

JOHN J. FLYNN 1881-1969
PAUL L. FLYNN 1893-1971
JOHN J. FLYNN, 3RD.
ROBERT S. FLYNN
GERALD S. COURNOYER, JR.
PETER C. HARDY
A. RICHARD COHN
GREGORY C. FLYNN

Law Offices of
Flynn & Flynn
411 Main Street
Waltham, Mass. 02154

OF COUNSEL
LAURENCE S. FLAHERTY
NOTARY PUBLIC
AREA CODE 617
TELEPHONE 893-3610

August 12, 1980

City Loan Company
526 Massachusetts Avenue
Cambridge, Massachusetts

ATTENTION: Mr. Louis Rubin

Re: Demand for Relief Pursuant to
M.G.L.A., Chapter 93A, Section 9
Gold Solitaire Diamond Ring with a
round stone - Bernard J. Coutu, Pawner

Dear Mr. Rubin:

This office has been retained by Mr. Bernard J. Coutu of 185 Sycamore Street, Watertown, Massachusetts in connection with the pawning of his wife's gold solitaire diamond ring with a round stone and the disappearance of said ring.

According to the City Loan Company pawn ticket No. 66038 the diamond ring was pledged and the loan made on February 25, 1980. I am enclosing a copy of said ticket for your review.

That on June 25, 1980, Mrs. Coutu went to your establishment to pay the debt and redeem the diamond ring. However, upon opening the envelope a gold wedding band was found. This did not belong to the Coutus and they were informed the ring could not be located.

Passage of one week's time did not turn up the ring and on approximately July 3, the Coutus went to your company to describe the ring and look at some in your case. That Mrs. Coutu took a ring at your urging until hers could be located. That on July 5, the Coutus returned said ring and demanded the original ring pawned. You informed them that this was not possible.

Mr. and Mrs. Coutu then went to the Consumer Protection Agency at the Attorney General's Office for assistance, but this did not accomplish any positive results. That you and your company were indifferent to the Coutus' dilemma regarding your negligence in handling the ring and its loss.

This activity on your part represents a breach of the pawn agreement and pawnbroker statute. Therefore, we regard your act of mishandling the diamond ring, of failing to recover and return it or to make suitable restitution to my clients to be an unfair and deceptive practice prohibited by M.G.L.A., Chapter 93A and the Attorney General's Regulations.

Law Offices of
Flynn & Flynn

Page Two.

City Loan Company

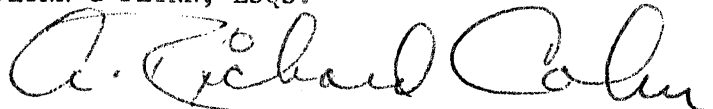
Furthermore, I believe there is a possibility of conversion on your part and if this proves to be the case we will take whatever action necessary for the return of the diamond ring.

Demand then is hereby made that you return the gold solitaire diamond ring with round stone immediately to my client, or tender \$1,200.00 to them as replacement for the ring's fair market value.

If you fail to return the diamond ring or tender the \$1,200.00, we will commence legal action to recover treble damages pursuant to M.G.L.A., Chapter 93A plus costs and reasonable attorney's fees.

Very truly yours,

FLYNN & FLYNN, ESQS.



A. Richard Cohn, Esquire

ARC/mt
File #37544
Enc.

cc. Mr. and Mrs. Bernard Coutu
185 Sycamore Street
Watertown, Massachusetts 02172

cc. Chief of Police
City of Cambridge
Cambridge, Massachusetts

cc. Attorney General's Office
Consumer Complaint Division
One Ashburton Place
Boston, Massachusetts 02108

cc. City Manager
City of Cambridge
Cambridge, Massachusetts

cc. City Council
City of Cambridge
Cambridge, Massachusetts

cc. Law Department
City of Cambridge
Cambridge, Massachusetts

484-7267

4.88

Nº 66038

CITY LOAN COMPANY

526 MASSACHUSETTS AVE.

LOUIS RUBIN, Licensed Pawnbroker

Cambridge, Mass.

This Certifies that the property hereinafter described was this day taken in pawn from the person named herein, and the sum stated loaned thereon.

Description of Article:

Ring - 14 karat

Time of Pledging

4.28

Case No.

Movement No.

Amount

\$ 3.00

Date

Charge First Week

1.25

month

Loaned

Each week thereafter

Name of Pawner

D. J. [unclear] C. [unclear]

Residence of Pawner

185 [unclear] W. [unclear]

The pawnbroker shall at the time of making the loan deliver to the person pawning or pledging any article a ticket containing an account and description of article pawned or pledged, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid on such loan, and the name and residence of the person pawning or pledging such article. And no charge shall be made or required by the pawnbroker for such ticket. (See R. L., c. 102, s. 43.)

Articles left in pawn, if perishable, may be sold after one month from date of pawn. If not perishable may be sold after four months from date of pawn. The proceeds of the sale shall be applied to pay the debt, the expense of the sale and any surplus shall be paid to the party entitled thereto on demand, and no article above the value of \$25 shall be sold except by public auction. (See R. L., c. 102, s. 34.)

Articles of personal apparel shall not be deemed to be of a perishable nature within the meaning of Section 33 of Revised Laws. (See R. L., c. 102, s. 34.)

No licensed pawnbroker shall make or receive any extra charge or fee for storage, care or safekeeping of any goods, article or thing pawned with him. (Rev. Laws, c. 102, s. 41, Police Rule.)

NOTICE — All complaints against pawnbrokers should be made to the Chief of Police, corner of Green Street and Western Avenue, Cambridge.

NOTICE: This Loan Expires

It may be renewed by paying the interest

6-25-82

4.88

Telephone 876 2201

NOTE — Notify at once if receipt is lost.
Without surrender of receipt no pledged
article can be redeemed or new receipt
issued until maturity of Loan.

Date	Amt	Per

RATES OF INTEREST

Established by the CAMBRIDGE LICENSE COMMISSION

May 1, 1977

- On \$1.00 or less, first week, 5 cents; each week thereafter, 2 cents.
- Over \$1.00 to \$3.00, first week 4 per cent, each week thereafter, 2½ per cent.
- Over \$3.00 to \$25.00, first week 3 per cent, each week thereafter, 2 per cent.
- Over \$25.00 to \$100.00, 4 per cent, a month.
- Over \$100.00 - - - 3 per cent, a month.

EXPERT WATCH AND JEWELRY REPAIRING

Not responsible for loss or damage due to burglary, fire or theft.

19. S. 403

Comm. from A. Richard Cohn, Esq., regarding
a demand for relief pursuant to Chapter 93A,
Section 9 for a gold solitaire diamond ring
with a round stone.

In City Council,

Sept. 8, 1980

*Referred to the
Committee on
Prisons -
Copy sent to Law Dept.
9/9/80 (dl)*