Gmail Malden NewsNetwork <maldennewsnetwork@gmail.com>

Authority for, and public records request regarding, City of Malden v. Arthur et al. (Nos. 2481CV02456, 2481CV03069, 2481CV03277)

MaldenNewsNetwork <maldennewsnetwork@gmail.com> Wed, Nov 11, 2026 at 4:32 PM
To: Mayor Christenson <mayor@cityofmalden.org>
Cc: "PublicRecords@CityofMalden.org" <publicrecords@cityofmalden.org>, Joanne Perperian <jperperian@cityofmalden.org>, Alicia McNeil <amcneil@cityofmalden.org>, Carol Ann Desiderio <cdesiderio@cityofmalden.org>, "Charles A. Ranaghan" <cranaghan@cityofmalden.org>, Amanda Linehan <alinehan@cityofmalden.org>
Bcc: Malden NewsNetwork <MaldenNewsNetwork@gmail.com>

Subject: Authority for, and public records request regarding, City of Malden v. Arthur et al. (Nos. 2481CV02456, 2481CV03069, 2481CV03277)

Dear Mayor Christenson,

We are writing on behalf of Malden News Network with a question and a related public records request.

Question: The City Charter vests executive power in the Mayor and City Council (§§ 2, 10, 12) and provides for the Council to choose the City Solicitor (§ 14), but we have not found a provision stating who may authorize the City to commence litigation. Please identify the Charter section, ordinance, statute, or policy that governs this. Please also indicate who authorized the filing of each of the following actions in Middlesex Superior Court:

- 2481CV02456, City of Malden v. Manza Arthur, Supervisor of Public Records, et al. (filed 9/13/24)
- 2481CV03069, City of Malden v. William Francis Galvin, Secretary of the Commonwealth, et al. (filed 11/21/24)
- 2481CV03277, City of Malden v. Manza Arthur, Supervisor of Records, et al. (filed 12/16/24)

Public records request: Under G.L. c. 66, § 10, please provide the following records, including emails and other electronic communications:

1. Any City Council agenda, executive session notice or order, minutes, vote, or motion that refers to, authorizes, approves, or ratifies the commencement or continuation of any of the above actions or of Appeals Court No. 2025-P-0235, including executive session minutes to the extent they may be released. If a record is already posted online, a link is sufficient.
2. Any written policy, protocol, resolution, or delegation (other than the City Charter, Code of Ordinances, and General Laws) that governed who may authorize litigation on behalf of the City at any time between September 1, 2024 and December 16, 2024.
3. Any written authorization, directive, or approval from any official or body (including the Mayor, Council President, City Council, or City Solicitor) to commence each of the above actions or to appeal in No. 2025-P-0235.
4. Any engagement letter, retainer agreement, or contract between the City and Murphy, Hesse, Toomey & Lehane, LLP covering any of the above actions or the appeal, and any record of its approval, procurement, or funding (such as a purchase order, contract approval, appropriation, or Council order).

For items 1, 3, and 4, please search from January 1, 2024 through the date you conduct the search.

We ask for electronic copies. As a news organization seeking records in the public interest, I request a fee waiver under G.L. c. 66, § 10(d). If you decline, please send a written fee estimate before doing any work. If any record or portion is withheld, please identify the specific exemption relied on, as § 10(b)(iv) requires, and release all segregable portions. If no responsive record exists for an item, please say so in writing.

We look forward to your response within 10 business days.

Sincerely,
Brian DeLacey and Bill Muise
Malden News Network
MaldenNewsNetwork@gmail.com

cc: Records Access Officer; City Solicitor; City Clerk (Council records); Controller of Accounts (procurement); Council President.