

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. \_\_\_\_\_

JUDICIAL WATCH, INC., )  
)  
*Plaintiff,* )  
)  
v. )  
)  
CITY OF BOSTON, )  
)  
*Defendant.* )  
\_\_\_\_\_ )

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

Plaintiff Judicial Watch, Inc. brings this action against Defendant City of Boston to compel compliance with the Massachusetts Public Records Law, G.L. c. 66, § 10. As grounds therefor, Plaintiff alleges as follows:

**Jurisdiction and Venue**

- 1. Jurisdiction and venue are proper pursuant to G.L. c. 66, § 10A(c).

**Parties**

2. Plaintiff Judicial Watch, Inc. is a not-for-profit, educational organization incorporated under the laws of and headquartered in Washington, DC. Plaintiff seeks to promote transparency, accountability, and integrity in government and fidelity to the rule of law. As part of its mission, Plaintiff regularly requests records under federal and state “open records” laws, analyzes the responses and any records it receives, and disseminates its findings and the requested records to the public to inform them about “what their government is up to.”

3. Defendant the City of Boston is a municipal corporation that is subject to suit and the Massachusetts Public Records Law. On information and belief, the Defendant has custody of

public records requested by Plaintiff.

### **Statement of Facts**

4. On December 13, 2023, Plaintiff submitted a public records request to Defendant seeking access to the following:

- A. All internal email communications of Mayor Wu, Chief of Equity and Inclusion Cervera, Chief of Staff Chu, Chief People Officer Lawrence, Chief of Human Services Masso, Senior Advisor Osgood, Spokesman Patron, and Chief of Communications Pierre related to the “Electeds of Color Holiday Party,” including but not limited to its planning and invitation list.
- B. All internal email communications of all members of the Boston City Council related to the “Electeds of Color Holiday Party.”
- C. All budget records related to “Electeds of Color Holiday Party,” including but not limited to invoices, purchase orders, financial statements, agreements and contracts.

The time frame for the requested records is November 15, 2023 to the present.

5. Later that same day, Defendant emailed Plaintiff, informing Plaintiff that the request had been received, that it had been assigned Reference Number R004504-121323 for tracking purposes, and that it had begun to be processed.

6. By email dated December 28, 2023, Defendant informed Plaintiff that Defendant needed an additional 15 business days to respond to Plaintiff’s request.

7. As of the date of this Complaint, Defendant has failed to respond to Plaintiff’s public records request.

### **Count I (Violation of the Massachusetts Public Records Law)**

8. Plaintiff realleges paragraphs 1 through 7 as if fully stated herein.

9. Pursuant to the Massachusetts Public Records Law, Defendant was required to respond to Plaintiff’s request within 25 business days of receipt or by January 22, 2024.

10. Because Defendant has failed to produce all records responsive to Plaintiff’s request

or demonstrate that the requested records are lawfully exempt from production, Plaintiff is being irreparably harmed and will continue to be irreparably harmed unless Defendant is compelled to comply with the law.

WHEREFORE, Plaintiff respectfully requests that the Court: (1) order Defendant to search for all records responsive to Plaintiff's request; (2) order Defendant to produce, by a date certain, any and all non-exempt records responsive to Plaintiff's request; (3) order Defendant to waive any fee assessed for the production of any and all non-exempt records; (4) enjoin Defendant from continuing to withhold any and all non-exempt records responsive to Plaintiff's request; (5) grant Plaintiff an award of attorneys' fees and other litigation costs reasonably incurred in this action pursuant to G. L. c. 66, § 10A(d)(2); and (6) grant Plaintiff such other relief as the Court deems just and proper.

Dated: February 5, 2024

Respectfully submitted,

/s/ Michael Bekesha  
Michael Bekesha (BBO No. 675787)  
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