

6/29/2021

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

SUPERIOR COURT DEPT.
C.A. NO.

E STREET LLC

2182cv00603

Plaintiff

v.

TOWN OF BRAINTREE, MAYOR CHARLES C.
KOKOROS, INDIVIDUALLY, and MAYOR
CHARLES C. KOKOROS, TRUSTEE OF
PETERSEN TRUST

Defendants

PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION

The plaintiff E Street LLC, through counsel, moves that this court enter the following preliminary injunction against the defendant the Town of Braintree:

The Town of Braintree, its mayor, agents, and representatives, are hereby restrained and enjoined from:

- (1) terminating E Street LLC’s contracts concerning the skating rink and swimming pool construction project on six acres of land located on the campus of Braintree High School;
- (2) issuing an RFP or entering into agreements with any other parties concerning the skating rink and swimming pool construction project on six acres of land located on the campus of Braintree High School; and
- (3) maintaining the Stop Work Order concerning the skating rink and swimming pool construction project on six acres of land located on the campus of Braintree High School.

For reasons, the plaintiff states that as set forth in the *Affidavit of Paul Cokinos* and exhibits and the accompanying *Memorandum*, the plaintiff has established a reasonable likelihood of success on the merits of its claims against the defendant Town of Braintree and, in the absence of this injunction the plaintiff will suffer irreparable harm. The irreparable harm

outweighs any harm which the defendant will suffer if an injunction is issued. Tri-Nel Management, Inc. v. Board of Health of Barnstable, 433 Mass. 217, 219 (2001); Packaging Industries Group, Inc. v. Cheney, 380 Mass. 609, 617 (1980); see also Town of Brookline v. Goldstein, 388 Mass. 443, 447 (1983).

For further support, the plaintiff respectfully directs the court to the *Affidavit of Paul Cokinos*, documents referenced therein and plaintiff's *Memorandum in Support of Motion for Preliminary Injunction*.

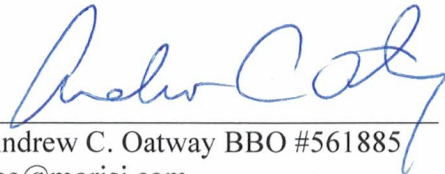
E STREET LLC

By its attorneys,

MORISI & OATWAY, P.C.

Dated: _____

6/28/2021



Andrew C. Oatway BBO #561885

aco@morisi.com

MORISI & OATWAY, P.C.

730 Hancock Street

Quincy, MA 02170

Tel: (617) 479-0400

Fax: (617) 479-6885