2481CV03069 City of Malden vs. William Francis Galvin, Secretary of the Commonwealth et al

- Case Type:
- Administrative Civil Actions
- Case Status:
- Open
- File Date
- 11/21/2024
- DCM Track:
- X - Accelerated
- Initiating Action:
- Certiorari Action, G. L. c. 249 § 4
- Status Date:
- 11/21/2024
- Case Judge:
-
- Next Event:
-

Party Information

City of Malden
- Plaintiff

Alias

Party Attorney
- Attorney
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- Bar Code
- 713025
- Address
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  Suite 410
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- Attorney
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  50 Braintree Hill Off Pk
  Suite 410
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More Party Information

William Francis Galvin, Secretary of the Commonwealth
- Defendant

Alias

Party Attorney
- Attorney
- Frohlich, Esq., Julie Ann
- Bar Code
- 554707
- Address
- Massachusetts Attorney Generals Office
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  20th Floor
  Boston, MA 02108
- Phone Number
- (617)963-2394
- Attorney
- Specht, Esq., Claire Marie
- Bar Code
- 687952
- Address

- Office of the Massachusetts Attorney General
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  20th Floor
  Boston, MA 02108
- Phone Number
- (617)963-2855

More Party Information

Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth
- Defendant

Alias	Party Attorney
	Attorney Frohlich, Esq., Julie Ann Bar Code 554707 Address Massachusetts Attorney Generals Office One Ashburton Place 20th Floor Boston, MA 02108 Phone Number (617)963-2394 Attorney Specht, Esq., Claire Marie Bar Code 687952 Address Office of the Massachusetts Attorney General One Ashburton Place 20th Floor Boston, MA 02108 Phone Number (617)963-2855

More Party Information

OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org)
- Defendant

Alias	Party Attorney

More Party Information

Subsequent Action/Subject

Status	Description	SA/Subject #	Status Date	Responding Party	*Judgments*	Pleading Party
Open	Counterclaim	1	02/17/2025	City of Malden	0	OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org)

Events

Date	Session	Location	Type	Event Judge	Result
03/12/2025 03:00 PM	Civil H Rm 710	Courtroom 710	Motion Hearing	Barry-Smith, Hon. Christopher K	Decision rendered
01/05/2026 02:00 PM	Civil H Rm 710	Courtroom 710	Final Pre-Trial Conference		Rescheduled

Ticklers

Tickler	Start Date	Due Date	Days Due	Completed Date
Service	11/21/2024	02/19/2025	90	03/05/2025
Judgment	11/21/2024	11/21/2025	365	
Under Advisement	03/12/2025	04/11/2025	30	03/31/2025
Status Review	05/14/2025	10/03/2025	142	

Docket Information

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
11/21/2024	Complaint electronically filed. Exhibits scanned in with the Complaint	1	Image
11/21/2024	Civil action cover sheet filed.	2	Image
11/21/2024	Plaintiff City of Malden's Motion for Appointment of a Special Process Server Constable Thomas Cabral 11/22/24. ALLOWED (Fraser, J.)	3	Image
11/22/2024	Case assigned to: DCM Track X - Accelerated was added on 11/22/2024		
12/05/2024	Defendant OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org)'s Request to Extend/Postpone his Required Answer Date	4	Image
12/11/2024	Service Returned for In hand to agent Joseph Barnes on 12/5/24 at One Ashburton Place, 17th Floor, Boston, MA 02108 Applies To: William Francis Galvin, Secretary of the Commonwealth (Defendant)	5	Image
12/11/2024	Service Returned for Defendant Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth: Service made in hand;	6	Image
12/11/2024	Service Returned for Defendant OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org): Service made in hand; On 12/5/24 at 8 Marvin Street, Malden, MA 02148	7	Image
12/12/2024	Endorsement on Request to Extend/Postpone his Required Answer Date (#4.0): ALLOWED Request to extend time to answer is ALLOWED. Based on his representation that he will be undergoing surgery on 12/16. The date to file an answer is extended to February 14, 2025. In the future, Mr. Friedman must comply w/Rule 9A when filing any motion. dated:12/12/24. Judge: Fraser, Hon. John C		Image
12/20/2024	Attorney appearance electronically filed.		Image
12/20/2024	Attorney appearance On this date Rebecca R Krumholz, Esq. added as Private Counsel for Defendant Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth		
12/20/2024	Attorney appearance On this date Rebecca R Krumholz, Esq. added as Private Counsel for Defendant William Francis Galvin, Secretary of the Commonwealth		
12/20/2024	Defendant Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth's Notice of intent to file Administrative Record as answer in accordance with Sup.Ct.Rule Standing Order 1-96	8	Image
01/22/2025	Defendant OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org)'s Notice of Motion to Dismiss and Special Motion to Dismiss Under Massachusetts G.L.C.231 Sec. 59H Pursuant to Superior Court Rule 9E	9	Image
01/24/2025	Defendant OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org)'s Motion to dismiss Plaintiff's Claim Under G.L.c.231 and 59H (Special)	10	Image
01/30/2025	Plaintiff City of Malden's Assented to Motion to extend deadlines.	11	Image
02/05/2025	Endorsement on Motion to Extend Deadlines (#11.0): ALLOWED Dated 01/31/2025. ALLOWED. Dates on Page 2 are adopted. (Barry-Smith,J.).		Image
02/14/2025	Opposition to Defendant Bruce Friedman's Special Motion To Dismiss Under G.L. C. 231, § 59h filed by City of Malden	12	Image
02/17/2025	Answer with a Counterclaim Applies To: OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org) Defendant	13	Image
02/17/2025	Reply/Sur-reply Applies To: OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org) (Defendant)	14	Image

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
02/19/2025	Service Returned for Defendant William Francis Galvin, Secretary of the Commonwealth: Service through person in charge / agent; To Anthony Petino on 2/19/25 at 1 Ashburton Place, 20th Floor Boston MA, 02108	15	
02/19/2025	Service Returned for	16	Image
03/05/2025	Affidavit of Defendant, Bruce Friedman in support of Defendant's Motion to Dismiss Plaintiff's Claims Under G.L.c.231§ 59H	17	Image
03/08/2025	Attorney appearance On this date Rebecca R Krumholz, Esq. dismissed/withdrawn as Private Counsel for Defendant Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth		
03/10/2025	Administrative record filed: Volumes 1-9 with CD attached Applies To: William Francis Galvin, Secretary of the Commonwealth (Defendant); Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth (Defendant)	18	
03/10/2025	Certificate of service of attorney Applies To: Krumholz, Esq., Rebecca R (Attorney) on behalf of Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth, William Francis Galvin, Secretary of the Commonwealth (Defendant)	18.1	Image
03/10/2025	Received from Plaintiff City of Malden: Answer to the Counterclaim;	19	Image
03/10/2025	Attorney appearance electronically filed.		Image
03/10/2025	Attorney appearance On this date Julie Ann Frohlich, Esq. added as Private Counsel for Defendant William Francis Galvin, Secretary of the Commonwealth		
03/10/2025	Attorney appearance On this date Julie Ann Frohlich, Esq. added as Private Counsel for Defendant Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth		
03/12/2025	Matter taken under advisement: Motion Hearing scheduled on: 03/12/2025 03:00 PM Has been: Held - Under advisement Hon. Christopher K Barry-Smith, Presiding Appeared: Plaintiff Felicia Simone Vasudevan, Esq., James R Donnelly, Esq., Defendant Julie Ann Frohlich, Esq., Private Counsel Defendant OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org) Staff: Dia S Roberts-Tyler, Assistant Clerk Magistrate		
03/18/2025	Defendants William Francis Galvin, Secretary of the Commonwealth, Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth's Notice of Withdrawal of Appearance of Counsel		Image
03/18/2025	Attorney appearance On this date Rebecca R Krumholz, Esq. dismissed/withdrawn as Private Counsel for Defendant William Francis Galvin, Secretary of the Commonwealth		
03/21/2025	Affidavit of Defendant Bruce Friedman Regarding Misleading Statements Made by Plaintiff's Counsel Before the Court on March 12, 2025	20	Image
03/27/2025	Plaintiff, Defendant City of Malden, Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth, OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org)'s Joint Motion to stay.	21	Image
04/01/2025	Endorsement on Motion to Stay (#21.0): ALLOWED Dated 03/31/2025. ALLOWED. Other aspects of the case are stayed pending decision on Mr.Friedman's motion under Anti-SLAPP Law. (Barry-Smith,J.).		Image
04/08/2025	Plaintiff City of Malden's Motion to strike Affidavit of Defendant Bruce Friedman	22	Image

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
04/08/2025	City of Malden's Memorandum of Law in Support of Its Motion to Strike Affidavit of Defendant Bruce Friedman	22.1	Image
04/08/2025	Opposition to Plaintiff's Motion to Strike filed by OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org)	22.2	Image
04/08/2025	Plaintiff City of Malden's Certificate of Compliance	22.3	Image
04/08/2025	Plaintiff City of Malden's Certificate of 9A list of documents	26	Image
04/08/2025	Plaintiff City of Malden's Notice of 9A filing	27	Image
04/17/2025	Docket Note: email sent 4/17/25 to judge Barry-Smith re; pleadings #22 and 20		
04/25/2025	Affidavit of Defendant Bruce Friedman Regarding Continued Violations of Defendant Friedman's Rights of Protected Petitioning Activities	28	Image
05/14/2025	ORDER: DECISION AND ORDER ON DEFENDANT'S SPECIAL MOTION TO DISMISS: CONCLUSION AND ORDER: For these reasons, Friedman's special motion to dismiss (Paper No. 10) is denied. So ordered.	29	Image
05/15/2025	NOTICE OF APPEAL Defendant Bruce Friedman hereby gives notice pursuant to Rule 3 of the Massachusetts Rules of Appellate Procedure that he appeals from the Order entered on the docket as file number 29 on May 14, 2025, in the above-captioned matter. Applies To: OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org) (Defendant)	30	Image
05/15/2025	Certification/Copy of Letter of transcript ordered from Court Reporter 03/12/2025 03:00 PM Motion Hearing Applies To: OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org) (Defendant)	30.5	Image
05/16/2025	Plaintiff City of Malden's Motion to strike Affidavit of Defendant Bruce Friedman	31	Image
05/16/2025	City of Malden's Memorandum of Law in Support of Its Motion to Strike Affidavit of Defendant Bruce Friedman	31.1	Image
05/16/2025	Opposition to Plaintiff's Motion to Strike filed by OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org)	31.2	Image
05/16/2025	Plaintiff City of Malden's Certificate of Compliance With Superior Court Rule 9C	31.3	Image
05/28/2025	Docket Note: pleading #31-31.3 emailed to judge Barry-Smith this day		
06/27/2025	Plaintiff City of Malden's Motion for Scheduling Order	32	Image
06/27/2025	Opposition to Motion For Scheduling Order filed by OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org)	32.1	Image
06/27/2025	Certificate of Compliance Superior Court Rule 9C Applies To: Vasudevan, Esq., Felicia Simone (Attorney) on behalf of City of Malden (Plaintiff)	32.2	Image
06/30/2025	CD of Transcript of 03/12/2025 03:00 PM Motion Hearing received from Donna Dominguesz. VOL 1	33	
06/30/2025	Notice of assembly of record sent to Counsel	34	Image
06/30/2025	Notice to Clerk of the Appeals Court of Assembly of Record	35	Image
06/30/2025	Appeal: Statement of the Case on Appeal (Cover Sheet).	36	Image
07/01/2025	Defendants OpenCommonwealth (Bruce Friedman d/b/a Open Commonwealth.org)'s EX PARTE Motion to Stay (Special)	37	Image
07/08/2025	Appeal entered in Appeals Court on 06/30/2025 docket number NO: 2025-P-0807	38	Image
07/14/2025	Endorsement on Motion of plaintiff for scheduling order, assented to (#32.0): ALLOWED The Court will impose a scheduling order as there is not a likelihood of success on appeal. The Court will adopt the scheduling order on Page 2 of this Motion		Image
07/14/2025	Endorsement on Motion of defendant Bruce Friedman to stay (#37.0): DENIED See the endorsement on (P#32) Judge: Kazanjian, Hon. Helene		Image

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
07/24/2025	Notice of docket entry received from Appeals Court Please take note that on July 24, 2025, the following entry was made on the docket of the above-referenced case:(RE #4 & 7 [REVISED]): The appeals in 25-P-235, 25-P-796, and 25-P-807 are consolidated for briefing and decision. 25-P-796 and 25-P-807 are closed. The assembly of the record package (paper #1), docketing statement(s), briefs, appendices, and transcripts, if any, shall be transferred to 25-P-235. All future filings shall refer only to 25-P-235. To the extent appellant may seek to file a revised brief and appendix in 25-P-235 to address issues raised in the consolidated matter, a request for leave to file a revised brief and appendix, accompanied by the revised brief and appendix, is due on or before 811/25. Any proposed revised documents are to comply with the briefing rules in the Massachusetts Rules of Appellate Procedure. Notice/attest.	39	Image
07/24/2025	Notice of docket entry received from Appeals Court Please take note that on July 24, 2025, the following entry was made on the docket of the above-referenced case:RE #8 (REVISED) & #9: This case is closed. See 25-P-235 for further entries. Notice/attest	40	Image
08/19/2025	Notice of docket entry received from Appeals Court No. 2025-P-0235 Consolidated with: Consolidated with: 2025-P-0796 and 2025-P-0807.Paired with 2025-P-0807 & 2025-P-0796 for consideration by the same panel of judges for determination. CITY OF MALDEN vs. BRUCE FRIEDMAN D/B/A OPENCOMMONWEALTH.ORG & another NOTICE OF PRE-SCHEDULING AND UNAVAILABILITY TO ARGUE Dear Counsel or Litigant: The Appeals Court anticipates scheduling this case for oral argument before a panel of justices in October 2025, on one of the following days: October 1, 2, 3, 7, 8, 9, 10, 14, 15. It is the obligation of the attorney or party who will be presenting the argument to notify the Appeals Court in writing of any preplanned unavailability to appear and argue on any of those days. Unavailability typically includes a vacation, maternity leave, or medical procedure, but not a trial date. You are required to file such notice within seven (7) days of this notice, and thereafter to update the notice when necessary. As always, the Appeals Court will endeavor to accommodate counsel's schedule for which we have received prior notice. Once the court issues a notice of oral argument, however, counsel or the party must file a motion to reschedule that establishes grave cause for any postponement. To limit rescheduling issues, please submit a written notice of any dates when you will be unavailable to argue this case, and update it when necessary. If you received this notice by email, you should send any notice of unavailability by replying to this email. If you are not currently registered to receive electronic notifications, please review the Appeals Court's standing order governing electronic notices and register.	41	Image
12/02/2025	Attorney appearance On this date Claire Marie Specht, Esq. added as Private Counsel for Defendant Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin Secretary of the Commonwealth		
12/02/2025	Attorney appearance On this date Claire Marie Specht, Esq. added as Private Counsel for Defendant William Francis Galvin, Secretary of the Commonwealth		
12/02/2025	Attorney appearance electronically filed.		Image
12/19/2025	Event Result:: Final Pre-Trial Conference scheduled on: 01/05/2026 02:00 PM Has been: Rescheduled For the following reason: Joint request of parties Hon. Helene Kazanjian, Presiding		Image

Case Disposition

Disposition	Date	Case Judge
Pending		