



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT

STATE HOUSE • ROOM 271
BOSTON, MASSACHUSETTS 02133
TEL: (617) 725-4030 • FAX: (617) 727-8290

OFFICE OF THE GOVERNOR'S LEGAL COUNSEL

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

BEN T. CLEMENTS
CHIEF LEGAL COUNSEL

MICHAEL J. PINEAULT
DEPUTY CHIEF COUNSEL

MAUREEN MCGEE
DEPUTY LEGAL COUNSEL

MARK A. REILLY
DEPUTY LEGAL COUNSEL

KATE COOK
DEPUTY LEGAL COUNSEL

E. ABIM THOMAS
DEPUTY LEGAL COUNSEL

June 20, 2008

Christopher M. Perry, Esq.
Brendan J. Perry & Associates, P.C.
95 Elm Street
P.O. Box 6938
Holliston, MA 01746

Dear Mr. Perry:

I write in response to your letter dated June 20, 2008.

You are correct that the Legislature could pass legislation authorizing the Commonwealth to pay the punitive damages that the jury awarded against the individual defendants. Absent such legislation, Mass. Gen. L. ch. 258, § 9 precludes the Commonwealth from paying those damages.

I will forward your offer of *pro bono* assistance to the Department of Mental Health. Thank you for extending it.

Sincerely,

A handwritten signature in cursive script that reads "Michael J. Pineault".

Michael J. Pineault