why don't we take a
24 break and you can review what the town gave me.

1 MR. KESTEN: I'm not testifying. I'm not
2 going to. I'm not testifying. I wasn't there,
3 either.

4 MR. FOLLANSBEE: That is what the town is
5 providing for documents.

6 MR. KESTEN: I agree with you.

7 MR. FOLLANSBEE: So either these are the
8 documents or there's something the town is
9 holding back, one or the other.

10 MR. KESTEN: Steve, you're missing
11 something. The witnesses -- you asked the
12 witnesses if they remember that this is it.
13 That's different than me on behalf of somebody
14 of the town producing stuff.

15 None of these folks can tell you this --
16 this is two years ago. Maybe they could.
17 Somebody could actually say, now I remember it.
18 I've been deposed myself. There's a huge
19 difference.

20 I'm not telling you that we're making the
21 point there's something else. All I'm telling
22 you is you're trying to get this poor guy to
23 look and say I absolutely remember what I saw
24 when he told you I don't remember what I saw.

1 MR. FOLLANSBEE: I'm just trying to make
2 this young man tell me what he was doing --

3 MR. KESTEN: He is.

4 MR. FOLLANSBEE: -- two years ago and
5 compare it to what the reality is now.

6 MR. KESTEN: And he is. But all I object
7 to is when you say isn't this what you saw and
8 he's told you repeatedly I can't tell you that.

9 MR. FOLLANSBEE: Let's take a five-minute
10 recess.

11 MR. KESTEN: There's a huge difference
12 there.

13 MR. FOLLANSBEE: Okay.

14 MR. JOHNSON: It's funny how nobody
15 remembers anything, Lenny. I can remember when
16 I was ten years old.

17 MR. KESTEN: I guarantee you I'll be able
18 prove to you your memory's wrong.

19 MR. JOHNSON: You'll see. You'll get the
20 chance when I'm on the stand. I can't wait.
21 Let's go.

22 MR. KESTEN: Let's go.

23 MR. JOHNSON: In September, Lenny, that's
24 right. You'll get your chance.

1
2 (Recess taken.)
3

4 Q. (By Mr. Follansbee) Mr. Studley, the materials
5 in front of you are materials that were provided
6 by the Town of Duxbury to us in response to a
7 request under the Freedom of Information Act and
8 under a request for production of documents in
9 this litigation.

10 According to the materials we've been
11 given, this is all the materials you had in
12 front of you when you were doing the
13 evaluations.

14 A. Okay.

15 Q. Do you believe that there might be some other
16 paperwork that you had that's not physically
17 here today?

18 A. No.

19 Q. Now, with regard to --

20 A. But I'm not positive, either.

21 Q. I understand that. I'm asking you what your
22 best belief is and your best belief is this is
23 all the material you had.

24 Now, with regard to your handwritten

1 notes, and I believe that's Exhibit Number 4.

2 A. Yes.

3 Q. I'm going to give you an A plus on the first
4 page where you evaluated Johnson Turf
5 Management.

6 MR. KESTEN: We're going to grade?

7 Q. So --

8 MR. KESTEN: Is there an irascibleness
9 category?

10 MR. FOLLANSBEE: There's not.
11 Thankfully, there is not.

12 Q. The rating you gave Johnson Golf Management was
13 highly advantageous across the board, correct?

14 A. Correct.

15 Q. And that's the same rating that you gave CALM
16 Golf, Incorporated, correct?

17 A. Correct.

18 Q. And you knew from your experience that Johnson
19 Golf had been managing North Hill for at least
20 all the time you worked there, correct?

21 A. Correct.

22 Q. You knew they managed other courses, as well,
23 right?

24 A. Correct.

1 Q. So it was no surprise to you that they qualified
2 under having managed two municipal golf courses?

3 A. **No surprise.**

4 Q. You didn't know anything about CALM Golf until
5 you picked up their proposal, correct?

6 A. **Correct.**

7 Q. You didn't know Mr. Lanzetta, correct?

8 A. **Correct.**

9 Q. And you didn't know any of the other principals
10 of CALM Golf so you were looking strictly at
11 this proposal, correct?

12 A. **Correct.**

13 Q. And in their proposal they gave you some
14 financial information towards the back, and I'll
15 direct your attention to it.

16 If you go from the back of their
17 proposal, and the pages are numbered in the
18 lower right hand corner, in the beginning of
19 Page 102 they gave you a form, 1120S U.S.
20 income tax return for 2007, correct?

21 A. **Correct.**

22 Q. And on Page 103 they gave you their balance
23 sheet, correct?

24 A. **Yes. Correct.**

1 Q. And if you look at item number 15 on the balance
2 sheet, they listed their total assets, correct?

3 A. **Correct.**

4 Q. So their total assets at the beginning of the
5 year were \$1,337, correct?

6 A. **Correct.**

7 Q. And their total assets at the end of the year
8 were \$169, correct?

9 A. **Correct.**

10 Q. So if their total assets were \$169, did you
11 believe that they owned all the necessary
12 equipment to operate a golf course considering
13 that they had \$169 total assets?

14 MR. JORDAN: Objection. You can answer.

15 A. **I don't even know how to answer that. I don't
16 know.**

17 Q. Well, you're familiar, having been up at the
18 course, with the amount of equipment that's
19 necessary to maintain the course, correct?

20 A. **Correct.**

21 Q. And the Town of Duxbury had indicated in their
22 proposal that you had to have a certain amount
23 of equipment, correct?

24 A. **Correct.**

1 Q. And in fact, on Page 7 of the directive in the
2 RFP that's Exhibit 1, on Page 7 they have a list
3 of equipment that the proposer has to own,
4 correct?

5 A. **Correct.**

6 Q. And in addition to the -- well, actually, one of
7 the things you have to own are 25 gas operated
8 golf carts, right?

9 A. **Yes.**

10 Q. And they certainly -- collectively, this list of
11 equipment would be worth a lot more than \$169.
12 Common sense would indicate that, wouldn't it?

13 A. **Yes.**

14 Q. In order to get a rating of highly advantageous,
15 they also needed to have three years of proven
16 ability to maintain more than one golf course in
17 top condition, correct?

18 A. **Correct.**

19 Q. And you knew from their proposal that they had
20 only maintained one golf course in their
21 history, correct?

22 A. **Reading my notes that say I questioned if a
23 junior program counted as a comparable, and so
24 at the time I guess I didn't, although I put in**

1 **my notes, in my opinion, yes, they have more
2 than one comparable entity.**

3 Q. But that's not CALM Golf, is it? That's
4 Mr. Lanzetta running a junior program someplace,
5 correct?

6 A. **Reading it quickly now, yes. And if that's what
7 it is, that's what it is. I obviously, from my
8 notes when I read through it, didn't read it
9 like that.**

10 Q. But it is clear from the material provided by
11 the Town of Duxbury that the proposer, meaning
12 CALM Golf, has to demonstrate for three or more
13 years a proven ability to maintain more than one
14 golf course or comparable business enterprise?

15 A. **Correct.**

16 Q. You are suggesting that you thought a comparable
17 business enterprise was running a junior golf
18 program?

19 MR. JORDAN: Objection.

20 Q. Is that --

21 A. **From my notes, apparently at the time that's
22 what I did think.**

23 Q. Do you believe that maintaining a golf course is
24 comparable to running a junior golf program as

1 you sit here today?

2 **A. No.**

3 **Q.** So your conclusion that CALM Golf deserved that
4 kind of rating, highly advantageous, for
5 maintenance, equipment and staff is erroneous,
6 isn't it?

7 MR. JORDAN: Objection.

8 **A. Based on everything you're saying now, yes.**

9 **Q.** Not based on what I'm saying but based on the
10 documents in front of you it's erroneous, right?

11 **A. You're saying right now. I haven't sat here and**
12 **re-read everything. And based -- I'm going**
13 **under the opinion that you're telling me**
14 **everything that's in here is the truth. Yes to**
15 **what you just said.**

16 **Q.** Don't -- although I am a very truthful person,
17 don't rely on me to tell -- be telling you the
18 truth. If you want to look at --

19 **A. I don't know.**

20 **Q.** If you want to look at Exhibit Number 3, feel
21 free to look at it.

22 **A. I don't, no.**

23 **Q.** I'm suggesting to you that Exhibit Number 3 says
24 that CALM Golf has only been in the business

1 since 2003 and they ran one golf course. That's
2 what Exhibit 3 says.

3 **A. Okay then.**

4 **Q.** And assuming that they were running one golf
5 course for a period of three months, would you
6 agree with me that they couldn't possibly --

7 **A. Yes.**

8 **Q.** -- have gotten a rating of highly advantageous
9 for maintenance, equipment and staff?

10 **A. Yes.**

11 **Q.** They didn't deserve that rating, did they?

12 MR. JORDAN: Objection.

13 **A. If that's what it has, no, they did not.**

14 **Q.** And just so that there's no confusion about
15 what's what, CALM Golf on Page 3 says that they
16 were created in December of 2002, doesn't it?

17 **A. A-huh.**

18 **Q.** Is that a yes?

19 MR. KESTEN: Is this a reading test?

MR. FOLLANSBEE: Well --

21 **A. I'm not a dummy. Yes. And again, as we're**
22 **going to speak freely here, I'm answering your**
23 **questions. I don't need to be treated like I am**
24 **two.**

1 **Q.** I'm not treating you like you are two.

2 **A. I feel like it. I can have my opinion.**

3 MR. KESTEN: Steve, you have us saying
4 doesn't this say CALM Golf, yes or no? It's
5 just why. We know what it says.

6 MR. FOLLANSBEE: Well, I want to make it
7 -- I want the record to be clear that he's got
8 the material in front of him.

9 MR. KESTEN: The record is clear that he
10 has -- no, look. I won't object to it. It's a
11 habit you have of telling people, isn't this
12 true, doesn't that say -- I can see why a
13 witness would say why are you asking that.
14 That's all.

15 I won't interfere. It's something you
16 do. A lot of people do. I've never understood
17 it. It appears that the document says that.
18 That's why I assume he feels like you're
19 treating him like a child.

20 MR. FOLLANSBEE: I'm not treating anybody
21 like a child.

22 MR. KESTEN: Well, you don't intend to,
23 yes. I agree with you that you don't intend to.

24 MR. FOLLANSBEE: I'd be much more

1 obnoxious if I was treating him like a child.

2 Ask my daughter. I'm much meaner to children
3 than I am to witnesses. She's living proof of
4 it.

5 MR. KESTEN: So stipulated.

6 **Q.** (By Mr. Follansbee) Sir, assuming that CALM Golf
7 only managed one golf course in its history and
8 that was from May of 2003 until August of 2003,
9 would you agree with me that they didn't deserve
10 a rating of highly advantageous in any category?

11 **A. Yes.**

12 MR. JORDAN: I object.

13 **Q.** And if you were -- if you were to evaluate them
14 today and the standard is that you had to have
15 three years maintaining a golf course, not three
16 months, you would not give them a rating of
17 highly advantageous based on the material that
18 they provided; is that correct?

19 **A. Correct.**

20 MR. JORDAN: Objection.
21 (Discussion off the record.)

22 MR. FOLLANSBEE: Do you need a minute?

23 MR. KESTEN: No. Just whispering to him
24 what you were whispering to him.

- 1 MR. JOHNSON: I don't think so.
- 2 MR. FOLLANSBEE: It was a lunch order.
- 3 MR. KESTEN: No. It was about a score
- 4 sheet. It's the danger of whispering in front
- 5 of me.
- 6 Q. (By Mr. Follansbee) The material that you
- 7 provided, the handwritten notes and the score
- 8 sheet, did you turn them into somebody when you
- 9 were done?
- 10 A. **Yes. I think we brought them to the town hall.**
- 11 Q. When you say we brought them to the town hall,
- 12 who's we?
- 13 A. **The other -- there were a couple of other**
- 14 **evaluators, I believe. I think we all went to**
- 15 **the town manager's office and turned them in.**
- 16 **That's what I believe happened.**
- 17 Q. Where did you physically -- did the three of you
- 18 get together to do your evaluations?
- 19 A. **No.**
- 20 Q. So how did the three of you meet to bring them
- 21 to town hall?
- 22 A. **I don't remember specifically. I remember**
- 23 **showing up at the town manager's office, I**
- 24 **believe handing in our stuff, because there was**

- 1 **John Madden who's the finance director and then**
- 2 **I believe there was a resident who I don't know**
- 3 **also there. I think there were three of us that**
- 4 **turned them in.**
- 5 Q. Were you all together when you turned them in?
- 6 A. **Yeah. We were in his office. Everyone turned**
- 7 **them in together.**
- 8 Q. Was there a specific time that you had an
- 9 appointment to go there?
- 10 A. **I'm assuming. It wasn't by chance the three of**
- 11 **us showed up there.**
- 12 Q. The other individual, was his name John Britain?
- 13 A. **Sounds right, yes.**
- 14 Q. You knew John Madden because he worked in town,
- 15 correct?
- 16 A. **He's our finance director, yeah.**
- 17 Q. But you didn't know John Britain before this?
- 18 A. **Nor after. The only time I've ever seen him was**
- 19 **that day.**
- 20 Q. Did the three of you talk -- did the three
- 21 evaluators talk about what you had to do?
- 22 A. **No. Because it was done. We were -- I do know**
- 23 **I filled this out at the rec office and brought**
- 24 **it there, so when I got there it was done.**

- 1 Q. Did you have any questions when you were filling
- 2 it out that you asked anybody?
- 3 A. **No. My door was closed. I did it alone.**
- 4 Q. In your notes that's Exhibit 4 I guess, you
- 5 indicate on the page -- it's 38 in the lower
- 6 right-hand corner. You indicate in evaluating
- 7 Mr. Gunnarson's proposal that Gunnarson -- at
- 8 the bottom, and forgive me, I think your
- 9 handwriting says, "Reason why advantageous and
- 10 not highly." Is that what it says?
- 11 A. **That's what it looks like, yeah.**
- 12 Q. It references the fact up at the top which is
- 13 like the third written line down that
- 14 Mr. Gunnarson was not currently managing a
- 15 course, right?
- 16 A. **Yep. Yes.**
- 17 Q. So that you ranked him -- you gave him less than
- 18 the best rating because he wasn't currently
- 19 managing a course, correct?
- 20 A. **Yes.**
- 21 Q. And you indicate that under financial that
- 22 Gunnarson would get highly advantageous,
- 23 correct?
- 24 A. **That is what I put.**

- 1 Q. And do you know if Gunnarson had provided you
- 2 with audited financial statements?
- 3 A. **I honestly don't remember.**
- 4 Q. Would you agree with me having had a chance to
- 5 review the material that Duxbury provided you
- 6 that unless a vendor gave you audited financial
- 7 statements, they couldn't possibly get highly
- 8 advantageous?
- 9 A. **Yes.**
- 10 Q. So anybody that didn't give you highly
- 11 advantageous, they couldn't get the best rating
- 12 if you fairly treat --
- 13 A. **Anybody that didn't give me the financials, you**
- 14 **mean?**
- 15 Q. What did I say?
- 16 MR. KESTEN: You said anybody that didn't
- 17 give you highly advantageous.
- 18 Q. All right. Let me --
- 19 MR. KESTEN: If you say it again, I'll
- 20 beat you up.
- 21 Q. Let me try it from the top.
- 22 Assuming a vendor did not give you
- 23 audited financial statements, do you agree that
- 24 they did not deserve a rating of highly

1 advantageous?

2 **A. I knew what you meant to say. And yes, agreed.**

3 **Q. Okay. Thank you.**

4 In your experience in the years that you
5 may have attended some of the meetings at North
6 Hill Advisory Committee, you indicated that your
7 role was --

8 **A. Nothing.**

9 **Q. -- pretty much limited to opening the door?**

10 **A. Yes.**

11 **Q. And then you'd sit on the panel and just let
12 them do what they do; is that correct?**

13 **A. Correct.**

14 **Q. Did you have any interaction with Mr. Sheehan as
15 one of the board members at that time?**

16 **A. No. I don't, you know, what -- again, I'm not
17 going to swear to it, but I don't think he was.
18 It was once or twice that I covered for Gordon
19 that he was on it. It was early and maybe he
20 was, but I could be mistaken, but I don't
21 remember ever seeing him, so no.**

22 **Q. And other than the fact that you knew he had a
23 landscaping business in town, did you have any
24 other relationship with him? Did you know him?**

1 **A. No.**

2 **Q. Do you know Mr. Geary who was on the board?**

3 **A. Mr. Geary? No.**

4 **Q. John Geary?**

5 **A. No. I know who he is now. His son plays
6 basketball at Duxbury High School. That's --**

7 **Q. Is he any good?**

8 **A. Yeah. He is good.**

9 **Q. Okay. When I talk to John I'm going to tell him
10 you said his kid was good. What does he play?**

11 **A. He's a shooting guard but he's about six-two.**

12 **MR. FOLLANSBEE: As soon as you said
13 shooting, you made an enemy from Lenny. He
14 wants people to pass the ball to him all the
15 time.**

16 **MR. KESTEN: You got it. Pass me the
17 ball, play defense.**

18 **(Discussion off the record.)**

19 **MR. FOLLANSBEE: I'm going to take two
20 minutes, and I might be pretty close to the end.
21 I'm not going to say that I'm only going to have
22 one more question.**

23
24 **(Recess taken.)**

1

2 **Q. Do you have any role in dealing with the town
3 website for the Recreation Department?**

4 **A. No.**

5 **Q. Who does that?**

6 **A. Our secretary.**

7 **Q. What's her name?**

8 **A. Loretta Doyle. And I need to learn it but I
9 haven't yet.**

10 **Q. Well, you saved yourself five or six minutes by
11 not knowing it.**

12 **MR. KESTEN: Could you give him ahead of
13 time what he should say he doesn't know?**

14 **Q. And I may have asked you this already. If I
15 did, I'm sorry to repeat it, but other than
16 discussing the evaluations and the process with
17 Gordon Cushing, was there anybody else in town
18 that you discussed it with?**

19 **A. The town manager also knows that I was coming
20 here today, and obviously he -- I shouldn't say
21 obviously. I don't know if he was the one that
22 gave it to Gordon. I discussed with him when I
23 turned in my -- when I turned in the evaluation
24 stuff. Like I said, it was him, John Madden and**

1 **John.**

2 **Q. When you turned your material in you physically
3 gave it to Mr. McCarthy, the town manager?**

4 **A. Correct.**

5 **Q. And did you talk to him about anything that was
6 in your evaluation?**

7 **A. I don't know if we -- I'm trying to remember if
8 we -- the three of us turned them in and then I
9 wasn't there for the rest of the process. So I
10 don't -- I don't specifically remember him
11 saying why did you give this or -- I don't
12 remember any specific questions from him. So I
13 guess, again, I don't remember.**

14 **Q. Well, prior to turning everything in and prior
15 to actually physically filling out the score
16 sheets --**

17 **A. Okay.**

18 **Q. -- did you discuss the fact that you were going
19 to do the evaluations with anybody other than
20 Gordon?**

21 **A. No. Because Gordon told me, and I don't
22 remember how long out, a few days in advance,
23 and that was the first I knew I was going to be
24 involved in this process. So no.**

- 1 Q. You had no conversation with Mr. McCarthy about
2 that process; it was only with Mr. Cushing?
- 3 A. **Correct. To the best of my knowledge.**
- 4 Q. Did you have anything to do with the bid process
5 back in March of this year at the golf course?
- 6 A. **No. Other than I was at -- I don't know if you
7 call it an open house or a walk -- there was a
8 walkthrough scheduled, I believe, where people
9 that were considering bidding could come up to
10 the course and walk through it. I was there
11 that day. Other than that, that's all I can
12 remember.**
- 13 Q. Who else was there at that point? Do you
14 remember who was with you?
- 15 A. **I went there with Gordon.**
- 16 Q. Okay.
- 17 A. **What's Kelly's husband's name?**
- 18 Q. Jason Lamarre.
- 19 A. **Jason was there. There was a woman from --
20 Sheehan's from there.**
- 21 Q. Pilgrim Golf?
- 22 A. **There was a woman from Pilgrim Golf there. I
23 don't know who she was.**
- 24 Q. And this was at a point where there wasn't any

- 1 golf being played; is that correct?
- 2 A. **I don't remember when it was. Yeah. Weather
3 must have been -- I don't remember golf going
4 on.**
- 5 Q. Were you inside the clubhouse?
- 6 A. **Yes.**
- 7 Q. And was that the time that the fire department
8 opened the door for you?
- 9 A. **Could have been but I'm not positive. I
10 remember the incident. I remember what you are
11 talking about, but I don't know if it was what
12 that was for.**
- 13 Q. Were you there that day?
- 14 A. **When the fire department opened the door?**
- 15 Q. Yes.
- 16 A. **Yes.**
- 17 Q. And that you didn't have keys to the facility;
18 is that it?
- 19 A. **I've never had keys to the facility.**
- 20 Q. Was Joe Eckstrom there that day, too?
- 21 A. **Joe showed up.**
- 22 **MR. FOLLANSBEE: I don't have anything**
23 **further.**
24 **(The deposition concluded at 11:35 a.m.)**

CERTIFICATE

Commonwealth of Massachusetts
Essex, ss.

I, Jessica F. Story, Certified Shorthand
Reporter, Registered Professional Reporter and
Notary Public in and for the Commonwealth of
Massachusetts, do hereby certify: that STEVEN
STUDLEY, the witness whose deposition is
hereinbefore set forth, was satisfactorily
identified by his Massachusetts driver's
license, then duly sworn by me, and that such
deposition is a true record of the testimony
given by the said witness.

I further certify that I am not a
relative or employee or counsel or attorney for
any of the parties, or a relative or employee of
such counsel or attorney, nor am I financially
or otherwise interested in the outcome of the
action.

IN WITNESS WHEREOF, I have hereunto set
my hand and notarial seal this 28th day of July,
2011.

Jessica F. Story, CSR, RPR

My commission expires
on September 13, 2013

ERRATA SHEET

PAGE	LINE	REASON FOR CORRECTION
3	_____	_____
4	_____	_____
5	_____	_____
6	_____	_____
7	_____	_____
8	_____	_____
9	_____	_____
10	_____	_____
11	_____	_____
12	_____	_____
13	_____	_____
14	_____	_____
15	_____	_____
16	_____	_____
17	_____	_____
18	_____	_____
19	_____	_____
20	_____	_____
21	_____	_____
22	_____	_____
23	_____	_____
24	DATE: _____	SIGNATURE: _____

1
2
3
4 CERTIFICATE
5

6 I, STEVEN STUDLEY, do hereby certify that
7 I have read the foregoing transcript of my
8 testimony, and further certify that said
9 transcript is a true and accurate record of said
10 testimony.

11 Signed under the pains and penalties of
12 perjury this ____ day of _____,
13 2011.
14
15
16

17 STEVEN STUDLEY
18
19
20
21
22
23
24

<div>\$</div> <div>\$1,337 [1] - 38:5</div> <div>\$169 [4] - 38:8, 38:10, 38:13, 39:11</div>	<div>57:13</div> <div>2013 [1] - 55:24</div> <div>21 [1] - 3:11</div> <div>25 [1] - 39:7</div> <div>28th [1] - 55:21</div>	<div>according [5] - 20:17, 25:16, 30:10, 30:20, 35:10</div> <div>accountant [1] - 26:9</div> <div>accurate [1] - 57:9</div> <div>achieve [2] - 26:4, 27:15</div> <div>across [1] - 36:13</div> <div>Act [1] - 35:7</div> <div>action [1] - 55:19</div> <div>actual [2] - 7:13, 21:9</div> <div>actually [5] - 7:20, 19:11, 33:17, 39:6, 52:15</div> <div>addition [1] - 39:6</div> <div>address [1] - 4:17</div> <div>advance [1] - 52:22</div> <div>advantageous [21] - 26:1, 26:5, 26:23, 27:6, 27:16, 28:2, 29:1, 31:1, 31:22, 36:13, 39:14, 41:4, 42:8, 44:10, 44:17, 47:9, 47:22, 48:8, 48:11, 48:17, 49:1</div> <div>advertising [1] - 12:14</div> <div>Advisory [6] - 2:8, 2:15, 14:20, 14:24, 15:7, 49:6</div> <div>ADVISORY [1] - 1:9</div> <div>after [6] - 6:14, 7:21, 8:13, 9:3, 23:3, 46:18</div> <div>again [12] - 17:21, 21:14, 23:15, 28:7, 28:8, 29:10, 30:22, 32:13, 42:21, 48:19, 49:16, 52:13</div> <div>ago [4] - 21:16, 23:16, 33:16, 34:4</div> <div>agree [7] - 27:3, 33:6, 42:6, 43:23, 44:9, 48:4, 48:23</div> <div>agreed [1] - 49:2</div> <div>ahead [1] - 51:12</div> <div>all [18] - 7:21, 19:13, 19:19, 27:7, 28:7, 29:15, 33:21, 34:6, 35:11, 35:23, 36:20, 38:11, 43:14, 45:14, 46:5, 48:18, 50:14, 53:11</div> <div>Allen [1] - 12:4</div> <div>alone [1] - 47:3</div> <div>already [2] - 32:5, 51:14</div> <div>also [7] - 6:15, 6:22, 8:4, 20:13, 39:15, 46:3, 51:19</div> <div>ALSO [1] - 2:19</div> <div>although [2] - 39:24,</div>	<div>41:16</div> <div>am [8] - 11:14, 29:10, 32:14, 41:16, 42:23, 44:3, 55:14, 55:17</div> <div>amiss [1] - 8:15</div> <div>amount [2] - 38:18, 38:22</div> <div>another [1] - 28:21</div> <div>answer [6] - 5:10, 9:16, 18:7, 28:6, 38:14, 38:15</div> <div>answering [1] - 42:22</div> <div>ANTHONY [1] - 1:11</div> <div>Anthony [2] - 2:10, 2:16</div> <div>any [37] - 5:13, 9:6, 10:6, 10:8, 10:23, 11:16, 12:8, 12:11, 12:14, 12:18, 13:10, 14:17, 15:4, 15:15, 15:19, 16:3, 16:4, 17:16, 22:14, 23:13, 23:15, 24:1, 24:5, 27:8, 37:9, 44:10, 47:1, 49:14, 49:23, 50:7, 51:2, 52:12, 53:24, 55:16</div> <div>anybody [14] - 16:7, 19:3, 19:7, 19:21, 22:17, 24:2, 24:6, 43:20, 47:2, 48:10, 48:13, 48:16, 51:17, 52:19</div> <div>anyone [1] - 11:24</div> <div>anything [12] - 9:15, 10:13, 15:6, 15:24, 22:14, 28:12, 28:18, 34:15, 37:4, 52:5, 53:4, 54:22</div> <div>anyway [1] - 7:22</div> <div>apparently [1] - 40:21</div> <div>APPEARANCES [1] - 2:1</div> <div>appears [1] - 43:17</div> <div>applicable [1] - 1:17</div> <div>appointment [1] - 46:9</div> <div>approached [1] - 16:19</div> <div>approximately [1] - 28:3</div> <div>area [1] - 26:23</div> <div>arrive [2] - 24:2, 31:19</div> <div>arrived [1] - 26:21</div> <div>ascertain [1] - 29:18</div> <div>ask [6] - 20:1, 21:2, 21:6, 31:2, 44:2</div> <div>asked [4] - 16:20, 33:11, 47:2, 51:14</div> <div>asking [4] - 5:8, 29:6, 35:21, 43:13</div>	<div>assets [5] - 38:2, 38:4, 38:7, 38:10, 38:13</div> <div>assistant [9] - 5:1, 6:20, 6:21, 6:23, 7:1, 7:2, 7:5, 8:4, 9:5</div> <div>associate [1] - 9:18</div> <div>Associates [1] - 2:13</div> <div>assume [1] - 43:18</div> <div>assuming [10] - 17:22, 18:8, 21:17, 23:14, 23:17, 32:7, 42:4, 44:6, 46:10, 48:22</div> <div>athletic [1] - 9:3</div> <div>athletics [1] - 8:14</div> <div>attend [3] - 14:23, 15:15, 24:5</div> <div>attended [1] - 49:5</div> <div>attention [2] - 24:19, 37:15</div> <div>attorney [2] - 55:15, 55:17</div> <div>Attorney [3] - 2:4, 2:8, 2:14</div> <div>audited [6] - 26:8, 26:18, 26:24, 48:2, 48:6, 48:23</div> <div>August [2] - 27:22, 44:8</div> <div>Avenue [2] - 1:19, 4:19</div> <div>average [1] - 11:12</div> <div>aware [3] - 15:21, 17:4, 22:6</div>
<div>!</div>	<div>3</div>			
<div>'95 [1] - 6:18</div> <div>'97 [1] - 6:13</div> <div>'99 [11] - 6:13, 6:18, 6:20, 6:23, 6:24, 9:23, 10:7, 10:21, 11:10, 12:22, 13:20</div>	<div>30 [1] - 7:18</div> <div>31st [1] - 27:23</div> <div>38 [1] - 47:5</div> <div>383 [1] - 4:18</div>			
<div>0</div>	<div>5</div>			
<div>02109 [1] - 1:23</div> <div>02116 [1] - 2:7</div> <div>02184 [1] - 2:4</div> <div>02563 [1] - 2:14</div> <div>08-04641-B [1] - 1:4</div>	<div>536 [2] - 1:19, 2:3</div> <div>57 [1] - 1:1</div>	<div>6</div>		
<div>1</div>	<div>617.723.7321 [1] - 1:24</div> <div>617.723.7322 [1] - 1:24</div> <div>6A [1] - 2:13</div>			
<div>1-3 [1] - 4:3</div> <div>100 [1] - 7:20</div> <div>100's [1] - 7:22</div> <div>102 [1] - 37:19</div> <div>103 [1] - 37:22</div> <div>10:08 [1] - 1:20</div> <div>11 [2] - 27:21, 29:20</div> <div>1120S [1] - 37:19</div> <div>11:35 [1] - 54:24</div> <div>12 [1] - 15:2</div> <div>13 [1] - 55:24</div> <div>15 [1] - 38:1</div> <div>19 [1] - 1:20</div> <div>1989 [1] - 5:19</div> <div>1994 [3] - 5:21, 6:1, 6:7</div> <div>1997 [1] - 6:7</div>	<div>70 [3] - 7:17, 8:15, 8:16</div> <div>70-30 [1] - 7:13</div>	<div>7</div>		
<div>2</div>	<div>90 [1] - 2:13</div> <div>90-10 [1] - 7:14</div> <div>91 [1] - 26:17</div> <div>92 [1] - 1:23</div>	<div>A</div>		
<div>2000's [1] - 13:21</div> <div>2001 [1] - 8:7</div> <div>2002 [1] - 42:16</div> <div>2003 [6] - 6:24, 27:22, 27:23, 42:1, 44:8</div> <div>2007 [1] - 37:20</div> <div>2008 [4] - 15:13, 15:21, 16:4, 21:21</div> <div>2009 [5] - 15:13, 18:13, 20:19, 21:22, 32:2</div> <div>2010 [4] - 10:8, 10:21, 11:10, 12:22</div> <div>2011 [3] - 1:20, 55:22,</div>	<div>a-huh [3] - 25:1, 27:14, 42:17</div> <div>a.m [2] - 1:20, 54:24</div> <div>ability [2] - 39:16, 40:13</div> <div>able [3] - 14:12, 23:18, 34:17</div> <div>about [22] - 4:22, 8:15, 12:17, 13:19, 18:23, 19:19, 19:21, 20:6, 22:2, 22:14, 22:18, 24:13, 31:3, 37:4, 42:14, 45:3, 46:21, 50:11, 52:5, 53:1, 54:11</div> <div>absolutely [1] - 33:23</div>			

<p>32:20, 45:24, 46:14, 46:22, 47:18, 52:21</p> <p>become [2] - 15:21, 17:11</p> <p>been [20] - 4:10, 5:6, 6:2, 8:6, 17:4, 17:5, 18:4, 18:10, 19:24, 20:16, 22:9, 23:17, 32:15, 33:18, 35:10, 36:19, 38:17, 41:24, 54:3, 54:9</p> <p>before [4] - 1:17, 5:6, 32:12, 46:17</p> <p>beginning [3] - 5:17, 37:18, 38:4</p> <p>behalf [3] - 1:16, 4:10, 33:13</p> <p>being [3] - 11:24, 15:7, 54:1</p> <p>belief [2] - 35:22</p> <p>believe [19] - 6:7, 6:13, 12:6, 16:9, 17:21, 20:14, 24:8, 24:15, 24:17, 26:14, 35:15, 36:1, 38:11, 40:23, 45:14, 45:16, 45:24, 46:2, 53:8</p> <p>below [1] - 24:23</p> <p>best [7] - 11:6, 13:1, 35:22, 47:18, 48:11, 53:3</p> <p>better [2] - 11:22, 13:21</p> <p>bid [3] - 15:15, 15:22, 53:4</p> <p>bidders [2] - 16:4</p> <p>bidding [3] - 17:14, 22:11, 53:9</p> <p>bids [1] - 18:13</p> <p>Bill [1] - 12:3</p> <p>bit [1] - 20:7</p> <p>black [1] - 29:9</p> <p>board [3] - 36:13, 49:15, 50:2</p> <p>BOSTON [1] - 1:23</p> <p>Boston [2] - 2:7, 7:7</p> <p>both [1] - 24:21</p> <p>bottom [3] - 22:24, 29:23, 47:8</p> <p>Braintree [2] - 1:19, 2:4</p> <p>BRAMANTI [1] - 1:22</p> <p>break [1] - 32:24</p> <p>bring [1] - 45:20</p> <p>bringing [1] - 19:11</p> <p>Britain [2] - 46:12, 46:17</p> <p>Brody [1] - 2:6</p> <p>brought [3] - 45:10, 45:11, 46:23</p> <p>budget [1] - 13:22</p>	<p>budget-wise [1] - 13:22</p> <p>building [1] - 14:12</p> <p>built [1] - 14:2</p> <p>business [6] - 27:18, 31:14, 40:14, 40:17, 41:24, 49:23</p> <p>but [37] - 9:12, 11:14, 14:5, 14:10, 15:3, 15:4, 16:10, 17:22, 18:8, 20:14, 20:23, 21:17, 23:13, 23:14, 24:15, 28:7, 29:9, 29:10, 30:6, 30:20, 31:14, 32:7, 32:10, 34:6, 35:20, 40:3, 40:10, 41:9, 46:17, 49:17, 49:20, 50:11, 51:8, 51:15, 54:9, 54:11</p> <p>by [23] - 3:4, 4:11, 5:8, 8:11, 16:11, 16:19, 17:6, 18:5, 22:20, 26:8, 27:4, 30:21, 31:18, 35:4, 35:6, 40:10, 44:6, 45:6, 46:10, 51:10, 55:10, 55:11, 55:13</p> <p>BY [1] - 4:15</p>	<p>27:11, 31:1, 31:20, 36:9, 44:10</p> <p>certain [1] - 38:22</p> <p>certainly [1] - 39:10</p> <p>CERTIFICATE [2] - 55:1, 57:4</p> <p>Certified [2] - 1:18, 55:4</p> <p>certified [1] - 26:9</p> <p>certify [4] - 55:7, 55:14, 57:6, 57:8</p> <p>cetera [1] - 29:14</p> <p>CHAIRMAN [1] - 1:10</p> <p>Chairman [2] - 2:9, 2:16</p> <p>chance [5] - 31:5, 34:20, 34:24, 46:10, 48:4</p> <p>CHARLES [1] - 1:13</p> <p>Charles [1] - 30:1</p> <p>Charlie [1] - 30:9</p> <p>cheerleading [1] - 9:2</p> <p>child [3] - 43:19, 43:21, 44:1</p> <p>children [1] - 44:2</p> <p>Civil [1] - 1:17</p> <p>clarify [1] - 19:8</p> <p>classes [1] - 24:5</p> <p>cleaner [1] - 6:5</p> <p>clear [6] - 5:15, 31:7, 32:15, 40:10, 43:7, 43:9</p> <p>close [1] - 50:20</p> <p>closed [1] - 47:3</p> <p>Club [5] - 18:12, 20:20, 21:21, 22:4, 29:24</p> <p>clubhouse [5] - 14:2, 14:8, 14:11, 14:13, 54:5</p> <p>coach [8] - 6:15, 6:17, 6:19, 6:20, 6:21, 7:1, 7:6, 8:5</p> <p>coaching [1] - 32:14</p> <p>collectively [1] - 39:10</p> <p>College [2] - 5:20, 6:22</p> <p>come [1] - 53:9</p> <p>comes [2] - 12:16, 15:6</p> <p>coming [2] - 19:2, 51:19</p> <p>commencing [1] - 1:20</p> <p>commission [1] - 55:24</p> <p>COMMITTEE [1] - 1:9</p> <p>Committee [6] - 2:9, 2:15, 14:20, 14:24, 15:8, 49:6</p> <p>common [1] - 39:12</p>	<p>COMMONWEALTH [1] - 1:3</p> <p>Commonwealth [3] - 1:18, 55:2, 55:6</p> <p>communicate [1] - 14:16</p> <p>communication [2] - 5:23, 14:15</p> <p>companies [6] - 16:21, 17:13, 18:17, 20:13, 22:15, 23:2</p> <p>company [6] - 6:4, 16:12, 18:2, 18:6, 30:16, 31:7</p> <p>comparable [6] - 27:18, 39:23, 40:2, 40:14, 40:16, 40:24</p> <p>compare [1] - 34:5</p> <p>complies [3] - 20:3, 21:3, 31:4</p> <p>conceivably [1] - 27:5</p> <p>concluded [2] - 25:24, 54:24</p> <p>conclusion [3] - 26:22, 31:19, 41:3</p> <p>conclusions [1] - 25:17</p> <p>condition [1] - 39:17</p> <p>conferences [1] - 15:15</p> <p>confident [2] - 24:10, 24:12</p> <p>confusion [1] - 42:14</p> <p>consecutively [1] - 6:3</p> <p>considered [1] - 29:16</p> <p>considering [2] - 38:12, 53:9</p> <p>Consisting [2] - 2:9, 2:15</p> <p>CONSISTING [1] - 1:10</p> <p>contact [4] - 10:1, 10:4, 13:7, 13:8</p> <p>contract [3] - 15:22, 27:22, 28:3</p> <p>conversation [3] - 19:14, 19:15, 53:1</p> <p>cooking [1] - 8:14</p> <p>coordinate [1] - 8:10</p> <p>coordinator [2] - 8:3, 8:8</p> <p>copies [1] - 15:10</p> <p>corner [2] - 37:18, 47:6</p> <p>correct [47] - 4:7, 5:4, 7:4, 14:13, 17:20, 22:12, 25:9, 26:1, 26:5, 26:9, 26:19, 27:23, 28:4, 30:5, 30:6, 30:17, 31:8,</p>	<p>31:11, 31:15, 31:22, 32:3, 36:13, 36:14, 36:16, 36:20, 37:5, 37:7, 37:11, 37:20, 37:23, 37:24, 38:2, 38:5, 38:8, 38:19, 38:23, 39:4, 39:17, 39:21, 40:5, 44:18, 46:15, 47:19, 47:23, 49:12, 53:3, 54:1</p> <p>Correct [24] - 5:5, 14:14, 26:20, 31:9, 31:12, 31:16, 36:17, 36:21, 36:24, 37:6, 37:8, 37:12, 37:21, 38:3, 38:6, 38:9, 38:20, 38:24, 39:5, 39:18, 40:15, 44:19, 49:13, 52:4</p> <p>CORRECTION [1] - 56:2</p> <p>couldn't [3] - 42:6, 48:7, 48:11</p> <p>counsel [4] - 19:6, 32:10, 55:15, 55:17</p> <p>counted [1] - 39:23</p> <p>Country [4] - 18:11, 20:20, 21:21, 22:4</p> <p>couple [3] - 18:22, 19:18, 45:13</p> <p>Course [5] - 29:13, 30:2, 30:3, 30:4, 30:12</p> <p>course [31] - 9:7, 9:12, 9:17, 9:19, 9:24, 10:2, 10:9, 10:14, 11:21, 13:15, 13:19, 14:17, 16:22, 28:22, 29:3, 30:2, 38:12, 38:18, 38:19, 39:16, 39:20, 40:14, 40:23, 42:1, 42:5, 44:7, 44:15, 47:15, 47:19, 53:5, 53:10</p> <p>course's [1] - 9:20</p> <p>courses [5] - 10:23, 28:14, 28:19, 36:22, 37:2</p> <p>COURT [2] - 1:4, 1:22</p> <p>court [1] - 22:6</p> <p>covered [1] - 49:18</p> <p>Craig [1] - 2:12</p> <p>created [1] - 42:16</p> <p>criteria [1] - 24:23</p> <p>CSR [1] - 55:23</p> <p>current [2] - 16:10, 29:6</p> <p>currently [3] - 8:6, 47:14, 47:18</p> <p>CUSHING [1] - 1:12</p> <p>Cushing [6] - 2:11,</p>
--	---	--	--	--

2:17, 5:3, 14:16, 51:17, 53:2				
D				F
danger [1] - 45:4 DATE [1] - 56:24 date [1] - 14:7 dates [1] - 14:4 daughter [1] - 44:2 day [8] - 9:21, 46:19, 53:11, 54:13, 54:20, 55:21, 57:12 day-to-day [1] - 9:21 days [2] - 18:22, 52:22 dealing [2] - 13:10, 51:2 December [2] - 21:21, 42:16 Defendants [3] - 1:14, 2:8, 2:14 defense [1] - 50:17 degree [3] - 5:22, 5:23, 6:2 demolished [2] - 14:8, 14:11 demonstrate [1] - 40:12 Department [9] - 7:13, 8:1, 8:2, 8:9, 9:19, 9:22, 12:7, 12:11, 51:3 department [5] - 7:15, 9:10, 13:21, 54:7, 54:14 Deponent's [1] - 3:11 deposed [2] - 5:6, 33:18 deposes [1] - 4:13 Deposition [1] - 3:2 deposition [6] - 19:9, 19:12, 19:17, 54:24, 55:8, 55:12 DEPOSITION [1] - 1:16 described [2] - 13:14, 17:24 describes [2] - 25:6, 26:3 deserve [4] - 29:1, 42:11, 44:9, 48:24 deserved [1] - 41:3 determine [1] - 18:17 determined [1] - 30:11 devote [2] - 7:8, 7:20 devoting [1] - 7:17 difference [2] - 33:19, 34:11 different [2] - 11:22, 33:13	direct [2] - 31:19, 37:15 directing [2] - 11:10, 24:19 direction [1] - 24:5 directions [8] - 17:18, 23:1, 23:5, 23:6, 23:8, 23:11, 23:13, 23:19 directive [1] - 39:1 director [7] - 5:1, 6:23, 7:3, 7:5, 9:6, 46:1, 46:16 disclosed [1] - 18:5 discuss [3] - 19:7, 19:8, 52:18 discussed [4] - 19:2, 19:13, 51:18, 51:22 discussing [2] - 19:10, 51:16 discussion [1] - 44:21 Discussion [2] - 11:8, 50:18 DOCKET [1] - 1:4 document [9] - 16:1, 18:4, 18:15, 20:4, 20:21, 21:1, 21:2, 27:13, 43:17 documents [5] - 18:16, 33:5, 33:8, 35:8, 41:10 does [3] - 26:17, 50:10, 51:5 doesn't [7] - 32:6, 32:17, 32:21, 42:16, 43:4, 43:12, 51:13 doing [5] - 21:12, 21:15, 23:3, 34:2, 35:12 don't [69] - 5:13, 12:6, 12:15, 12:18, 14:4, 14:10, 14:18, 15:1, 15:3, 15:4, 15:16, 17:21, 18:8, 18:18, 18:24, 19:9, 20:14, 20:22, 20:23, 21:14, 21:15, 22:1, 23:9, 23:13, 23:15, 23:17, 24:4, 24:8, 24:11, 24:14, 28:8, 28:9, 28:11, 32:7, 32:19, 32:23, 33:24, 38:15, 41:16, 41:17, 41:19, 41:22, 42:23, 43:22, 43:23, 45:1, 45:22, 46:2, 48:3, 49:16, 49:17, 49:20, 51:21, 52:7, 52:10, 52:11, 52:13, 52:21, 53:6, 53:23, 54:2, 54:3, 54:11, 54:22	Don't [2] - 19:4, 19:16 done [5] - 14:10, 18:22, 45:9, 46:22, 46:24 DOOLIN [1] - 1:10 Doolin [2] - 2:9, 2:15 door [5] - 15:9, 47:3, 49:9, 54:8, 54:14 Douglas [1] - 2:20 down [1] - 47:13 Doyle [1] - 51:8 driver's [2] - 4:12, 55:10 due [1] - 18:13 duly [2] - 4:12, 55:11 dummy [1] - 42:21 during [7] - 7:12, 7:16, 9:22, 10:7, 10:18, 11:9, 12:21 duties [1] - 8:2 duty [1] - 8:3 Duxbury [22] - 2:8, 2:15, 5:2, 6:10, 6:11, 6:16, 7:2, 7:18, 7:20, 8:6, 9:6, 14:1, 16:12, 20:18, 27:5, 30:21, 31:18, 35:6, 38:21, 40:11, 48:5, 50:6 DUXBURY [1] - 1:9 Duxbury's [1] - 27:13	entity [1] - 40:2 equipment [8] - 25:8, 38:12, 38:18, 38:23, 39:3, 39:11, 41:5, 42:9 ERRATA [1] - 56:1 erroneous [2] - 41:5, 41:10 Esq [3] - 2:2, 2:6, 2:12 Essex [1] - 55:2 et [1] - 29:14 evaluate [6] - 18:6, 22:19, 24:23, 25:15, 28:1, 44:13 evaluated [1] - 36:4 evaluating [5] - 22:22, 30:16, 30:18, 32:2, 47:6 evaluation [2] - 51:23, 52:6 Evaluation [1] - 3:11 evaluations [6] - 21:12, 22:8, 35:13, 45:18, 51:16, 52:19 evaluator [1] - 21:19 evaluators [3] - 17:12, 45:14, 46:21 even [2] - 7:16, 38:15 ever [6] - 5:6, 14:16, 14:23, 22:2, 46:18, 49:21 every [1] - 22:6 everyone [1] - 46:6 everything [4] - 41:8, 41:12, 41:14, 52:14 evidently [1] - 32:10 Ex [2] - 2:11, 2:17 EX [1] - 1:12 exactly [2] - 17:18, 17:22 EXAMINATION [1] - 4:15 Examination [1] - 3:4 Exeter [1] - 2:7 exhibit [2] - 21:7, 21:9 Exhibit [15] - 18:11, 19:24, 20:17, 21:8, 23:21, 23:24, 24:19, 25:18, 26:15, 36:1, 39:2, 41:20, 41:23, 42:2, 47:4 EXHIBITS [1] - 1:2 Exhibits [2] - 3:6, 4:3 experience [8] - 25:7, 27:12, 30:24, 31:13, 31:15, 31:21, 36:18, 49:4 expires [1] - 55:24 explain [1] - 26:21	facility [2] - 54:17, 54:19 fact [6] - 22:2, 32:11, 39:1, 47:12, 49:22, 52:18 fairly [3] - 26:11, 28:1, 48:12 fall [1] - 8:13 familiar [3] - 12:3, 15:12, 38:17 far [6] - 8:8, 10:13, 13:6, 13:13, 14:15, 15:19 FAX [1] - 1:24 feel [2] - 41:20, 43:2 feels [1] - 43:18 few [3] - 11:3, 31:2, 52:22 fill [2] - 23:1, 23:18 filled [2] - 20:11, 46:23 filling [2] - 47:1, 52:15 finance [2] - 46:1, 46:16 financial [12] - 25:9, 25:21, 25:24, 26:7, 26:18, 26:23, 27:1, 37:14, 47:21, 48:2, 48:6, 48:23 financially [1] - 55:17 financials [1] - 48:13 fire [2] - 54:7, 54:14 firm [2] - 27:17, 31:14 first [5] - 4:10, 13:20, 14:9, 36:3, 52:23 five [2] - 34:9, 51:10 five-minute [1] - 34:9 flag [1] - 8:13 FLOREANO [1] - 1:11 Floreano [2] - 2:10, 2:16 folks [2] - 16:5, 33:15 Follansbee [7] - 1:19, 2:2, 2:3, 3:4, 35:4, 44:6, 45:6 FOLLANSBEE [21] - 4:5, 4:15, 21:6, 32:8, 32:23, 33:4, 33:7, 34:1, 34:4, 34:9, 34:13, 36:10, 42:20, 43:6, 43:20, 43:24, 44:22, 45:2, 50:12, 50:19, 54:22 follow [3] - 17:18, 23:4, 23:11 follows [1] - 4:13 football [1] - 8:13 FOR [1] - 56:2 force [1] - 32:16

<p>Ford [2] - 2:11, 2:17 FORD [1] - 1:12 foregoing [1] - 57:7 forget [3] - 19:4, 19:9, 19:16 forgive [1] - 47:8 forgot [1] - 24:9 form [1] - 37:19 Form [1] - 3:8 forth [2] - 31:18, 55:9 four [3] - 6:22, 12:16, 28:3 free [1] - 41:21 Freedom [1] - 35:7 freely [1] - 42:22 freshman [1] - 8:5 front [5] - 35:5, 35:12, 41:10, 43:8, 45:4 funny [1] - 34:14 further [3] - 54:23, 55:14, 57:8</p>	<p>9:19, 9:24, 10:1, 10:9, 10:14, 10:16, 10:19, 10:23, 11:20, 11:24, 12:8, 12:22, 13:15, 13:19, 14:17, 16:21, 28:14, 28:19, 28:21, 29:3, 31:14, 37:2, 38:12, 39:8, 39:16, 39:20, 40:14, 40:17, 40:23, 40:24, 42:1, 42:4, 44:7, 44:15, 53:5, 54:1, 54:3 GOLF [2] - 1:6, 1:13 Golf [39] - 3:9, 13:7, 14:2, 16:5, 20:18, 25:22, 26:1, 26:15, 26:22, 27:5, 27:21, 27:22, 28:12, 29:13, 29:17, 29:22, 29:24, 30:2, 30:3, 30:4, 30:12, 30:17, 31:8, 31:20, 36:12, 36:16, 36:19, 37:4, 37:10, 40:3, 40:12, 41:3, 41:24, 42:15, 43:4, 44:6, 53:21, 53:22 good [4] - 4:16, 50:7, 50:8, 50:10 Gordon [28] - 2:11, 2:17, 5:3, 9:13, 10:5, 14:15, 14:16, 15:3, 17:1, 17:9, 17:10, 19:4, 19:8, 19:14, 19:19, 21:22, 22:2, 22:14, 22:17, 24:6, 24:13, 24:15, 49:18, 51:17, 51:22, 52:20, 52:21, 53:15 GORDON [1] - 1:12 got [5] - 6:1, 23:13, 43:7, 46:24, 50:16 gotten [1] - 42:8 grade [1] - 36:6 graduated [2] - 5:19, 5:20 Granite [2] - 1:19, 2:3 Green [6] - 29:12, 29:13, 29:17, 29:22, 29:24, 30:3 grey [1] - 29:9 guarantee [1] - 34:17 guard [1] - 50:11 guess [9] - 9:10, 11:14, 15:2, 21:14, 29:8, 29:9, 39:24, 47:4, 52:13 guidelines [5] - 25:16, 27:4, 27:12, 30:21, 31:18 Gunnarson [5] - 16:17, 47:7, 47:14,</p>	<p>47:22, 48:1 Gunnarson's [1] - 47:7 guy [2] - 13:8, 33:22</p>	<p>12:9, 12:21, 13:23, 14:20, 14:24, 15:7, 15:16, 18:11, 20:20, 21:21, 22:4, 36:19, 49:6 HILL [1] - 1:9 Hill's [1] - 12:17 Hills [2] - 12:24, 13:13 Hillsy [2] - 12:24, 13:1 him [30] - 12:6, 12:24, 13:14, 13:18, 16:11, 16:12, 19:11, 30:13, 32:15, 32:16, 32:21, 43:8, 43:19, 44:1, 44:23, 44:24, 46:18, 47:17, 49:21, 49:24, 50:9, 50:14, 51:12, 51:22, 51:24, 52:5, 52:10, 52:12 his [11] - 4:11, 13:15, 17:11, 27:16, 27:21, 30:19, 46:6, 46:12, 50:5, 50:10, 55:10 history [2] - 39:21, 44:7 hold [1] - 15:4 holding [1] - 33:9 honest [1] - 15:9 honestly [4] - 12:5, 18:24, 27:10, 48:3 hours [1] - 7:9 house [1] - 53:7 how [14] - 7:8, 11:10, 15:1, 17:22, 18:5, 18:9, 18:17, 24:2, 24:6, 26:21, 34:14, 38:15, 45:20, 52:22 huge [2] - 33:18, 34:11 huh [3] - 25:1, 27:14, 42:17 husband's [1] - 53:17</p>	<p>39:12, 47:5, 47:6, 47:21 indicated [3] - 20:12, 38:21, 49:6 indicates [3] - 27:15, 27:21, 28:21 indicating [1] - 28:13 individual [4] - 12:3, 23:2, 25:15, 46:12 individuals [4] - 12:20, 14:19, 15:19, 17:20 indoor [3] - 8:21, 8:23, 9:2 indoors [1] - 9:4 Information [1] - 35:7 information [11] - 12:17, 24:16, 24:17, 25:9, 25:21, 25:24, 26:24, 27:9, 29:18, 32:1, 37:14 inside [1] - 54:5 instructed [1] - 24:18 instruction [2] - 17:16, 24:1 instructional [1] - 29:23 intend [2] - 43:22, 43:23 interact [2] - 13:18, 14:19 interaction [3] - 9:7, 13:13, 49:14 interested [1] - 55:18 interfere [1] - 43:15 into [1] - 45:8 involved [5] - 10:12, 15:8, 15:11, 22:15, 52:24 involvement [2] - 12:8, 12:12 irascibleness [1] - 36:8 isn't [5] - 26:12, 30:6, 34:7, 41:6, 43:11 issues [2] - 13:19, 15:7 it's [17] - 7:14, 8:21, 9:11, 9:13, 10:11, 16:11, 21:10, 25:22, 26:14, 29:8, 34:14, 41:10, 43:4, 43:10, 43:15, 45:4, 47:5 item [1] - 38:1 its [1] - 44:7 itself [1] - 31:14</p>
<p>G</p> <p>GARRITY [1] - 1:12 Garrity [2] - 2:10, 2:17 gas [1] - 39:7 gave [15] - 17:13, 17:15, 17:19, 17:24, 24:16, 32:24, 36:12, 36:15, 37:13, 37:19, 37:22, 47:17, 48:6, 51:22, 52:3 geary [1] - 50:2 Geary [2] - 50:3, 50:4 get [9] - 24:1, 33:22, 34:19, 34:24, 39:14, 45:18, 47:22, 48:7, 48:11 give [13] - 4:16, 9:20, 17:16, 18:4, 23:8, 36:3, 44:16, 48:10, 48:13, 48:17, 48:22, 51:12, 52:11 given [8] - 18:16, 23:24, 28:2, 29:1, 29:11, 30:21, 35:11, 55:13 go [10] - 8:11, 22:5, 23:2, 24:6, 26:17, 30:20, 34:21, 34:22, 37:16, 46:9 going [22] - 14:9, 15:22, 18:10, 19:24, 20:16, 20:24, 22:11, 23:14, 32:17, 33:2, 36:3, 36:6, 41:12, 42:22, 49:17, 50:9, 50:19, 50:21, 52:18, 52:23, 54:3 golf [39] - 9:7, 9:17,</p>	<p>G</p>	<p>H</p> <p>habit [1] - 43:11 hall [3] - 45:10, 45:11, 45:21 hand [3] - 37:18, 47:6, 55:21 handicap [2] - 11:1, 11:6 handing [1] - 45:24 handwriting [3] - 20:9, 21:4, 47:9 handwritten [2] - 35:24, 45:7 happened [3] - 14:7, 17:23, 45:16 Harbor [6] - 29:12, 29:13, 29:18, 29:22, 29:24, 30:3 Hardoon [1] - 2:6 haven't [5] - 11:13, 21:1, 32:18, 41:11, 51:9 having [6] - 4:10, 22:3, 30:1, 37:2, 38:17, 48:4 he's [10] - 29:6, 32:15, 32:16, 32:19, 32:20, 34:8, 43:7, 46:16, 50:11 head [3] - 5:11, 6:19, 7:6 helpful [1] - 8:12 her [2] - 27:17, 51:7 here [12] - 19:2, 19:17, 26:2, 29:21, 30:10, 30:18, 35:17, 41:1, 41:11, 41:14, 42:22, 51:20 here's [1] - 21:9 hereby [2] - 55:7, 57:6 hereinbefore [1] - 55:9 hereunto [1] - 55:20 high [2] - 5:18, 6:15 High [4] - 5:19, 6:10, 8:6, 50:6 highly [19] - 26:1, 26:5, 26:22, 27:6, 27:16, 28:2, 29:1, 36:13, 39:14, 41:4, 42:8, 44:10, 44:17, 47:10, 47:22, 48:7, 48:10, 48:17, 48:24 Hill [18] - 2:8, 2:15, 7:1, 10:19, 11:11,</p>	<p>I</p> <p>ID [2] - 4:3, 21:8 idea [2] - 23:7, 27:10 identified [2] - 4:11, 55:10 immediate [1] - 5:3 IN [1] - 55:20 INC [3] - 1:6, 1:13, 1:22 incident [1] - 54:10 included [1] - 31:10 income [1] - 37:20 Incorporated [1] - 36:16 independently [1] - 26:8 indicate [5] - 26:17,</p>	<p>J</p> <p>James [2] - 2:11, 2:17 JAMES [1] - 1:12</p>

<p>January [4] - 18:13, 20:19, 21:22, 32:1</p> <p>Jason [2] - 53:18, 53:19</p> <p>job [6] - 6:8, 7:2, 7:5, 14:9, 14:21, 25:14</p> <p>jobs [1] - 6:24</p> <p>Joe [5] - 13:2, 13:7, 13:10, 54:20, 54:21</p> <p>John [11] - 12:24, 13:13, 13:24, 46:1, 46:12, 46:14, 46:17, 50:4, 50:9, 51:24, 52:1</p> <p>JOHNSON [5] - 1:6, 34:14, 34:19, 34:23, 45:1</p> <p>Johnson [9] - 2:20, 13:3, 13:4, 13:7, 14:2, 16:5, 36:4, 36:12, 36:18</p> <p>JORDAN [11] - 18:7, 28:5, 29:5, 31:23, 32:4, 38:14, 40:19, 41:7, 42:12, 44:12, 44:20</p> <p>Jordan [1] - 2:12</p> <p>JR [1] - 1:10</p> <p>Jr [2] - 2:10, 2:16</p> <p>July [2] - 1:20, 55:21</p> <p>junior [7] - 12:8, 29:14, 30:3, 39:23, 40:4, 40:17, 40:24</p> <p>just [15] - 5:14, 9:14, 11:17, 11:18, 13:2, 16:10, 17:18, 30:13, 32:20, 34:1, 41:15, 42:14, 43:5, 44:23, 49:11</p>	<p>13:1, 14:6, 15:23, 16:11, 22:8, 22:9, 30:16, 36:18, 36:22, 39:19, 46:14, 49:2, 49:22, 52:23</p> <p>know [48] - 7:14, 11:20, 12:5, 12:15, 13:2, 13:15, 14:4, 14:10, 15:1, 15:19, 16:3, 16:7, 16:9, 16:12, 16:13, 16:15, 16:17, 23:13, 23:17, 29:8, 32:6, 32:7, 32:12, 32:17, 32:22, 37:4, 37:7, 37:9, 38:15, 38:16, 41:19, 43:5, 46:2, 46:17, 46:22, 48:1, 49:16, 49:24, 50:2, 50:5, 51:13, 51:21, 52:7, 53:6, 53:23, 54:11</p> <p>knowing [1] - 51:11</p> <p>knowledge [1] - 53:3</p> <p>known [2] - 16:1, 18:9</p> <p>knows [1] - 51:19</p>	<p>9:20, 11:19, 13:22, 18:21, 21:18, 40:9, 42:23, 43:1, 43:2, 43:18, 43:19, 43:21, 44:1, 47:11, 47:13, 51:24</p> <p>limited [2] - 9:12, 49:9</p> <p>LINE [1] - 56:2</p> <p>line [1] - 47:13</p> <p>list [2] - 39:2, 39:10</p> <p>listed [3] - 12:19, 24:3, 38:2</p> <p>litigation [1] - 35:9</p> <p>little [2] - 7:19, 20:7</p> <p>live [1] - 4:18</p> <p>living [1] - 44:3</p> <p>LLP [3] - 1:19, 2:3, 2:6</p> <p>locations [1] - 29:23</p> <p>long [2] - 21:16, 52:22</p> <p>look [16] - 18:14, 18:19, 20:1, 21:2, 23:20, 25:14, 26:3, 26:16, 28:11, 30:22, 32:23, 38:1, 41:18, 41:20, 41:21, 43:10</p> <p>looking [5] - 23:15, 26:14, 27:20, 31:24, 37:10</p> <p>looks [2] - 21:17, 47:11</p> <p>Loretta [1] - 51:8</p> <p>lot [5] - 9:16, 9:18, 28:9, 39:11, 43:16</p> <p>lower [2] - 37:18, 47:5</p> <p>lunch [1] - 45:2</p> <p>LYONS [1] - 1:22</p> <p>lyons.com [1] - 1:24</p>	<p>making [1] - 33:20</p> <p>man [3] - 9:13, 10:11, 34:2</p> <p>manage [1] - 29:2</p> <p>managed [7] - 27:17, 28:13, 28:19, 28:21, 36:22, 37:2, 44:7</p> <p>MANAGEMENT [1] - 1:6</p> <p>management [4] - 9:11, 9:24, 10:14, 20:19</p> <p>Management [3] - 14:2, 36:5, 36:12</p> <p>manager [2] - 51:19, 52:3</p> <p>manager's [2] - 45:15, 45:23</p> <p>managing [5] - 30:7, 30:8, 36:19, 47:14, 47:19</p> <p>MANNING [1] - 1:12</p> <p>Manning [2] - 2:11, 2:17</p> <p>many [4] - 8:16, 15:1, 21:16, 29:14</p> <p>March [1] - 53:5</p> <p>marked [7] - 4:3, 18:10, 19:24, 20:16, 21:1, 21:6, 21:8</p> <p>MARLBOROUGH [1] - 1:11</p> <p>Marlborough [2] - 2:10, 2:16</p> <p>Marshfield [2] - 4:19, 5:19</p> <p>Mass [1] - 4:19</p> <p>MASSACHUSETTS [1] - 1:3</p> <p>Massachusetts [10] - 1:17, 1:18, 1:19, 2:4, 2:7, 2:14, 4:11, 55:2, 55:7, 55:10</p> <p>Master [1] - 6:5</p> <p>material [7] - 35:23, 40:10, 43:8, 44:17, 45:6, 48:5, 52:2</p> <p>materials [4] - 35:4, 35:5, 35:10, 35:11</p> <p>matter [1] - 21:24</p> <p>may [4] - 31:10, 31:13, 49:5, 51:14</p> <p>May [2] - 27:22, 44:8</p> <p>maybe [5] - 11:15, 15:3, 29:15, 33:16, 49:19</p> <p>McCarthy [2] - 52:3, 53:1</p> <p>McLeod [2] - 1:19, 2:3</p> <p>me [28] - 8:11, 8:16, 15:4, 17:13, 17:15,</p>	<p>19:8, 19:10, 23:1, 24:16, 24:18, 27:3, 28:12, 32:24, 33:13, 34:2, 41:13, 41:17, 42:6, 44:9, 45:5, 47:8, 48:4, 48:13, 48:18, 48:21, 50:16, 52:21, 55:11</p> <p>mean [4] - 18:21, 22:20, 30:1, 48:14</p> <p>meaner [1] - 44:2</p> <p>meaning [1] - 40:11</p> <p>meant [1] - 49:2</p> <p>meet [1] - 45:20</p> <p>meeting [1] - 19:5</p> <p>meetings [3] - 14:23, 15:8, 49:5</p> <p>members [1] - 49:15</p> <p>memory [1] - 18:20</p> <p>memory's [1] - 34:18</p> <p>met [2] - 19:5</p> <p>Michael [6] - 2:9, 2:10, 2:10, 2:15, 2:16, 2:17</p> <p>MICHAEL [3] - 1:10, 1:11, 1:11</p> <p>Middle [1] - 6:11</p> <p>MIDDLESEX [1] - 1:4</p> <p>might [4] - 9:15, 24:21, 35:15, 50:20</p> <p>mind [2] - 15:6, 25:20</p> <p>minor [1] - 5:23</p> <p>minute [2] - 34:9, 44:22</p> <p>minutes [2] - 50:20, 51:10</p> <p>missing [2] - 29:21, 33:10</p> <p>mistaken [1] - 49:20</p> <p>months [5] - 14:9, 19:18, 28:4, 42:5, 44:16</p> <p>more [14] - 5:15, 13:22, 13:24, 15:4, 21:1, 27:17, 28:9, 39:11, 39:16, 40:1, 40:12, 40:13, 43:24, 50:22</p> <p>morning [2] - 4:16, 5:9</p> <p>Mr [24] - 3:4, 5:3, 16:13, 16:15, 16:17, 30:10, 30:11, 30:17, 31:11, 31:13, 35:4, 37:7, 40:4, 44:6, 45:6, 47:7, 47:14, 49:14, 50:2, 50:3, 52:3, 53:1, 53:2</p> <p>mR [1] - 34:19</p> <p>MR [65] - 4:5, 4:7, 4:15, 18:7, 21:6, 21:10, 23:22, 28:5,</p>
<p>K</p> <p>keep [1] - 32:20</p> <p>Kelly [2] - 13:3, 13:4</p> <p>Kelly's [1] - 53:17</p> <p>Kesten [2] - 2:6, 2:6</p> <p>KESTEN [30] - 4:7, 21:10, 23:22, 28:6, 28:15, 29:6, 30:13, 32:5, 32:14, 33:1, 33:6, 33:10, 34:3, 34:6, 34:11, 34:17, 34:22, 36:6, 36:8, 42:19, 43:3, 43:9, 43:22, 44:5, 44:23, 45:3, 48:16, 48:19, 50:16, 51:12</p> <p>keys [2] - 54:17, 54:19</p> <p>kid [1] - 50:10</p> <p>kind [1] - 41:4</p> <p>knew [15] - 12:24,</p>	<p>L</p> <p>Lamarre [1] - 53:18</p> <p>landscaping [2] - 16:11, 49:23</p> <p>Landscaping [1] - 16:8</p> <p>Lanzetta [10] - 16:15, 30:1, 30:9, 30:10, 30:11, 30:17, 31:11, 31:13, 37:7, 40:4</p> <p>LANZETTA [1] - 1:13</p> <p>last [4] - 11:3, 11:13, 18:23, 19:15</p> <p>lawsuit [2] - 21:23, 22:3</p> <p>lawyers [2] - 19:6, 19:22</p> <p>learn [1] - 51:8</p> <p>least [4] - 27:19, 29:2, 29:3, 36:19</p> <p>left [1] - 8:4</p> <p>Lenny [3] - 34:15, 34:23, 50:13</p> <p>Leonard [1] - 2:6</p> <p>less [2] - 31:15, 47:17</p> <p>lessons [2] - 29:13, 30:2</p> <p>let [3] - 48:18, 48:21, 49:11</p> <p>let's [5] - 30:20, 30:22, 34:9, 34:21, 34:22</p> <p>license [2] - 4:12, 55:11</p> <p>like [18] - 8:11, 8:16,</p>	<p>M</p> <p>MA [1] - 1:23</p> <p>Madden [3] - 46:1, 46:14, 51:24</p> <p>made [2] - 15:10, 50:13</p> <p>mainly [1] - 8:21</p> <p>Maintain [1] - 3:10</p> <p>maintain [5] - 11:1, 11:4, 38:19, 39:16, 40:13</p> <p>maintained [2] - 11:6, 39:20</p> <p>maintaining [2] - 40:23, 44:15</p> <p>maintenance [4] - 13:17, 25:8, 41:5, 42:9</p> <p>make [7] - 5:15, 11:3, 22:23, 23:4, 32:21, 34:1, 43:6</p>	<p>making [1] - 33:20</p> <p>man [3] - 9:13, 10:11, 34:2</p> <p>manage [1] - 29:2</p> <p>managed [7] - 27:17, 28:13, 28:19, 28:21, 36:22, 37:2, 44:7</p> <p>MANAGEMENT [1] - 1:6</p> <p>management [4] - 9:11, 9:24, 10:14, 20:19</p> <p>Management [3] - 14:2, 36:5, 36:12</p> <p>manager [2] - 51:19, 52:3</p> <p>manager's [2] - 45:15, 45:23</p> <p>managing [5] - 30:7, 30:8, 36:19, 47:14, 47:19</p> <p>MANNING [1] - 1:12</p> <p>Manning [2] - 2:11, 2:17</p> <p>many [4] - 8:16, 15:1, 21:16, 29:14</p> <p>March [1] - 53:5</p> <p>marked [7] - 4:3, 18:10, 19:24, 20:16, 21:1, 21:6, 21:8</p> <p>MARLBOROUGH [1] - 1:11</p> <p>Marlborough [2] - 2:10, 2:16</p> <p>Marshfield [2] - 4:19, 5:19</p> <p>Mass [1] - 4:19</p> <p>MASSACHUSETTS [1] - 1:3</p> <p>Massachusetts [10] - 1:17, 1:18, 1:19, 2:4, 2:7, 2:14, 4:11, 55:2, 55:7, 55:10</p> <p>Master [1] - 6:5</p> <p>material [7] - 35:23, 40:10, 43:8, 44:17, 45:6, 48:5, 52:2</p> <p>materials [4] - 35:4, 35:5, 35:10, 35:11</p> <p>matter [1] - 21:24</p> <p>may [4] - 31:10, 31:13, 49:5, 51:14</p> <p>May [2] - 27:22, 44:8</p> <p>maybe [5] - 11:15, 15:3, 29:15, 33:16, 49:19</p> <p>McCarthy [2] - 52:3, 53:1</p> <p>McLeod [2] - 1:19, 2:3</p> <p>me [28] - 8:11, 8:16, 15:4, 17:13, 17:15,</p>	<p>19:8, 19:10, 23:1, 24:16, 24:18, 27:3, 28:12, 32:24, 33:13, 34:2, 41:13, 41:17, 42:6, 44:9, 45:5, 47:8, 48:4, 48:13, 48:18, 48:21, 50:16, 52:21, 55:11</p> <p>mean [4] - 18:21, 22:20, 30:1, 48:14</p> <p>meaner [1] - 44:2</p> <p>meaning [1] - 40:11</p> <p>meant [1] - 49:2</p> <p>meet [1] - 45:20</p> <p>meeting [1] - 19:5</p> <p>meetings [3] - 14:23, 15:8, 49:5</p> <p>members [1] - 49:15</p> <p>memory [1] - 18:20</p> <p>memory's [1] - 34:18</p> <p>met [2] - 19:5</p> <p>Michael [6] - 2:9, 2:10, 2:10, 2:15, 2:16, 2:17</p> <p>MICHAEL [3] - 1:10, 1:11, 1:11</p> <p>Middle [1] - 6:11</p> <p>MIDDLESEX [1] - 1:4</p> <p>might [4] - 9:15, 24:21, 35:15, 50:20</p> <p>mind [2] - 15:6, 25:20</p> <p>minor [1] - 5:23</p> <p>minute [2] - 34:9, 44:22</p> <p>minutes [2] - 50:20, 51:10</p> <p>missing [2] - 29:21, 33:10</p> <p>mistaken [1] - 49:20</p> <p>months [5] - 14:9, 19:18, 28:4, 42:5, 44:16</p> <p>more [14] - 5:15, 13:22, 13:24, 15:4, 21:1, 27:17, 28:9, 39:11, 39:16, 40:1, 40:12, 40:13, 43:24, 50:22</p> <p>morning [2] - 4:16, 5:9</p> <p>Mr [24] - 3:4, 5:3, 16:13, 16:15, 16:17, 30:10, 30:11, 30:17, 31:11, 31:13, 35:4, 37:7, 40:4, 44:6, 45:6, 47:7, 47:14, 49:14, 50:2, 50:3, 52:3, 53:1, 53:2</p> <p>mR [1] - 34:19</p> <p>MR [65] - 4:5, 4:7, 4:15, 18:7, 21:6, 21:10, 23:22, 28:5,</p>

<p>28:6, 28:15, 29:5, 29:6, 30:13, 31:23, 32:4, 32:5, 32:8, 32:14, 32:23, 33:1, 33:4, 33:6, 33:7, 33:10, 34:1, 34:3, 34:4, 34:6, 34:9, 34:11, 34:13, 34:14, 34:17, 34:22, 34:23, 36:6, 36:8, 36:10, 38:14, 40:19, 41:7, 42:12, 42:19, 42:20, 43:3, 43:6, 43:9, 43:20, 43:22, 43:24, 44:5, 44:12, 44:20, 44:22, 44:23, 45:1, 45:2, 45:3, 48:16, 48:19, 50:12, 50:16, 50:19, 51:12, 54:22</p> <p>much [4] - 7:8, 43:24, 44:2, 49:9</p> <p>municipal [3] - 27:18, 29:2, 37:2</p> <p>must [2] - 20:14, 54:3</p> <p>Mustard [2] - 2:9, 2:16</p> <p>MUSTARD [1] - 1:10</p> <p>My [1] - 55:24</p> <p>my [21] - 5:13, 7:21, 7:22, 8:3, 9:10, 14:5, 14:9, 15:2, 18:14, 39:22, 40:1, 40:7, 40:21, 43:2, 44:2, 47:3, 51:23, 53:3, 55:21, 57:7</p> <p>myself [2] - 9:14, 33:18</p>	<p>11:18, 12:2, 13:12, 16:14, 16:16, 17:3, 19:20, 22:16, 23:7, 27:10, 28:20, 35:18, 37:1, 37:3, 41:22, 42:13, 42:14, 43:4, 43:10, 44:23, 45:3, 46:22, 47:3, 49:16, 49:21, 50:3, 50:5, 52:21, 52:24, 53:1, 53:6</p> <p>NO [1] - 1:4</p> <p>No [18] - 4:3, 10:3, 10:10, 12:10, 12:13, 14:22, 16:2, 16:18, 18:11, 19:23, 21:8, 24:19, 27:2, 28:23, 41:2, 45:19, 50:1, 51:4</p> <p>nobody [2] - 24:12, 34:14</p> <p>Nobody's [1] - 32:17</p> <p>nod [1] - 5:10</p> <p>non [1] - 24:24</p> <p>Non [1] - 3:8</p> <p>Non-Price [1] - 3:8</p> <p>non-priced [1] - 24:24</p> <p>none [1] - 33:15</p> <p>nor [2] - 46:18, 55:17</p> <p>North [18] - 2:8, 2:15, 10:19, 11:11, 12:9, 12:17, 12:21, 13:23, 14:20, 14:23, 15:7, 15:16, 18:11, 20:20, 21:20, 22:3, 36:19, 49:5</p> <p>NORTH [1] - 1:9</p> <p>not [41] - 11:2, 11:14, 15:14, 22:20, 23:14, 26:17, 26:24, 27:5, 28:1, 28:24, 29:10, 30:4, 30:17, 31:1, 31:22, 32:14, 33:1, 33:2, 33:20, 35:16, 35:20, 36:10, 36:11, 40:3, 41:9, 42:13, 42:21, 43:1, 43:20, 44:15, 44:16, 47:10, 47:14, 48:22, 48:24, 49:16, 50:21, 51:11, 54:9, 55:14</p> <p>notarial [1] - 55:21</p> <p>notary [1] - 4:6</p> <p>Notary [2] - 1:18, 55:6</p> <p>notes [8] - 21:11, 36:1, 39:22, 40:1, 40:8, 40:21, 45:7, 47:4</p> <p>nothing [3] - 9:21, 28:21, 49:8</p> <p>now [16] - 7:5, 11:9,</p>	<p>15:6, 22:6, 26:14, 27:11, 28:24, 31:24, 33:17, 34:5, 35:19, 35:24, 40:6, 41:8, 41:11, 50:5</p> <p>Number [7] - 20:1, 23:24, 25:18, 26:15, 36:1, 41:20, 41:23</p> <p>number [7] - 7:23, 9:20, 12:17, 23:22, 23:23, 30:24, 38:1</p> <p>numbered [1] - 37:17</p>	<p>only [11] - 7:5, 15:17, 24:15, 24:17, 28:2, 39:20, 41:24, 44:7, 46:18, 50:21, 53:2</p> <p>open [1] - 53:7</p> <p>opened [2] - 54:8, 54:14</p> <p>opening [1] - 49:9</p> <p>Operate [1] - 3:9</p> <p>operate [1] - 38:12</p> <p>operated [1] - 39:7</p> <p>operation [3] - 9:13, 10:11, 27:18</p> <p>operations [2] - 10:1, 29:3</p> <p>opinion [5] - 28:24, 29:7, 40:1, 41:13, 43:2</p> <p>order [6] - 18:16, 22:19, 26:4, 27:15, 39:14, 45:2</p> <p>organizational [1] - 25:8</p> <p>other [32] - 8:23, 10:23, 14:8, 15:19, 16:4, 17:16, 19:6, 19:18, 19:21, 22:17, 24:6, 24:12, 27:8, 28:13, 28:19, 33:9, 35:15, 36:22, 37:9, 45:13, 46:12, 49:22, 49:24, 51:15, 52:19, 53:6, 53:11</p> <p>others [1] - 11:23</p> <p>otherwise [1] - 55:18</p> <p>our [7] - 8:20, 9:3, 9:12, 12:15, 45:24, 46:16, 51:6</p> <p>out [12] - 6:1, 8:4, 12:16, 15:3, 20:11, 22:10, 23:1, 23:18, 46:23, 47:2, 52:15, 52:22</p> <p>outcome [1] - 55:18</p> <p>outside [1] - 7:13</p> <p>over [1] - 25:6</p> <p>overall [1] - 22:23</p> <p>oversee [1] - 9:11</p> <p>overseeing [2] - 9:23, 10:14</p> <p>own [2] - 39:3, 39:7</p> <p>owned [1] - 38:11</p> <p>owner [1] - 16:10</p>	<p>37:19, 37:22, 39:1, 39:2, 42:15</p> <p>PAGE [1] - 56:2</p> <p>page [7] - 22:24, 24:3, 24:22, 25:22, 29:20, 36:4, 47:5</p> <p>PAGES [1] - 1:1</p> <p>pages [2] - 25:6, 37:17</p> <p>Pages [1] - 25:16</p> <p>pains [1] - 57:11</p> <p>pamphlet [1] - 12:16</p> <p>panel [1] - 49:11</p> <p>paper [1] - 23:16</p> <p>paperwork [1] - 35:16</p> <p>part [1] - 14:20</p> <p>parties [1] - 55:16</p> <p>pass [2] - 50:14, 50:16</p> <p>past [2] - 11:2, 19:18</p> <p>penalties [1] - 57:11</p> <p>pending [1] - 21:23</p> <p>people [5] - 9:16, 43:11, 43:16, 50:14, 53:8</p> <p>per [1] - 11:12</p> <p>percent [3] - 7:17, 7:18, 7:20</p> <p>percentages [1] - 7:10</p> <p>period [8] - 10:7, 10:18, 11:9, 12:21, 27:19, 28:3, 29:3, 42:5</p> <p>perjury [1] - 57:12</p> <p>Perkins [1] - 2:6</p> <p>person [1] - 41:16</p> <p>personnel [2] - 11:20, 31:10</p> <p>ph [1] - 4:20</p> <p>phone [1] - 9:16</p> <p>physical [2] - 5:24, 6:9</p> <p>physically [4] - 35:16, 45:17, 52:2, 52:15</p> <p>picked [1] - 37:5</p> <p>pieces [1] - 23:16</p> <p>pilgrim [1] - 53:21</p> <p>Pilgrim [1] - 53:22</p> <p>place [3] - 7:21, 15:13, 17:2</p> <p>Plaintiff [4] - 1:7, 1:16, 2:4, 4:10</p> <p>play [8] - 9:9, 10:16, 10:19, 10:23, 11:2, 11:11, 50:10, 50:17</p> <p>played [5] - 11:13, 11:17, 11:18, 12:22, 54:1</p> <p>plays [1] - 50:5</p> <p>Plaza [1] - 2:7</p> <p>please [1] - 5:14</p> <p>plus [1] - 36:3</p> <p>Plymouth [1] - 4:18</p> <p>point [4] - 16:19,</p>
N				
O				
<p>oath [1] - 4:12</p> <p>object [3] - 34:6, 43:10, 44:12</p> <p>objection [10] - 18:7, 28:5, 29:5, 31:23, 32:4, 38:14, 40:19, 41:7, 42:12, 44:20</p> <p>obnoxious [1] - 44:1</p> <p>observe [1] - 14:12</p> <p>obtaining [1] - 21:20</p> <p>obviously [4] - 22:6, 40:7, 51:20, 51:21</p> <p>occasion [1] - 13:18</p> <p>occupation [3] - 4:24, 6:3, 7:8</p> <p>OF [4] - 1:3, 1:9, 1:10, 1:16</p> <p>off [3] - 11:8, 44:21, 50:18</p> <p>office [5] - 9:12, 45:15, 45:23, 46:6, 46:23</p> <p>offices [1] - 1:19</p> <p>OFFICIO [1] - 1:12</p> <p>officio [2] - 2:11, 2:18</p> <p>often [1] - 11:10</p> <p>oh [1] - 22:5</p> <p>okay [12] - 17:19, 23:6, 23:20, 29:17, 30:23, 34:13, 35:14, 42:3, 49:3, 50:9, 52:17, 53:16</p> <p>old [3] - 12:23, 14:11, 34:16</p> <p>once [2] - 11:15, 49:18</p> <p>One [1] - 2:7</p> <p>one [28] - 6:24, 11:4, 14:8, 15:5, 15:16, 15:17, 17:11, 18:15, 21:1, 21:16, 23:21, 24:15, 24:17, 27:17, 27:22, 28:3, 33:9, 39:6, 39:16, 39:20, 40:2, 40:13, 42:1, 42:4, 44:7, 49:15, 50:22, 51:21</p>				
P				
<p>package [1] - 17:13</p> <p>packets [1] - 24:16</p> <p>Page [13] - 3:2, 3:6, 24:20, 26:3, 26:17, 27:12, 27:21, 30:22,</p>				

<p>33:21, 53:13, 53:24 points [1] - 11:22 poor [1] - 33:22 position [1] - 15:2 positive [4] - 11:14, 29:10, 35:20, 54:9 possible [2] - 24:9, 28:1 possibly [2] - 42:6, 48:7 pre [2] - 4:3, 15:15 pre-bid [1] - 15:15 pre-marked [1] - 4:3 prepared [2] - 18:5, 21:11 preparing [1] - 15:24 present [1] - 9:23 PRESENT [1] - 2:19 president [1] - 30:9 pretty [4] - 13:3, 24:10, 49:9, 50:20 previous [1] - 17:4 Price [1] - 3:8 priced [1] - 24:24 primarily [2] - 8:19, 8:20 primary [1] - 8:3 principal [3] - 10:1, 10:4, 10:8 principals [1] - 37:9 prior [3] - 11:4, 52:14 pro [1] - 11:24 probably [5] - 7:12, 13:1, 18:23, 20:22, 32:18 problem [2] - 4:23, 32:8 problems [2] - 13:10, 14:17 Procedure [1] - 1:17 process [12] - 15:13, 21:20, 22:11, 22:18, 22:21, 22:22, 24:7, 51:16, 52:9, 52:24, 53:2, 53:4 producing [1] - 33:14 production [1] - 35:8 Professional [1] - 55:5 PROFESSIONAL [1] - 1:23 program [9] - 8:3, 8:8, 9:4, 12:9, 29:23, 39:23, 40:4, 40:18, 40:24 programs [9] - 8:9, 8:14, 8:15, 8:20, 9:2, 9:3, 12:18, 29:14, 30:3 projects [1] - 13:23 proof [1] - 44:3</p>	<p>Proposal [2] - 3:7, 3:9 proposal [14] - 20:18, 25:15, 26:15, 27:20, 28:11, 31:17, 31:20, 37:5, 37:11, 37:13, 37:17, 38:22, 39:19, 47:7 Proposals [3] - 16:1, 18:12, 24:20 proposals [10] - 16:20, 17:5, 17:19, 20:12, 21:13, 22:9, 22:19, 22:22, 24:24, 32:3 proposer [4] - 27:16, 31:7, 39:3, 40:11 proposer's [1] - 31:10 prove [1] - 34:18 proven [2] - 39:15, 40:13 provide [2] - 26:7, 26:24 provided [8] - 27:4, 27:9, 35:5, 40:10, 44:18, 45:7, 48:1, 48:5 providing [2] - 26:18, 33:5 provisions [1] - 1:17 Public [2] - 1:18, 55:6 public [1] - 26:9 pursuant [1] - 1:16 put [5] - 12:15, 25:17, 31:18, 39:24, 47:24 putting [1] - 22:22</p>	<p>36:15, 39:14, 41:4, 42:8, 42:11, 44:10, 44:16, 47:18, 48:11, 48:24 re [2] - 15:22, 41:12 re-bid [1] - 15:22 re-read [1] - 41:12 read [13] - 17:14, 18:22, 23:1, 24:22, 28:9, 28:17, 30:6, 31:1, 31:5, 40:8, 41:12, 57:7 reading [4] - 30:18, 39:22, 40:6, 42:19 reality [1] - 34:5 really [1] - 15:14 REASON [1] - 56:2 Reason [1] - 47:9 Rec [7] - 7:13, 7:20, 8:1, 8:2, 8:9, 9:18, 12:11 rec [6] - 5:1, 6:23, 7:2, 7:5, 7:14, 46:23 recall [3] - 12:20, 24:4, 32:17 receive [1] - 5:22 received [2] - 6:2, 31:21 recess [1] - 34:10 Recess [2] - 35:2, 50:24 recognize [2] - 12:5, 20:4 recommendation [1] - 22:23 record [7] - 11:8, 43:7, 43:9, 44:21, 50:18, 55:12, 57:9 recreation [1] - 9:5 Recreation [3] - 9:22, 12:7, 51:3 references [2] - 30:19, 47:12 refreshes [1] - 18:19 regard [6] - 17:11, 20:24, 21:19, 27:11, 35:19, 35:24 regarding [2] - 10:9, 21:23 regards [1] - 9:17 REGISTERED [1] - 1:23 Registered [1] - 55:5 regular [2] - 7:22, 7:24 rejected [1] - 17:6 relationship [1] - 49:24 relative [2] - 55:15, 55:16 relevant [4] - 25:7, 27:11, 30:24, 31:21</p>	<p>rely [1] - 41:17 remember [51] - 8:16, 10:12, 11:24, 14:5, 14:18, 15:4, 15:16, 15:17, 15:18, 17:2, 17:10, 17:21, 18:8, 18:18, 19:1, 20:15, 20:22, 20:23, 21:14, 21:15, 22:1, 23:9, 23:10, 23:15, 24:11, 24:14, 28:8, 28:9, 32:19, 33:12, 33:17, 33:23, 33:24, 34:15, 45:22, 48:3, 49:21, 52:7, 52:10, 52:12, 52:13, 52:22, 53:12, 53:14, 54:2, 54:3, 54:10 remembers [1] - 34:15 repeat [2] - 28:16, 51:15 repeated [1] - 32:11 repeatedly [2] - 32:20, 34:8 rephrase [1] - 5:15 Reporter [3] - 1:18, 55:5 REPORTERS [1] - 1:23 REPORTING [1] - 1:22 request [3] - 17:11, 35:7, 35:8 Request [4] - 3:7, 16:1, 18:12, 24:20 resident [1] - 46:2 residential [1] - 4:17 response [1] - 35:6 responsibilities [2] - 10:6, 10:9 rest [1] - 52:9 return [1] - 37:20 review [5] - 16:20, 17:14, 31:17, 32:24, 48:5 reviewed [2] - 20:21, 32:18 RFP [2] - 15:13, 39:2 RICHARD [1] - 1:12 Richard [2] - 2:10, 2:17 right [14] - 15:6, 19:13, 23:11, 31:24, 34:24, 36:23, 37:18, 39:8, 41:10, 41:11, 46:13, 47:6, 47:15, 48:18 right-hand [1] - 47:6 ROBERT [1] - 1:10 Robert [2] - 2:9, 2:16 Rockland [3] - 30:2, 30:4, 30:12 role [9] - 8:8, 9:5, 9:9,</p>	<p>9:23, 12:7, 13:15, 21:19, 49:7, 51:2 round [1] - 11:17 Route [1] - 2:13 RPR [1] - 55:23 RUFO [1] - 1:11 Rufo [2] - 2:10, 2:17 Rules [1] - 1:17 run [2] - 8:15, 16:21 running [5] - 30:11, 40:4, 40:17, 40:24, 42:4 runs [1] - 30:2</p>
S				
<p>same [5] - 4:5, 21:10, 25:11, 32:1, 36:15 Sandwich [1] - 2:14 sat [2] - 15:9, 41:11 satisfactorily [2] - 4:11, 55:9 saved [1] - 51:10 saw [6] - 23:3, 32:19, 32:21, 33:23, 33:24, 34:7 say [25] - 5:14, 9:19, 10:8, 10:11, 14:6, 14:9, 18:24, 29:17, 32:11, 32:13, 32:16, 33:17, 33:23, 34:7, 39:22, 43:4, 43:12, 43:13, 45:11, 48:15, 48:19, 49:2, 50:21, 51:13, 51:20 saying [6] - 17:10, 41:8, 41:9, 41:11, 43:3, 52:11 says [13] - 4:13, 24:22, 26:2, 26:8, 26:14, 29:22, 41:23, 42:2, 42:15, 43:5, 43:17, 47:9, 47:10 scheduled [1] - 53:8 school [4] - 5:18, 6:15, 8:13, 9:3 School [5] - 5:19, 6:10, 6:11, 8:6, 50:6 score [12] - 17:24, 20:6, 20:11, 22:24, 23:20, 24:1, 25:12, 25:18, 25:20, 45:3, 45:7, 52:15 scores [1] - 24:2 Scott [2] - 2:9, 2:16 SCOTT [1] - 1:10 seal [1] - 55:21 season [6] - 7:12, 7:14, 7:16, 8:11, 8:19 second [1] - 22:10</p>				

secretary [2] - 9:14, 51:6 see [8] - 13:24, 18:19, 28:12, 28:18, 29:7, 30:10, 34:19, 43:12 seeing [1] - 49:21 seeking [2] - 16:21, 20:19 seen [1] - 46:18 sense [1] - 39:12 separate [1] - 29:16 September [2] - 34:23, 55:24 series [1] - 17:5 Service [1] - 6:5 set [2] - 55:9, 55:20 seven [1] - 8:1 several [1] - 25:6 she [1] - 53:23 she's [1] - 44:3 Sheehan [2] - 16:10, 49:14 Sheehan's [1] - 53:20 SHEET [1] - 56:1 sheet [13] - 17:15, 17:24, 20:11, 22:24, 23:20, 24:1, 25:12, 25:18, 25:20, 37:23, 38:2, 45:4, 45:8 Sheet [1] - 3:11 sheets [2] - 20:6, 52:16 shooting [2] - 50:11, 50:13 Shore [1] - 6:4 Shorthand [2] - 1:18, 55:4 should [4] - 26:22, 31:21, 32:13, 51:13 shouldn't [1] - 51:20 show [4] - 18:10, 19:24, 20:16, 20:24 showed [2] - 46:11, 54:21 showing [1] - 45:23 sick [1] - 15:3 sides [1] - 24:21 SIGNATURE [1] - 56:24 Signed [1] - 57:11 signing [1] - 4:6 since [4] - 6:1, 8:7, 24:14, 42:1 Sir [1] - 44:6 sir [3] - 4:16, 4:24, 21:4 sit [2] - 41:1, 49:11 six [2] - 50:11, 51:10 six-two [1] - 50:11 small [1] - 9:12 soccer [1] - 8:13	social [1] - 6:9 somebody [4] - 16:19, 33:13, 33:17, 45:8 someone [1] - 13:7 someplace [1] - 40:4 something [10] - 11:17, 11:19, 13:6, 19:1, 29:21, 32:16, 33:8, 33:11, 33:21, 43:15 sometimes [1] - 9:2 son [1] - 50:5 soon [1] - 50:12 sorry [3] - 4:22, 8:5, 51:15 sounds [1] - 46:13 South [1] - 6:4 speak [1] - 42:22 specific [7] - 10:6, 10:13, 11:16, 23:4, 29:8, 46:8, 52:12 specifically [15] - 12:15, 12:18, 13:16, 14:4, 14:18, 15:1, 20:15, 20:23, 21:14, 21:15, 23:5, 23:10, 32:7, 45:22, 52:10 speculating [1] - 29:11 spell [1] - 4:20 sport [1] - 8:19 spring [3] - 7:12, 7:16, 8:22 ss [2] - 1:4, 55:2 staff [3] - 25:9, 41:5, 42:9 stand [1] - 34:20 standard [1] - 44:14 start [1] - 26:16 started [1] - 13:20 starting [2] - 14:6, 24:20 STATE [1] - 1:23 statements [6] - 26:8, 26:18, 27:1, 48:2, 48:7, 48:23 Stephen [1] - 2:2 Steve [1] - 43:3 steve [2] - 32:14, 33:10 Steven [2] - 4:18, 4:20 STEVEN [6] - 1:16, 3:3, 4:9, 55:7, 57:6, 57:17 stiles [1] - 16:13 still [2] - 7:17, 7:20 stipulated [1] - 44:5 stipulations [1] - 4:5 Stone [1] - 7:1 Stonehill [1] - 6:21 Story [3] - 1:17, 55:4,	55:23 STREET [1] - 1:23 Street [1] - 2:3 strictly [1] - 37:10 strike [1] - 15:20 studies [1] - 6:10 STUDLEY [6] - 1:16, 3:3, 4:9, 55:8, 57:6, 57:17 Studley [2] - 4:18, 35:4 stuff [4] - 7:21, 33:14, 45:24, 51:24 submitted [1] - 17:5 such [2] - 55:11, 55:17 suggest [1] - 32:12 suggesting [2] - 40:16, 41:23 superintendent [4] - 12:23, 13:14, 13:17 SUPERIOR [1] - 1:4 supervisor [1] - 5:3 sure [5] - 5:12, 19:4, 22:5, 22:20, 23:4 surprise [2] - 37:1, 37:3 swear [2] - 24:14, 49:17 sworn [2] - 4:12, 55:11	testifying [3] - 32:10, 33:1, 33:2 testimony [3] - 55:12, 57:8, 57:10 than [27] - 5:10, 8:23, 11:22, 15:5, 16:5, 17:17, 19:6, 19:18, 19:22, 22:17, 24:6, 24:13, 27:17, 31:15, 33:13, 39:11, 39:16, 40:2, 40:13, 44:3, 47:17, 49:22, 51:15, 52:19, 53:6, 53:11 thank [1] - 49:3 thankfully [1] - 36:11 their [11] - 37:5, 37:13, 37:16, 37:22, 38:2, 38:4, 38:7, 38:10, 38:21, 39:19, 39:20 them [19] - 9:20, 12:14, 14:12, 17:14, 17:15, 23:3, 28:2, 44:13, 44:16, 45:8, 45:10, 45:11, 45:15, 45:20, 46:4, 46:5, 46:7, 49:12, 52:8 therefore [2] - 10:12, 13:24 these [7] - 21:11, 22:19, 23:16, 24:16, 25:16, 33:7, 33:15 they [44] - 9:18, 11:16, 12:14, 14:11, 15:10, 16:6, 22:11, 26:7, 26:18, 26:24, 28:2, 28:13, 28:18, 28:21, 28:24, 29:2, 33:12, 33:16, 36:22, 37:1, 37:13, 37:19, 37:22, 38:2, 38:11, 38:13, 39:2, 39:10, 39:15, 39:19, 40:1, 42:1, 42:4, 42:6, 42:11, 42:13, 42:15, 44:9, 44:18, 48:7, 48:11, 48:24, 49:12 they're [1] - 24:21 they've [1] - 29:12 thing [1] - 21:10 things [6] - 8:21, 8:23, 9:20, 13:22, 21:16, 39:7 think [15] - 7:22, 11:11, 12:18, 12:24, 25:22, 27:8, 29:15, 30:14, 40:22, 45:1, 45:10, 45:14, 46:3, 47:8, 49:17 third [1] - 47:13 Thomas [2] - 2:10, 2:17 THOMAS [1] - 1:11	those [5] - 13:24, 15:8, 20:6, 25:11, 32:2 though [3] - 9:21, 12:19, 23:11 thought [4] - 18:23, 32:9, 40:16 three [18] - 8:1, 11:13, 23:16, 27:19, 29:4, 31:15, 39:15, 40:12, 42:5, 44:15, 45:17, 45:20, 46:3, 46:10, 46:20, 52:8 through [8] - 17:14, 20:2, 22:11, 23:2, 24:7, 25:17, 40:8, 53:10 thrown [1] - 22:9 time [18] - 7:8, 7:11, 10:7, 10:18, 11:9, 14:5, 18:23, 21:16, 22:10, 36:20, 39:24, 40:21, 46:8, 46:18, 49:15, 50:15, 51:13, 54:7 timeframe [1] - 21:22 times [3] - 9:18, 12:16, 13:21 today [6] - 19:2, 29:7, 35:17, 41:1, 44:14, 51:20 together [4] - 22:5, 45:18, 46:5, 46:7 told [10] - 17:8, 23:1, 23:10, 32:5, 32:16, 32:19, 32:20, 33:24, 34:8, 52:21 tomorrow [2] - 19:12, 19:17 too [1] - 54:20 took [2] - 15:13, 17:2 top [5] - 24:22, 25:22, 39:17, 47:12, 48:21 total [5] - 38:2, 38:4, 38:7, 38:10, 38:13 tough [1] - 7:23 tournament [1] - 11:18 tournaments [1] - 11:16 towards [1] - 37:14 town [19] - 15:3, 17:6, 18:5, 22:17, 32:24, 33:4, 33:8, 33:14, 45:10, 45:11, 45:15, 45:21, 45:23, 46:14, 49:23, 51:2, 51:17, 51:19, 52:3 TOWN [1] - 1:9 Town [13] - 2:8, 2:15, 5:1, 7:2, 14:1, 20:17,
---	--	--	---	---

<p>27:4, 27:13, 30:21, 31:18, 35:6, 38:21, 40:11</p> <p>transcript [2] - 57:7, 57:9</p> <p>treat [1] - 48:12</p> <p>treated [1] - 42:23</p> <p>treating [4] - 43:1, 43:19, 43:20, 44:1</p> <p>Troy [1] - 2:13</p> <p>true [3] - 43:12, 55:12, 57:9</p> <p>truth [2] - 41:14, 41:18</p> <p>truthful [1] - 41:16</p> <p>try [3] - 5:14, 8:16, 48:21</p> <p>trying [4] - 32:15, 33:22, 34:1, 52:7</p> <p>Tuesday [1] - 1:20</p> <p>Turf [1] - 36:4</p> <p>turn [1] - 45:8</p> <p>turned [8] - 45:15, 46:4, 46:5, 46:6, 51:23, 52:2, 52:8</p> <p>turning [1] - 52:14</p> <p>twice [3] - 11:15, 15:2, 49:18</p> <p>two [12] - 6:24, 9:13, 10:11, 15:5, 29:2, 33:16, 34:4, 37:2, 42:24, 43:1, 50:11, 50:19</p> <p>two-man [2] - 9:13, 10:11</p>	<p>52:8</p> <p>used [1] - 24:23</p>	<p>whispering [3] - 44:23, 44:24, 45:4</p> <p>WHITCOMB [1] - 1:10</p> <p>Whitcomb [2] - 2:9, 2:16</p> <p>white [1] - 29:9</p> <p>who [16] - 10:4, 11:20, 12:20, 13:1, 16:6, 16:21, 16:24, 17:8, 30:8, 46:2, 50:2, 50:5, 51:5, 53:13, 53:14, 53:23</p> <p>who's [2] - 45:12, 46:1</p> <p>whose [1] - 55:8</p> <p>why [9] - 28:11, 29:11, 32:23, 43:5, 43:12, 43:13, 43:18, 47:9, 52:11</p> <p>will [2] - 5:16, 24:23</p> <p>winter [3] - 8:20, 8:24, 9:4</p> <p>wise [1] - 13:22</p> <p>within [1] - 31:13</p> <p>witness [5] - 4:9, 21:3, 43:13, 55:8, 55:13</p> <p>WITNESS [1] - 55:20</p> <p>Witness [2] - 20:3, 31:4</p> <p>witnesses [3] - 33:11, 33:12, 44:3</p> <p>woman [2] - 53:19, 53:22</p> <p>won't [3] - 19:16, 43:10, 43:15</p> <p>wording [1] - 29:8</p> <p>work [4] - 7:10, 7:17, 19:12, 22:5</p> <p>workday [2] - 7:22, 7:24</p> <p>worked [7] - 6:4, 12:21, 29:13, 29:17, 29:22, 36:20, 46:14</p> <p>working [1] - 14:1</p> <p>worth [1] - 39:11</p> <p>worthwhile [1] - 11:3</p> <p>would [22] - 8:11, 8:12, 8:15, 11:14, 13:7, 13:24, 15:1, 18:9, 26:4, 26:7, 27:3, 28:1, 29:11, 31:19, 39:11, 39:12, 42:5, 43:13, 44:9, 44:16, 47:22, 48:4</p> <p>wouldn't [4] - 12:5, 19:1, 23:17, 39:12</p> <p>wrestling [1] - 9:3</p> <p>writing [1] - 22:23</p> <p>written [2] - 23:8, 47:13</p> <p>wrong [1] - 34:18</p> <p>www.bramanti [1] -</p>	<p>1:24</p> <p>www.bramanti-lyons.com [1] - 1:24</p>
V			
<p>Valuation [1] - 3:8</p> <p>varies [2] - 7:11, 9:1</p> <p>various [6] - 16:20, 18:17, 20:13, 21:12, 22:9, 24:2</p> <p>varsity [1] - 6:20</p> <p>vendor [4] - 21:20, 26:3, 48:6, 48:22</p> <p>verbally [1] - 5:10</p> <p>Vermont [1] - 5:20</p> <p>very [5] - 9:11, 9:12, 11:2, 23:4, 41:16</p> <p>VOLUME [1] - 1:1</p> <p>vs [1] - 1:8</p>	W		
<p>wait [1] - 34:20</p> <p>waive [1] - 4:6</p> <p>walk [2] - 53:7, 53:10</p> <p>walkthrough [1] - 53:8</p> <p>Wall [1] - 2:13</p> <p>want [6] - 14:6, 24:14, 41:18, 41:20, 43:6, 43:7</p> <p>wanted [1] - 32:10</p> <p>wants [1] - 50:14</p> <p>wasn't [6] - 15:11, 33:2, 46:10, 47:18, 52:9, 53:24</p> <p>way [1] - 5:8</p> <p>we've [1] - 35:10</p> <p>weather [1] - 54:2</p> <p>website [1] - 51:3</p> <p>week [3] - 7:10, 7:18, 19:15</p> <p>well [18] - 5:8, 7:1, 8:11, 9:14, 13:3, 14:13, 15:20, 18:19, 20:24, 28:11, 36:22, 38:17, 39:6, 42:20, 43:6, 43:22, 51:10, 52:14</p> <p>went [2] - 45:14, 53:15</p> <p>Wentworth [3] - 7:6, 7:18, 7:21</p> <p>what's [6] - 7:24, 19:24, 20:16, 42:15, 51:7, 53:17</p> <p>whatever [1] - 8:19</p> <p>WHEREOF [1] - 55:20</p> <p>which [6] - 18:5, 23:21, 25:18, 27:12, 32:16, 47:12</p> <p>while [1] - 21:11</p>			
U			
<p>U.S [1] - 37:19</p> <p>under [9] - 27:3, 30:24, 31:1, 35:7, 35:8, 37:2, 41:13, 47:21, 57:11</p> <p>understand [6] - 5:13, 22:20, 25:4, 25:14, 26:11, 35:21</p> <p>understanding [1] - 9:10</p> <p>understood [1] - 43:16</p> <p>unless [1] - 48:6</p> <p>unlocked [1] - 15:9</p> <p>until [5] - 6:7, 10:7, 11:10, 37:4, 44:8</p> <p>up [16] - 10:7, 11:10, 11:24, 12:21, 12:22, 13:6, 14:3, 14:17, 37:5, 38:17, 45:23, 46:11, 47:12, 48:20, 53:9, 54:21</p> <p>us [6] - 4:16, 35:6, 43:3, 46:3, 46:11,</p>			
Y			
<p>year [10] - 6:12, 7:11, 8:15, 9:1, 11:12, 12:16, 38:5, 38:7, 53:5</p> <p>years [19] - 6:6, 6:17, 6:22, 9:22, 11:3, 11:13, 15:2, 23:16, 27:19, 29:4, 29:14, 31:15, 33:16, 34:4, 34:16, 39:15, 40:13, 44:15, 49:4</p> <p>yep [2] - 13:5, 47:16</p> <p>yesterday [1] - 19:16</p> <p>yet [1] - 51:9</p> <p>you'd [4] - 7:17, 10:12, 13:8, 49:11</p> <p>you'll [3] - 34:19, 34:24</p> <p>you're [9] - 24:10, 32:15, 33:10, 33:22, 38:17, 41:8, 41:11, 41:13, 43:18</p> <p>young [1] - 34:2</p> <p>yourself [2] - 31:2, 51:10</p>			