



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

• (617) 498-9020

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

MICHAEL C. COSTELLO
ASSISTANT CITY SOLICITOR

EDWARD A. CUNNINGHAM
ANDREW T. TRODDEN
SEVERLIN B. SINGLETON
DAVID B. O'CONNOR

LEGAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

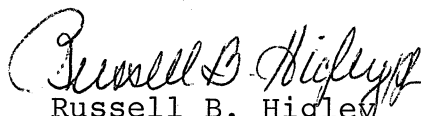
December 22, 1980

Mr. James L. Sullivan
City Manager
City Hall
Cambridge, MA

Dear Mr. Sullivan:

In accordance with Council Order No. 10 dated December 15, 1980, I am enclosing a status report which I received from George F. Killgoar, Jr., Esq. relative to the case of the City of Cambridge v. President and Fellows of Harvard College.

Very truly yours,


Russell B. Higley
City Solicitor

RBH:jl

Enc.

M E M O R A N D U M

To: Russell B. Higley, City Solicitor
City of Cambridge

From: George F. Killgoar, Jr.

Date: December 18, 1980

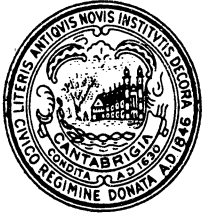
Re: City of Cambridge v. President and
Fellows of Harvard College (Deft.
and Third Pty. Pltff.) vs. M. DeMatteo
Construction Company et al (Third Pty.
Defts.)
Middlesex Superior Court Civil
Action No. 760498

Settlement negotiations have been undertaken regarding this matter and a conference is scheduled for Monday, December 22, 1980 between counsel for the City of Cambridge and for the President and Fellows of Harvard College.

From the Plaintiff's, City of Cambridge, position all pleadings and discovery have been completed and the matter is ready for trial in the Middlesex Superior Court, but it has yet to be placed on a trial list.

The Defendant, President and Fellows of Harvard College, has undertaken some discovery by means of deposition and has scheduled depositions of John Cochran and Ralph Dunphy, former employees of the City of Cambridge, so the pretrial discovery by said Defendant has not been completed.

If and when a firm offer of settlement is made by the Defendant, it will be transmitted to you.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

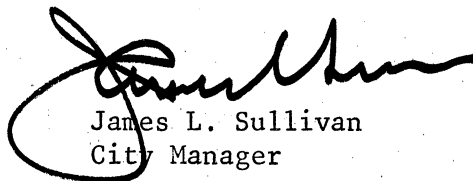
EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

January 5, 1981

To the Honorable, the City Council:

With respect to Awaiting Report Item No. 28 relative to the status of the suit against Harvard University for the underpass, enclosed please find copy of a report from Russell B. Higley, City Solicitor.

Very truly yours,



James L. Sullivan
City Manager

JLS/mbf
Enc.

Agenda # 5

5-22

Awaiting Report Item No. 28 relative to the
status of the suit against Harvard Univ.
for the underpass.

In City Council,

January 5, 1981

1/5/1981

Placed on File -