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CITY OF CAMBRIDGE CAMBRIDGE MA.

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December 17, 1992

To The Honorable The City Council
City Hall
Cambridge, MA 02139

Re: Midas Muffler Special Permit
2501 Massachusetts Avenue

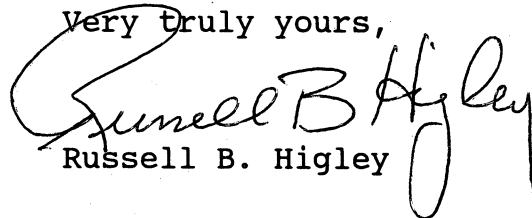
Dear Councillors:

One of the issues in the case involving the special permit was whether some, if not all, of the plaintiffs named in the suit did not have "standing" to bring suit. Therefore, Attorney Edward O'Connell, as Legal Counsel in my office, scheduled depositions of some of the plaintiffs and sent out the required notices.

Some of the plaintiffs contacted Attorney O'Connell to ask why he wanted to depose them. It was obvious to him that these people did not know they were plaintiffs in a suit against the City.

On the date the depositions were scheduled, the stenographer failed to appear. I was informed that there was a heated discussion among the attorneys present as to whether the people named in the pending lawsuit knew they were parties to the suit or that a suit had been filed.

Very truly yours,


Russell B. Higley

RBH/jml

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COMMUNICATIONS & REPORTS
FROM CITY OFFICERS

Communication from Russell B. Higley,
City Solicitor, regarding the Midas
Muffler Special Permit for the
premises numbered 2501 Mass. Ave.

In City Council,

December 21, 1992

Placed on file