

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

• (617) 498-9020

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

March 28, 1983

MICHAEL C. COSTELLO
ASSISTANT CITY SOLICITOR

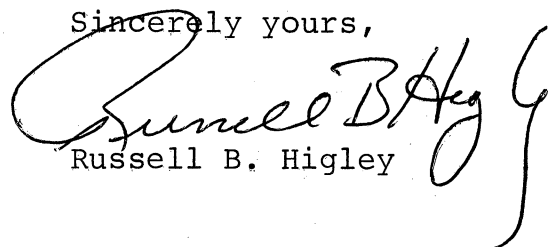
EDWARD A. CUNNINGHAM
SEVERLIN B. SINGLETON
DAVID B. O'CONNOR
BIRGE ALBRIGHT
LEGAL COUNSEL

Robert Healy
City Manager
Cambridge, Massachusetts 02139

Dear Mr. Healy:

I am enclosing a status report on the City of Cambridge vs. Electronics Corporation of America, Middlesex Superior Court # 83-294. ECA's attorney has scheduled a hearing on their Motion For Stay of Proceedings which will be heard on April 6, 1983. Judge Flaksman of the Middlesex Superior Court has scheduled a conference on April 7, 1983 for the purpose of establishing a trial date.

Sincerely yours,


Russell B. Higley

Ref: 3/25/83

SHERIN AND LODGEN
COUNSELLORS AT LAW

140 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

TELEPHONE 426-5720
AREA CODE 617

ARTHUR L. SHERIN
1945-1964
GEORGE E. LODGEN
1945-1971

PAUL MELROSE
MORTON B. BROWN*
GEORGE WALDSTEIN
JOHN M. REED
ROBERT J. MULDOON, JR.
ALETTE E. REED
BRUCE L. DOVE
JOSHUA M. ALPER
THOMAS PAUL GORMAN
CONSTANCE M. HILTON
DAVID A. GUBERMAN
PAUL R. GUPTA
BURTON S. KLIMAN

*ADMITTED IN FLA. AND MASS.

March 23, 1983

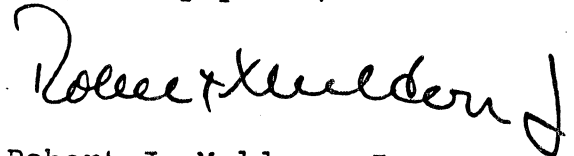
Edward J. Sullivan, Clerk
Middlesex Superior Court
East Cambridge, MA 02141

Re: City Council of City of Cambridge
Vs: Electronics Corporation of America
Superior Court No. 83-294

Dear Sir:

Kindly file and docket the enclosed defendant's
Motion For Stay of Proceedings and place it on the list
for hearing in the motion session at 9:30 A.M. April 6,
1983.

Very truly yours,



Robert J. Muldoon, Jr.

RJMJ:nr
Encs.

cc: Birge Albright, Esq.
Dr. Arthur G. B. Metcalf
Mr. William Eisner

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO. 83-294

CITY COUNCIL OF)
CITY OF CAMBRIDGE)
V.)
ELECTRONICS CORPORATION)
OF AMERICA)

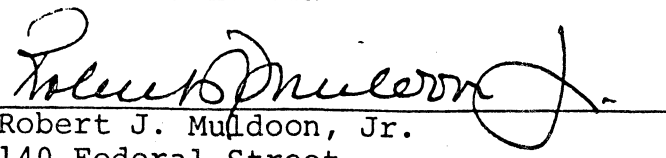
MOTION FOR STAY
OF PROCEEDINGS

The defendant moves that the Court stay all proceedings in this action at least until May 13, 1983, for the reason that negotiations pursuant to a collective bargaining agreement are now going on between the defendant and the union representatives of a portion of the defendant's employees. The negotiations include a discussion of the subject matter underlying the issuance by the Cambridge City Council of its subpoena to the defendant. The defendant believes that the underlying issue in this case may become moot upon the completion of the collective bargaining process and, secondly, that a judicial inquiry into the subject covered by continuing negotiations at this time would be highly detrimental to its interests and that of its employees with whom it is negotiating.

ELECTRONICS CORPORATION OF AMERICA

By its attorneys,

SHERIN AND LODGEN

by: 
Robert J. Muldoon, Jr.
140 Federal Street
Boston, MA 02110
Tel. 426-5720

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO. 83-294

CITY COUNCIL OF)
CITY OF CAMBRIDGE)

V.)

ELECTRONICS CORPORATION)
OF AMERICA)

NOTICE OF HEARING

TO: Birge Albright, Esquire
Law Department
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Please take notice that the undersigned will bring
on the defendant Electronic Corporation of America's Motion for
Stay of Proceedings for hearing at the Motion Session, Wednesday,
April 6, 1983, at 9:30 a.m.


Robert J. Muldoon, Jr.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO. 83-294

CITY COUNCIL OF)
CITY OF CAMBRIDGE)

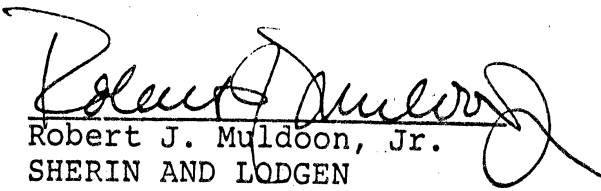
V.)

CERTIFICATE OF SERVICE

ELECTRONICS CORPORATION)
OF AMERICA)

I, Robert J. Muldeon, Jr., hereby certify that on March 24, 1983, I served the within Motion for Stay of Proceedings by mailing a copy of same, postage prepaid to Birge Albright, Esquire, Law Department, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139.

SIGNED under the pains and penalties of perjury.


Robert J. Muldoon, Jr.
SHERIN AND LODGEN
140 Federal Street
Boston, MA 02110
Tel. 426-5720

RUSSELL HIGLEY, ESQUIRE
CITY SOLICITOR
CITY HALL
CAMBRIDGE, MASS. 02139

No. 83-294CAMBRIDGE City Council vs. ELECTRONICS GRP OF AMERICA

The above entitled case (a) is (acc) in order for Jury-Waived Trial - Conference at Cambridge on APRIL 7 1983 at 10:00 o'clock A.M. Counsel must be present ~~with~~/without witnesses on that day or call the clerk on the day before to report any settlements. No further notice will be given.

By the Court:

FLAKSMAN J
Court Room
(9A)

Edward J. Sullivan, Clerk

Joseph A. Pavo
Assistant Clerk



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

March 28, 1983

To the Honorable, the City Council:

With reference to Awaiting Report Item No. 23, I
transmit herewith communication from Russell B. Higley,
City Solicitor, with a status report on the City of
Cambridge vs. Electronics Corporation of America.

Very truly yours,

Robert W. Healy
City Manager

RWH/b

Agenda Item Number #125157

Re: status report on Electronics Corporation
of America.

In City Council,

March 28, 1983