

<div>Page 1</div> <div>COMMONWEALTH OF MASSACHUSETTS MIDDLESEX, SS. SUPERIOR COURT DEPARTMENT JOHNSON GOLF MANAGEMENT, INC., Plaintiff, V. C.A. NO.: MICV2008-04641 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), CALM GOLF, INC., CHARLES LANZETTA, Defendants. ~~~~~ DEPOSITION OF JASON LARAMEE, taken on behalf of the Defendant, pursuant to the applicable provisions of the Massachusetts Rules of Civil Procedure, before Jennifer M. Rapoza, Professional Shorthand Reporter and Notary Public within and for the Commonwealth of Massachusetts, at the offices of Brody, Hardoon, Perkins & Kesten, LLP, One Exeter Plaza, Boston, Massachusetts 02116, on August 1, 2012, at 3:44 p.m., as follows:</div>	<div>Page 3</div> <div>1 INDEX PAGE 2 DEPOSITION OF JASON LARAMEE 3 EXAMINATION PAGE 4 BY MR. KESTEN 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</div>
<div>Page 2</div> <div>1 APPEARANCES: 2 3 ON BEHALF OF THE PLAINTIFF: 4 STEPHEN R. FOLLANSBEE, ESQ. 5 Follansbee and McLeod, LLP 6 536 Granite Street 7 3rd Floor East 8 Braintree, Massachusetts 02184 9 781.848.1500 10 steve@fmlaw.us 11 12 ON BEHALF OF THE DEFENDANT: 13 LEONARD H. KESTEN, ESQ. 14 Brody Hardoon Perkins & Kesten, LLP 15 One Exeter Plaza 16 Boston, Massachusetts 02116 17 617.880.7100 18 lkesten@bhpkplaw.com 19 20 ON BEHALF OF THE DEFENDANT: 21 ARTHUR P. KREIGER, ESQ. 22 Anderson & Kreiger LLP 23 One Canal Park 24 Suite 200 Cambridge, Massachusetts 02141 617.621.6500 akreiger@andersonkreiger.com ALSO PRESENT: DOUGLAS JOHNSON PAUL CHERNOFF</div>	<div>Page 4</div> <div>1 DEPOSITION OF JASON LARAMEE 2 AUGUST 1, 2012 3 PROCEEDINGS: 4 STIPULATIONS 5 It is hereby stipulated and agreed by and 6 between counsel for the respective parties that the 7 deposition transcript is to be read and signed under 8 the pains and penalties of perjury within 30 days of 9 receipt; 10 That the sealing and filing thereof are 11 waived; 12 And that all objections, except as to form, 13 and motions to strike are reserved until the time of 14 trial. 15 JASON LARAMEE, the deponent, having been 16 satisfactorily identified and duly sworn by the Notary 17 Public, was examined and testified as follows: 18 EXAMINATION 19 BY MR. KESTEN: 20 Q. Please, state your name for the record. 21 A. Jason R. Laramee. 22 Q. What are you doing here? Why do you come to 23 every deposition? 24 A. Moral support.</div>

1 Q. You don't drive I know.
 2 A. No. He's got a nicer car.
 3 Q. Could you give me you -- well, first of all,
 4 let's start where were you born?
 5 A. Boston, Massachusetts.
 6 Q. What's your educational background?
 7 A. High school degree as well as college
 8 degree.
 9 Q. What high school?
 10 A. Duxbury High School class of '91.
 11 Q. Was Cushing coaching then?
 12 A. Cushing was my JV baseball coach.
 13 Q. Was he any good as a coach?
 14 A. Excellent, one of the finest. He was a
 15 decent coach. Mr. Murphy had been a long time
 16 baseball coach. We had a decent coaching staff in
 17 most sports in Duxbury back when I was in high
 18 school.
 19 Q. And where'd you go to college?
 20 A. University of Arizona.
 21 Q. Nice.
 22 A. Go Wildcats.
 23 Q. Not a bad place. When did you graduate?
 24 A. Ninety-seven.

1 Q. With what degree?
 2 A. Sociology degree with a split minor in
 3 communications and anthropology.
 4 Q. So you screwed up basically in college?
 5 A. I graduated.
 6 Q. I have a sociology degree too. What does
 7 that mean? I partied and I needed a major.
 8 A. They have a very good sociology program.
 9 Q. What's your major? I don't know.
 10 MR. FOLLANSBEE: All you have to do
 11 is the math from high school to college. You'll
 12 figure it out.
 13 Q. What have you done since you got out of
 14 college?
 15 A. I worked at Putnam Investments. I worked at
 16 Savings Bank Life Insurance as well as Johnson Golf.
 17 Q. When did you -- have you worked in any other
 18 golf companies or golf related companies other than
 19 Johnson?
 20 A. No.
 21 Q. When did you start working with or at
 22 Johnson Golf?
 23 A. Approximately, end of 2005 beginning of
 24 2006.

1 Q. And how did that come about?
 2 A. Met my wife. I figured she was the boss of
 3 me at home she might as well be the boss of me at work
 4 too.
 5 Q. And tell me about your employment with
 6 Johnson Golf. What's your history there?
 7 A. Facility manager at Whaling City Golf
 8 Course.
 9 Q. What year?
 10 A. 2005, the end of '05 beginning of 2006 I
 11 believe. As well as overseeing -- I'm technically now
 12 the business manager overseeing when we had eight
 13 places, I've been known to travel in between places to
 14 check on the facility managers on a daily basis up in
 15 Beverly, Strawberry Valley, Pakachoag, as well as
 16 Duxbury, and Whaling City, mainly based out of New
 17 Bedford now.
 18 Q. So what did you do when you check?
 19 A. You go in. You check with the managers see
 20 how things are going what they have scheduled for
 21 tournaments, staffing issues, upcoming events,
 22 prospecting new tournaments, looking into advertising,
 23 how things are going on a daily basis with the course,
 24 and just kind of checking in, you know, taking

1 people's pulses see how things are going.
 2 Q. And do you report to the CEO?
 3 A. Yes.
 4 Q. Your wife?
 5 A. Yes.
 6 MR. JOHNSON: That's true.
 7 Q. When did you first have any business
 8 dealings with North Hill?
 9 A. I grew up in Duxbury so technically I didn't
 10 play much golf growing up, but I probably played --
 11 I'm sure I played a handful of times while I was
 12 living in Duxbury my whole life basically.
 13 Q. How did you meet your wife?
 14 A. Playing golf, yes, at North Hill. She was
 15 the facility manager, and I was the golfer.
 16 Q. Were you ever a member of the committee?
 17 A. I was never a member of the committee.
 18 Q. Did you know any of those guys?
 19 A. Of the North Hill Advisory Committee, yes.
 20 Q. Who?
 21 A. Gordon Cushing was on there. He was my
 22 baseball coach. The other ones I'm not sure if -- if
 23 Siminski was on the committee at any time. I know he
 24 was with the men's association. I went to high school

1 with his son and without looking at the name or the
2 list not -- may have heard them because Duxbury's a
3 somewhat small town but not a ton of interaction.

4 Q. When did you start dating your wife?

5 A. Approximately, 2002, 2003.

6 Q. Were you aware of the controversy about the
7 tee times that began?

8 A. Yes.

9 Q. How did you find out?

10 A. Duxbury Clipper, like most of the people in
11 Duxbury.

12 Q. And what was your wife's job at the time?

13 A. I believe she was the facility manager at
14 the time.

15 Q. At North Hill?

16 A. Yes. I think the article actually was
17 titled teed off about tee times, something like that.

18 Q. How was she involved in the controversy?

19 A. She was the lucky recipient of the person to
20 be there on a daily basis to voice or be the sounding
21 board of people that might be upset I guess.

22 Q. When were you married?

23 A. 2005 July 23rd.

24 Q. Did you have any personal dealings with any

1 people complaining about Johnson Golf's management of
2 North Hill before 2008 let's say?

3 A. Before 2008?

4 Q. Yeah.

5 A. Specifically I heard about the conversations
6 that Amy Reuter had had with Mike Sales who was an
7 ex-club champion, you know, talking about how great it
8 was going to be once Johnson Golf was gone and things
9 would be fun around there.

10 The complaining you really heard at that
11 point was really geared towards the North Hill Men's
12 Association as well who most of those guys were in the
13 Thursday night league that's where most of the
14 complaining or disgruntled golfers came from.

15 Q. From that group? The Thursday night group?

16 A. Thursday night, well, a lot of the guys that
17 played in the Thursday night league were also in the
18 North Hill Men's Association. A lot of those names
19 were the ones that were on the letter.

20 Q. What were they complaining about?

21 A. Well, the tee time policy was the first one
22 and, essentially, they were complaining that you would
23 -- I guess without insulting anybody hold them to a
24 normal golfing atmosphere, no fivesomes, you know,

1 hitting into people, being courteous and respectful of
2 others even though you may frequent the place more
3 than other golfers.

4 Just 'cause you're a regular doesn't give
5 you certain -- certain privileges that a paying
6 customer that may play there once a month would have.

7 Q. What's the problem with fivesomes?

8 A. Pace of play. It's illegal I think actually
9 USGA you can look it up. I think the foursome is the
10 proper -- proper number. Although, some people
11 would -- members actually at Whaling City as well as
12 North Hill would argue that even though they're
13 playing in a fivesome they play quicker than some of
14 the foursomes so it should be okay.

15 But, you know, when you go out there and you
16 see people playing in fivesomes and the pace of play
17 is slow, that's the first thing that people see and
18 want to complain about is that there's a fivesome that
19 they're slowing everything down.

20 Q. So it's strictly pace of play is the issue?

21 A. Yes, for the most part.

22 Q. Anything else?

23 A. Well, I think in the rules of golf it's a
24 foursome is a foursome. There's no such thing as a

1 fivesome.

2 Q. No, I understand. I'm just wondering that
3 if that only -- as far as you know that's the only
4 reason you don't have them is it slows the game down
5 too much?

6 A. In my opinion, I guess, that would be
7 somewhat accurate, yeah.

8 Q. Did you have -- in 2007, 2008 period did you
9 hear from anyone personally that they were going to
10 try to get rid of Johnson Golf?

11 A. Indirectly, yes, you know, all hearsay for
12 the most part. Nobody ever came up to me directly and
13 said, you are not going to be here, but I had heard of
14 conversations of people talking about how the town
15 wanted to hire somebody else make sure we didn't get
16 the contract.

17 Q. Explain that to me. You heard conversations
18 from other people telling you what they heard?

19 A. Exactly, exactly.

20 Q. So who told you?

21 A. With Amy Reuter was one of them, other
22 conversations with Doug and Joe of people that they
23 had talked to over the years, and I think Doug
24 mentioned some of this in his prior deposition, people

1 just being -- making clear.

2 I mean, Michael Doolin in his deposition
3 said it wasn't -- it was very crystal clear I think --
4 I don't know what his exact words were -- but he had
5 mentioned that there was no secret in town how he felt
6 about Johnson Golf Management, and he was head of the
7 North Hill Advisory Committee when the specs were
8 being written to go out for bid for the RFP that's in
9 question right now.

10 Q. I'm not asking about what you heard at a
11 deposition.

12 A. Okay.

13 Q. I'm just wondering whether you, yourself,
14 heard anything from anyone directly?

15 A. I don't remember. I may have, probably,
16 did, but I don't have any specifics to back it up with
17 at this time.

18 Q. Did you have anything to do with the bid
19 preparation?

20 A. No.

21 Q. What was your involvement, if any, in the
22 process once the first bids were rejected? Did you
23 have anything to do with the lawsuit?

24 A. In regards to?

1 Q. Anything.

2 A. Anything.

3 Q. Yeah.

4 A. I've sat in on I think the majority if not
5 all the hearings. I've attended the majority if not
6 all of the depositions. I've reviewed pages and pages
7 of documents of transcripts, old contracts, the RFP,
8 the evaluation. I pretty much scanned everything that
9 is in the physical paper form.

10 Q. For what purpose?

11 A. To help out the company to spot any obvious
12 violations or what we would have concerns of
13 violations that are basically discriminating against
14 Johnson Golf and not following the law.

15 Q. You had -- in one of the affidavits you
16 talked about hearing Shawn Dahlen say something?

17 A. Yes.

18 Q. Tell me about that.

19 A. It was at the bid opening that he claims he
20 doesn't remember being at. He doesn't remember being
21 at the bid opening but --

22 Q. Where was this bid opening?

23 A. It was the same place where the board of
24 selectmen's meeting is.

1 Q. The mural room?

2 A. The mural is that what it's called.

3 Q. That's what it's called. It's got a big
4 mural.

5 A. We were in the mural room.

6 Q. Who was there?

7 A. I was there with Joe Eckstrom from Johnson
8 Golf and we were sitting in the regular seats and
9 Shawn Dahlen and Emmett Sheehan were up against the
10 wall closest to the exit door.

11 Q. So if you're looking at the stage, they're
12 on you're right?

13 A. They were on the right, exactly.

14 Q. Shawn and Emmett were there together?

15 A. Yea. Well, they weren't there together, but
16 they sat next to each other.

17 Q. So they sat. They were -- so you guys
18 were -- you were sitting in a chair with Joe?

19 A. Yeah. And they were, approximately, five to
20 ten feet away from us, maybe, a row or two chairwise
21 off to the side to the side right.

22 Q. Who else was there?

23 A. Who else was there in the room?

24 Q. Yeah.

1 A. Those are the only two that I recognized.
2 There were some other bids going on at the time
3 besides the IFB for North Hill.

4 Q. Oh, really.

5 A. Yes.

6 Q. So this was a bid opening for--

7 A. This was a bid opening for -- there was,
8 probably, about three or four bids. I don't know
9 exactly what the number was, but there was at least a
10 couple of other bids that were being opened, so we
11 were patiently waiting to see what the opening of the
12 IFB for North Hill would be, but there were no
13 bidders.

14 Q. Who was conducting the bid opening?

15 A. I believe to the best of my knowledge it was
16 Scott Lambiase.

17 Q. Where was he? Was he up on the stage?

18 A. He was up on the podium where the selectmen
19 usually sit up in that area.

20 Q. Anybody with him or just him?

21 A. I'm not sure if Gordon was there. There
22 were a couple of people there, but I don't exactly
23 remember specifically who else. There was probably
24 about anywhere from -- I don't know eight to 12 people

1 in the room.

2 Q. I'm interested in the podium now.

3 A. Okay.

4 Q. So on the podium Lambiase's up there.
5 Anybody else?

6 A. I don't recall who else is up there. I can
7 specifically remember Scott -- to the best of my
8 knowledge, Scott was up there and I know there was,
9 maybe, one or two other people, but I don't remember
10 who exactly they were.

11 Q. Do you know the date of this event?

12 A. That should be actually in the first IFB or
13 in the affidavit of when the bid opening was going to
14 be.

15 Q. Okay. And you're saying they're opening a
16 bunch of bids?

17 A. They were opening -- there was other
18 projects that they were doing at the time.

19 Q. How did they do it?

20 A. Depending and you'd have to look
21 specifically to what the work was 'cause I think the
22 -- depending on what the project was it might have
23 been different and I think most projects unlike the
24 golf course are low bid as opposed to high bid.

1 So what they're doing is looking for a
2 qualified company that meets the specifications that
3 is going to cost the town the least amount of money as
4 opposed to getting money from someone.

5 Q. I'm actually asking about the process of bid
6 opening. What happens?

7 A. They --

8 Q. Lambiase's up there. Okay. We're starting.

9 A. And they -- they go over who they had, who
10 was qualified, not qualified, then I think they
11 just -- they would -- I think they took most of it
12 under advisement at that time.

13 Q. So you mean they actually opened the bids
14 and talked about -- who does he talk about them with?

15 A. Well, there's a couple of people up there.
16 There's a -- I don't know if there's a -- if they're
17 handing them back and forth to each other 'cause
18 there's an envelope specific to each company that bid,
19 so there's, obviously, more than one person up there
20 helping them review the documents as they put them in
21 order.

22 That particular part of the process to be
23 honest I wasn't really paying attention to that 'cause
24 I was there for Johnson Golf waiting to hear what

1 happened with North Hill so everything else is kind of
2 a blur.

3 Q. Did they have this process in '08 when the
4 bids were open?

5 A. I don't think so because the evaluations
6 were different. If they did, I didn't attend.

7 Q. That's the first one you had been to?

8 A. That was the first one I have been too and I
9 remember being there.

10 Q. So they get to -- and I see in your
11 affidavit it says it's February 17th --

12 A. Okay.

13 Q. -- 2011?

14 A. Uh-huh.

15 Q. And Lambiase I take it says something about
16 North Hill?

17 A. I think -- I think somebody -- I don't know
18 if it was Joe or if it was Scott asked about North
19 Hill, and they said there were no bids for North
20 Hill.

21 And that's when Scott turned to Emmett and
22 said, "What's the matter? Did you get cold feet."

23 Q. You mean Shawn?

24 A. Shawn turned to Emmett and said, "What's the

1 matter? Did you get cold feet?"

2 Q. All right.

3 (Whereupon Mr. Kreiger left the
4 proceedings).

5 A. And Emmett said, "I couldn't get a bond. I
6 couldn't get bonded."

7 Q. But do you recall Shawn asking about North
8 Hill?

9 A. I don't think it was Shawn asking about
10 North Hill. It may have been, but it was actually
11 probably Joe Eckstrom. I think it was Joe.

12 Q. So you think possibly Joe asked what about
13 North Hill? And Lambiase says --

14 A. There were no bids for North Hill.

15 Q. And then you overhear Shawn as he turns to
16 Emmett?

17 A. To Emmett, yes. And we actually talked to
18 Emmett on the way out the door.

19 Q. Did Joe hear this as well?

20 A. Yes, yes, he did.

21 Q. And you talked to Emmett on the way out?

22 A. Yes.

23 Q. Tell me about it.

24 A. It was more Joe talking to Emmett, and

<p style="text-align: right;">Page 21</p> <p>1 Emmett was talking about how he couldn't get bonded 2 and something to the extent that he was -- 3 (Whereupon Mr. Kreiger joined the 4 proceedings). 5 A. -- he didn't really care because he didn't 6 want the piece of crap contract anyway or something to 7 that effect. 8 And then he actually, you know, Joe and him 9 got into some discussion about how the whole thing had 10 been handled, and I think Emmett had actually said 11 that, you know -- Joe and Emmett were I think in 12 agreement that the town, itself, had screwed up the 13 whole process on more than one occasion because there 14 had been two RFPs at that point. 15 Q. And this was -- this conversation was still 16 in the room? 17 A. Yeah, right going towards -- it either was 18 right outside the exit door or right before the exit 19 door. 20 Q. What do you know about damages that is what 21 the company lost as a result of losing this contract? 22 A. I claim to be no expert in that area. 23 That's why we pay an accountant. 24 MR. KESTEN: Any questions?</p>	<p style="text-align: right;">Page 23</p> <p>1 CERTIFICATE 2 I, JASON LARAMEE, hereby certify under the 3 pains and penalties of perjury that I have read the 4 foregoing transcript of my testimony and further 5 certify that said transcript is a true and accurate 6 record of my testimony (with the exceptions of the 7 corrections, additions, and deletions noted below). 8 PAGE LINE CORRECTIONS, ADDITIONS AND/OR DELETIONS 9 _____ 10 _____ 11 _____ 12 _____ 13 _____ 14 _____ 15 _____ 16 _____ 17 _____ 18 _____ 19 _____ 20 Signed under the pains and penalties of 21 perjury this ____ day of _____ 2012. 22 _____ 23 _____ 24 JASON LARAMEE</p>
<p style="text-align: right;">Page 22</p> <p>1 MR. KREIGER: No. 2 MR. KESTEN: Would you like to 3 clarify his golf scores? 4 (Discussion off the record). 5 MR. KESTEN: So we're done. 6 (Deposition of JASON LARAMEE 7 concluded at 4:02 p.m.). 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p style="text-align: right;">Page 24</p> <p>1 COMMONWEALTH OF MASSACHUSETTS 2 SUFFOLK COUNTY 3 4 I, JENNIFER M. RAPOZA, Professional 5 Shorthand Reporter and Notary Public in and for the 6 Commonwealth of Massachusetts, do hereby certify that 7 the deponent whose deposition is hereinbefore set 8 forth was duly sworn and that such deposition is a 9 true record of the testimony given by the deponent. 10 I further certify that I am neither related 11 to or employed by any of the parties in or counsel to 12 this action, nor am I financially interested in the 13 outcome of this action. 14 In witness whereof, I have set my hand and 15 seal this 20th day of August, 2012. 16 17 _____ 18 Jennifer M. Rapoza, Notary Public in and 19 for the Commonwealth of Massachusetts. 20 My Commission Expires July 8, 2016. 21 22 23 24</p>