

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARMTENT  
CIVIL ACTION NUMBER:

22-2490H

ROBERT O'SHEA, CHAIRMAN OF )  
THE WARD 6 DEMOCRATIC )  
COMMITTEE, ET AL, )  
Plaintiffs )

v. )

THE BOSTON CITY COUNCIL )  
Defendant )

**VERIFIED COMPLAINT FOR PRELIMINARY INJUNCTIVE RELIEF  
AND TEMPORARY RESTRAINING ORDER**

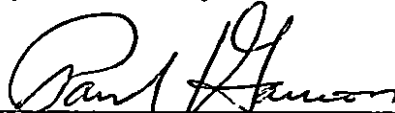
1. The Plaintiff, Robert O'Shea, is the Chairman of the Boston Ward 6 Democratic Committee in South Boston, Massachusetts, and registered voter and resident of South Boston.
2. The Plaintiffs: The South Boston Citizens Association; Martin F. McDonough American Legion Post; St. Vincent's Lower End Neighborhood Association; and the Old Colony Tenant Association are civic associations whose members include residents and registered voters of the City of Boston's South Boston section.
3. The Defendant Boston City Council is an elected municipal body, consisting of the following members: Julia Mejia; Brian Worrell; Ruthzee Louijeune; Ricardo Arroyo; Erin Murphy; Frank Baker; Michael Flaherty; Ed Flynn; Tania Fernandes Anderson; Gabriela Coletta; Liz Breadon; Kendra Lara; and Kenzie Bok.
4. On Oct 10, 2022, four (4) members of the Boston City Council Redistricting Committee and seven (7) members of the Boston City Council met at the Bruce C. Bolling Municipal Building to discuss the topic of Legislative Redistricting in the City of Boston without giving notice pursuant to the Open Meeting Law, Chapter 30A of the Massachusetts General Law.
5. On Oct. 18, 2022, four (4) members of the Boston City Council Redistricting Committee and five (5) members of the Boston City Council were present at City Hall Plaza to meet and discuss the topic of Legislative Redistricting in the City of Boston without giving notice pursuant to the Open Meeting Law, Chapter 30A of the Massachusetts General Law.

6. On Oct. 19, 2022, four (4) members of the Boston City Council Redistricting Committee and seven (7) members of the Boston City Council met at the Condon School in South Boston, MA to discuss the topic of Legislative Redistricting in the City of Boston without giving notice pursuant to the Open Meeting Law, Chapter 30A of the Massachusetts General Law.
7. An Open Meeting Law Complaint, a copy of which is attached hereto as Exhibit "A", based on the violations of MGL.c 30A set forth above was served on both the Clerk of the Boston City Council and the Boston City Council President on October 25, 2022.
8. On October 26, 2022, the Boston City Council met for its regularly scheduled meeting at which it intended to vote on a proposed Redistricting Map.
9. Due to the Open Meeting Law Complaint noted above, the Boston City Council did not proceed with its anticipated vote on any proposed Redistricting Maps at that October 26, 2022 meeting.
10. Although there was mention of the October 25, 2022 filed Open Meeting Law Violations, (Exhibit "A") at that meeting, the Boston City Council neither reviewed any of the alleged violations nor did they review all the proposed remedies listed therein.
11. At the October 26, 2022 meeting, the Boston City Council members only mentioned that they were waiting for their legal counsel to respond to the Complaint.
12. As of this date, the Boston City Council hasn't responded in writing to the Open Meeting Law Complaint filed on October 25, 2022.
13. It's anticipated that other residents of the City of Boston will file additional Open Meeting Law Complaints concerning deliberations on proposed redistricting maps prior to the November 2, 2022 scheduled meeting of the Boston City Council.
14. The Attorney General's Office is in possession of the Open Meeting Law Complaint. Per M.G.L.c. 30A, they will not address the issue until on or after November 24, 2022.
15. Although the Boston City Council has not responded to the Open Meeting Law Complaint, (Exhibit "A"), the Boston City Council has indicated that they plan to vote on a Redistricting Map at their next scheduled meeting on Wednesday, November 2, 2022.
16. Should the Boston City Council take a vote on the proposed Redistricting Map prior to responding to the Open Meeting Law Complaint, and prior to the Attorney General's Office response to that Complaint, (which is not required until November 24, 2022), the Plaintiffs will be irreparably harmed, as the remedies pursuant to M.G.L.c. 30A section 23(c) and 23(f) will be insufficient to remedy the Plaintiffs' claims arising out of the deliberations of the elected officials which took place in violation of the Open Meeting Law in advance of any such vote.
17. The Defendant will not be prejudiced in any way from a delay in the vote as the City is under no express statutory deadline to take a vote on this issue at this time, or prior to November 24, 2022.

**WHEREFORE, the Plaintiffs respectfully requests this Honorable Court:**

1. Issue, on an Ex Parte basis, a temporary restraining order preventing the Defendant, the Boston City Council, from taking a vote on any proposed "Redistricting Plan", (redrawing the City Council Districts), at their next scheduled meeting on Wednesday, November 2, 2022.
2. Issue preliminary injunctive relief in the form of an Order preventing the Defendant, the Boston City Council, from taking a vote on any proposed "Redistricting Plan", (redrawing the City Council Districts), until the Attorney General's Office's response to the Open Meeting Law Complaint filed by the Plaintiffs is issued.
3. Issue a short order of notice for an immediate hearing of Plaintiffs' Request for Preliminary Injunctive Relief as set forth in paragraph 2 above.
4. Grant all other relief which the Court may deem just and proper.

Respectfully submitted,  
The Plaintiffs,  
By their Attorney,



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Dated: November 2, 2022

**VERIFICATION**

I, Robert O'Shea do state, under the pains and penalties of perjury that I have read this within Verified Complaint and I can state that the facts set forth are true to the best of my knowledge, and that no material facts have been omitted therefrom.

Signed this 2<sup>nd</sup> day November, 2022.

  
Robert O'Shea