

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

CITY OF MALDEN

v.

SUPERVISOR OF RECORDS,
SECRETARY OF THE
COMMONWEALTH, and
OPEN COMMONWEALTH
AND BRUCE FRIEDMAN

MIDDLESEX SUPERIOR COURT
DOCKET NO.: 2481CV03277

**COUNTERCLAIM PLAINTIFF FRIEDMAN'S MOTION FOR DEFAULT
JUDGMENT (Mass. R. Civ. P. 55 (b)(2))
AGAINST COUNTERCLAIM DEFENDANT CITY OF MALDEN**

Comes now Counterclaim Plaintiff Friedman and requests that the Court enter Default Judgment against Counterclaim Defendant, City of Malden, and states the following facts in support thereof:

1. On December 23, 2024, Counterclaim Plaintiff Friedman filed, emailed and served Counterclaim Defendant Malden with his counterclaims.
2. Plaintiff's answers to Defendants counterclaims were due on Sunday, January 12, 2025.
3. As of the date of this application, April 11, 2025, Plaintiff Malden has failed to answer Defendant's counterclaims, this is some 110 days after counterclaims were filed and served.
4. Malden is in Default as found by the Court on April 11, 2025, attached hereto as **Exhibit A.**

Wherefore, Defendant Friedman requests that the court enter default judgment against Plaintiff Malden in and **for all five** of Counterclaim Plaintiff Friedman's causes of action in

his counterclaims filed and served upon Plaintiff Malden on December 23, 2024, and for any other relief this court deems proper.

Respectfully Submitted by Defendant,

Dated: April 11th, 2024

/s/ Bruce Friedman .
Bruce Friedman – Pro-Se
8 Marvin Street
Malden, MA. 02148
(617) 952-3183
bruce@amyandbruce.com

CERTIFICATE OF SERVICE

I hereby certify that a true copy of this Motion for Default Judgment was served upon the counsel for the City of Malden, Ms. Alicia McNeil; amcneil@cityofmalden.org and to counsel for Co-Defendants Supervisor of Records and Secretary of the Commonwealth at Julie.Frohlich@mass.gov electronically via email.

Dated: April 11th, 2024

/s/ Bruce Friedman .
Bruce Friedman – Pro-Se

Exhibit A

| | | | |
|---|--|--|----------------|
| DEFAULT ORDER (Mass. R. Civ. P. 55(a)) | DOCKET NUMBER 17 2481CV03277 | Trial Court of Massachusetts The Superior Court | |
| CASE NAME City of Malden vs. Manza Arthur, Supervisor of Records of the Public Records Division of the Office of William Francis Galvin, Secretary of the Commonwealth et al | | Michael A. Sullivan, Clerk of Court Middlesex County | |
| TO: File Copy | | COURT NAME & ADDRESS Middlesex County Superior Court - Woburn 200 Trade Center Woburn, MA 01801 | |
| <p>The party(s), named below, having failed to plead or otherwise defend the case as required by the rules of civil procedure, and plaintiff having shown that fact by affidavit or otherwise, is(are) hereby defaulted pursuant to Mass. R. Civ. P. 55(a).</p> <p>City of Malden <i>- Defendant in - Counter claim</i></p> | | | |
| <p>The plaintiff shall file one of the following, if not already entered:</p> <p>1. in accordance with Mass. R. Civ. P. 55(b)2 and subject to Mass. R. Civ. P. 54(b) and 55(b)4, file a motion for an assessment of damages and default judgment by, 05/11/2025.</p> <p>or</p> <p>2. in accordance with Mass.R.Civ.P. 55(b)(1) (for a sum certain or for a sum which can by computation be made certain) and subject to Mass.R. Civ. P. 54(b) and 55(b)4, file a request for default judgment by, 05/11/2025.</p> | | | |
| DATE ISSUED | CLERK OF COURTS | ASSISTANT CLERK | SESSION PHONE# |
| 04/11/2025 | Michael A. Sullivan, Clerk of Court | X | (781)939-2754 |