

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

Superior Court for Suffolk County

Ronald Geddes, AC, and RAR,
on their own behalf and
on behalf of a class of similarly situated
individuals,

Plaintiffs,

v.

City of Boston; Boston Police Department;
Boston Public Health Commission; Kim M.
Janey, in her capacity as the Mayor of the City of
Boston and individually; Gregory P. Long, in his
Capacity as the Acting Commissioner of the
Boston Police Department and individually; and
Bisola Ojikutu, in her capacity as Executive
Director of the Boston Public Health Commission
and individually,

Defendants.

Civil Action No. _____
On transfer by Second Interim Order in
SJ-2021-0408

**PLAINTIFFS’ REQUEST FOR HEARING ON THEIR MOTION FOR TEMPORARY
RESTRAINING ORDER, PURSUANT TO TRANSFER ORDER IN SJ-2021-0408
SECOND INTERIM ORDER DATED NOVEMBER 10, 2021**

Plaintiffs Ronald Geddes, AC and RAR, on behalf of themselves and the putative class of individuals who are or at any time since October 19, 2021 were residing in encampments in the area referred to as Mass & Cass,¹ respectfully moved for an emergency Temporary Restraining Order and/or Preliminary Injunction in *Geddes et al v. City of Boston et al*, SJ-2021-0408, on November 5, 2021. That motion has now been transferred to this Court for consideration and

¹ See Second Interim Order at 2 (defining “Mass & Cass” area as “near the intersection of Massachusetts Avenue and Melnea Cass Boulevard, including Atkinson and Southampton Streets”).

decision, pursuant to G.L. c. 211, § 4A, through the Second Interim Order of the Single Justice (Gaziano, J.). *See* Second Interim Order at 5 (attached as **Exhibit A**).

Plaintiffs now respectfully request that a hearing on that Motion be scheduled for Wednesday, November 17 or as soon thereafter as possible. This request is consistent with the Second Interim Order, which provides: “Hearings and issuance of a decision on the motion for temporary restraining order shall be conducted with due regard for the emergency nature of these proceedings, and the almost daily actions being undertaken under the auspices of the executive order in the Mass and Cass area.” *Id.* This request is based on Defendants’ representation on November 12, 2021 that no additional removals will be conducted until the scheduled hearing.

To facilitate the Court’s consideration, Plaintiffs provide a link to the discussion of the Motion before the Single Justice on November 9, 2021: <https://www.aclum.org/en/cases/geddes-et-al-v-city-of-boston>. If it would be useful to the Court, Plaintiffs are happy to provide any previous filings made before the Single Justice.

Finally, Plaintiffs also submit herewith certain supplemental materials responsive to questions outlined in the Second Interim Order, namely:

- 1) The Second Affidavit of Cassie Hurd with Exhibits;
- 2) Affidavit of Benjamin Pitta;
- 3) Affidavits of Joan Steffen.

Wherefore, Plaintiffs respectfully request that a hearing be scheduled for Wednesday, November 17, 2021, or as soon thereafter as possible, and that a Temporary Restraining Order in the form proposed in Plaintiffs’ Motion referenced above be issued forthwith.

[signature block on next page]

Dated: November 12, 2021

Respectfully submitted,

/s/ Kevin S. Prussia

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CERTIFICATE OF SERVICE

I hereby certified that a true copy of the above document was served via e-mail upon all counsel of record in the above-referenced matter on November 12, 2021.

/s/ Kevin S. Prussia
Kevin S. Prussia

CERTIFICATE OF COMPLIANCE WITH SUPERIOR COURT RULE 9A(d)

I certify that, in compliance with Sup. Ct. Rule 9A(d), that Plaintiffs have made a good faith effort to contact and confer with all parties regarding the subject of this filing. Defendants have indicated that they do not oppose the submission of supplemental affidavits and exhibits, but will raise any evidentiary objections to the supplemental materials at the hearing. Additionally, Defendants have assented to a hearing on Wednesday, November 17, 2021, and have agreed to delay further displacements until the motion for Temporary Restraining Order can be heard and decided.

/s/ Kevin S. Prussia
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