

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.

SUPERIOR COURT

DAWN DESROSIERS, *et al.*

Plaintiffs,

v.

CHARLES D. BAKER, JR., in his official
capacity as Governor of Massachusetts,

Defendant.

Civil Action No. 2085CV00570

**MOTION FOR LEAVE
TO FILE IN EXCESS
OF PAGE LIMIT**

Plaintiffs submit this Motion for Leave to File in Excess of Page Limit, and state as follows in support thereof:

1. Massachusetts Superior Court Rule 9A(b)(5)(iv) limits memoranda supporting motions to 20 pages.
2. Plaintiffs intend to file a Motion for Preliminary Injunction in this matter, and respectfully request leave to file a supporting memorandum not to exceed 40 pages.
3. The Amended Complaint is 48 pages, 174 paragraphs, and it includes ten counts against Defendant for constitutional and statutory violations that have deprived Plaintiffs of their liberty and property interests. There are ten individual Plaintiffs and 11 organizational Plaintiffs. Plaintiffs seek declarations from this Court regarding the fundamental structure of the Massachusetts government and seek to vindicate their civil rights.
4. Because of the scope, breadth, and significance of the constitutional and statutory issues involved, as well as the legal authorities relied upon by the parties, Plaintiffs require more than 20 pages to present their arguments in a manner that directly and concisely aids the Court in

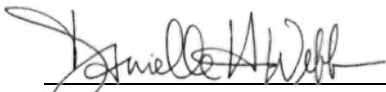
its deliberations, and to provide Defendant with adequate notice regarding the foundation for their request that a preliminary injunction be issued enjoining Defendant's unlawful actions.

5. Leave to file in excess of the page limitation will allow Defendant to file a brief in opposition, if he so chooses, of the same length as Plaintiffs' proposed memorandum. Thus, Defendant will not be prejudiced by this Court's granting the relief that Plaintiffs request.

6. Plaintiffs could not confer with Defendant's counsel prior to filing this Motion because service of process was effectuated by certified mail on Friday, June 19, 2020.

For the foregoing reasons, Plaintiffs request that this Court grant their Motion for Leave to Exceed the Page Limit.

Respectfully submitted,



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Dated: June 22, 2020

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon Defendant through this Court's electronic filing system and by e-mail to agoemergencyfilings@mass.gov on June 22, 2020.



Michael P. DeGrandis

COMMONWEALTH OF MASSACHUSETTS

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[PROPOSED]
ORDER GRANTING LEAVE TO FILE IN EXCESS OF PAGE LIMIT

Upon Plaintiffs’ Motion for Leave to File in Excess of Page Limit, it is:

ORDERED, that Plaintiffs may file their Memorandum of Law in Support of Plaintiff’s
Motion for Preliminary Injunction in excess of page limitations, up to 40 pages; and

ORDERED, that Defendant may file his opposition to Plaintiffs’ Motion for Preliminary
Injunction up to 40 pages.

SO ORDERED:

Dated: _____
Worcester Superior Court
