

PRIORITY MAIL

March 27, 2020

Town of Leicester
3 Washburn Square
Leicester, Massachusetts 01542
Attn: David Genereux

Leicester/Hillcrest Water Supply District
124 Pine Street
Leicester, Massachusetts 01524
Attn: Robert F. Wilson

Cherry Valley Rochdale Water District
Cherry Valley Sewer District
148 Henshaw Street
Leicester, Massachusetts 01524
Attn: Benjamin Morris

Leicester Community Access Corporation
3 Washburn Square
Leicester, MA 01524
Attn: Paul Morris

RE: My Client: Michael J. Shivick
Dates of Loss: 2003 - present
Evidence Sought: Exhibits to 2003 Intermunicipal Agreement & and All
**Evidence Relating to the 2003 Intermunicipal Agreement, Water and Sewer
Districts, and Michael J. Shivick**

Dear Mr. Genereux, et al.,

Please be advised that, in both 2017 and 2019, my office sent a letter to your office seeking all documents incorporated within the 2003 Intermunicipal Agreement (IMA) between the Town of Leicester and the Leicester Water Supply District. Further, in 2020, additional correspondence were dispatched to the Leicester Police Department seeking additional documents. It appears your office and others may have lost or otherwise destroyed all such exhibits relating to the agreed upon water rates between the contracting parties, despite the above notice that

- 1) there was an intermunicipal contract that did not provide for a termination or rescission of the IMA,
- 2) there was a pending civil investigation to follow,
- 3) express notice from this office to preserve all such evidence, and
- 4) the requirements of M.G.L. c.40 s.4A.

I am aware based on the representations of the Town of Leicester, and others, through its agents, that such exhibits exist, yet are unavailable to be forwarded to my client or this office at this time. Please consider this to be my formal request to you as agent of the Town of Leicester, and other entity, or to the person, whomever it may be, who has the responsibility for overseeing and/or operating the company's records and document requests, in each and every department, to preserve any such

- exhibits and all evidence relating to the IMA;

- evidence of any kind relating to rates paid for water use and/or sewer use and/or other transactions of any kind relating to metering, billing, service, installation of device(s) of any kind, between the Town and any other person and/or party relating to utilities of all and every kind;
- all correspondence between any employee or agent of the Town and any person whatsoever, regarding the IMA and my client;
- all audio and video tapes involving my client and any other evidence such as requests for and inspections conducted by the Board of Health and/or Building Department of 999 and/or 1001 Stafford Street and/or "Mass Crane,";
- investigation(s) in any way of any kind of or in any way involving my client in his personal, professional, or elected capacity and attendant documents, including metadata, of any kind regarding the same;
- records of public meetings in any and all forms, whether electronic or otherwise, and any meeting minutes, including any draft(s) or revision(s);
- each publication or iteration of each entities' website;
- all emails;
- Audit of the Cherry Valley Sewer District; and
- any other evidence related to the subject matter of this potential litigation - down to the sticky note.

Failure to preserve any of this evidence is considered spoliation.

Spoliation has been defined as the willful destruction of evidence or the failure to preserve potential evidence for another's use in pending or future litigation. Massachusetts courts have ruled that sanctions (in extreme cases, up to and including default and dismissal) may be appropriate for the spoliation of evidence, whether negligent or intentional, even where the loss of potential evidence occurs before an action has been commenced, if a potential litigant or its expert knows or reasonably should know that the evidence might be relevant to a possible action.

Your entity had notice that all evidence related to the 2003 IMA and my client was relevant to a possible action, when the subject matter of the claim was initially reported by him or others at various times between 2010 and the date of this letter, and received subsequent notice from this office regarding same, in part – which was then published on the internet by the Town Administrator.

Please be advised by the contents of this correspondence that I consider any audio or video recording, and/or other evidence, under any entity and/or department's control, from 1880 (year eighteen hundred and eighty) through the date of this letter, and any

evidence subsequently discovered or accumulated thereafter, to be subject to this demand.

Thank you in advance for your prompt attention to this matter and cooperation in honoring this request. All communications and notices with regard to the issues set forth herein should be sent to Michael J. Shivick, Esq., PO BOX 428, Rochdale, Massachusetts 01542.

Very Truly Yours,


Michael J. Shivick, Esq.

MJS/ylg

Enclosure: 3/27/20 Mass Torts Claims Act Presentment Letter & Cease and Desist Order
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RE: M.G.L. c.258 §4 - Pre-litigation Notice

My Client: Michael J. Shivick, Esq.

Claims: 42 USC s.1981-83 Violation of Civil Rights, Due Process Violation, 18 USC 1961-68 Racketeer Influenced Corrupt Organization (RICO), Intimidation of a Witness, Attempted Bribery; Witness Tampering, Violation of M.G.L. c.40 s.4A; Conspiracy; Violation of Open Meeting Laws; Assault, False Imprisonment, Conversion, Intentional Infliction of Emotional Distress, Destruction of Evidence; 18 USC s.1346 Scheme to Defraud of Honest Services;

Dear Mr. Genereux, et al.,

Pursuant to the requirements of M.G.L. c.258 §4, this letter will serve notice on you that my client, Michael J. Shivick, Esq., intends to file suit against you for damages resulting from the personal injuries and other damages he sustained while a resident and elected official of the Town of Leicester from 2003 to present. The 3 year statute of limitations in c.258 s.4 does not apply, as a condition precedent, because of 1) the intentional acts of the individuals described herein below that fall far outside the scope of their agency with the Town or entity and 2) the continuing and ongoing nature of the "enterprise" and injuries being sustained by Mr. Shivick.

The factual basis for this action will be the behavior of your agent(s) during Mr. Shivick's time as a resident and later elected official, in furtherance of the criminal enterprise and their own personal political agenda. Please be reminded Mr. Shivick was recently elected to the Town of Leicester Moose Hill Water Commission for a 3-year term in 2019.

ZONING ENFORCEMENT

Specifically, your building and health inspectors permitted the ongoing illegal operation of a business at 1001 Stafford Street from 2007-2016. This resulted in numerous calls to

Shivick v. Town of Leicester, et al. - M.G.L. c.258 s.4 Letter - 20 pages

the Town by one Margaret Shivick to have the town cease the obviously illegal business operating in a residential neighborhood. The inspectors on various occasions used their position to continue the illegal operation of the business at 1001 Stafford Street, refused to enforce the law, repeatedly found the business could operate "[as long as it was behind this line]" – which referenced the seemingly intentional and arbitrary rezoning of portions of 999 Stafford Street and 1001 Stafford Street into an industrial zone. The inspector, on belief and information, was acting in accordance with others, who had an axe to grind against Mr. Shivick for working against Mr. Belanger in his notoriously unsuccessful campaign for state senate in 2008. A review of the records would show that Mr. Jeff Taylor's appointment was at the behest of former Selectmen Thomas V. Brennan and Douglas A. Belanger, who notoriously worked in tandem for decades to control the town politically, and who are rumored to have done so in order to collect kick-backs and extortion payments. Mr. Shivick and his mother were able to meet with the then Town Administrator Mizikar in 2016 about Mr. Jeff Taylor's unlawful behavior. Mr. Taylor, after years of singing the same song, did an about face and shut the business down. Shivick obtained a ruling from the Leicester Zoning Board of Appeals in October 2016 that finally enforced the *Harrison* rule, which for over 50 years has stood for the proposition in Massachusetts that one cannot use a residential zoned property as an egress and ingress to conduct business on a differently zoned area of the premises, absent a "quarry" exception.

The inspector at that time, Mr. Taylor, in the hall immediately after the ZBA ruling, exclaimed multiple times that he would "do everything [he can] to make sure that business is up and running again." This in addition to direct threats made by the inspector to Mr. Shivick, insinuating that any attempts to hold him responsible would be met with extra-judicial retribution. This in addition to him making excuses for over 9 years to continue the crescendoing and illegal operation of the "business" at 1001 Stafford Street. The subsequent emboldening of the unlawful "businessperson(s)" at 1001 Stafford Street by the intentional commandeering of the government, and 999 Stafford Street, by Mr. Taylor for the Hillbilly Mafia's personal agenda, in substantial violation of my client's rights resulted directly in the purchase of a large tractor and expanded scope of the illegal business, which still substantially negatively impacts the health, safety, and well-being, as well as the current and future interests, of Mr. Shivick at 999 Stafford Street. Mr. Taylor also backdated and otherwise fabricated documents in whole cloth in order to perpetuate the ongoing illegal operation of the 1001 Stafford Street business. Mr. Shivick was forced to endure over 100 degree temperatures, keeping the windows closed and air conditioning off, in order to avoid the noxious fumes emitted by the industrial business being permitted to operate feet from Shivick's kitchen. He was also forced to suffer loss of ability to conduct business, as well as extreme emotional distress in the form of anxiety, frustration, sadness, disenchantment with and distrust of the government,

lack of sleep and attendant disruption of circadian rhythm, and malaise. This in addition to the conversion of the property and corollary deprivation, without right, in order to effectuate retaliation against Mr. Shivick, as well as permit the continued operation of said illegal business at 1001 Stafford Street.

Also, during my client's time as Selectman, it was reported that Mr. Taylor was accepting money in exchange for building permits and/or signing off on work that was not done in accordance with applicable codes and regulations. This in addition to complaints received from multiple sources that Mr. Taylor was employed full time at both the Town of Leicester and another local municipality.

Further the legality of the zoning of 1001 and 999 Stafford Street appears unlawful due to lack of notice provided regarding the drastic change in zoning to a long-standing residential zone. Mr. Taylor was also reported to permit numerous other violations of law, including the moving of dirt from Mass Crane to another town illegally and permitting illegal lighting to exist at the Mass Crane property. Such illegal activities have been often predicated by a lack of notice altogether, late notice delivered after the meeting takes place, or relying on a flimsy piece of paper hung in the Town Hall basement as a means to assert constructive notice has been provided.

WATER RACKETEERING & FRAUD

Furthermore, your staff and agents acted intentionally in other ways to facilitate the ongoing retribution against Mr. Shivick simply for being an actively engaged Leicester resident. The abhorrent nature of the behavior individually and collectively exhibited by staff and agents of the Town of Leicester, and other quasi-municipalities and organizations named herein, is exemplified by Mr. Leonard Margadonna. Mr. Margadonna is the known lap-dog and patsy for Mr. Belanger and Robert F. Wilson, among others in their criminal enterprise (hereinafter "Hillbilly Mafia"). Here, Mr. Margadonna has far exceeded the scope of the roles he wears as masks in furtherance of the enterprise, to wit, Town of Leicester Parks and Recreation Commissioner, Leicester Water Supply District (LWSD) Commissioner, Leicester Cable Access Channel (LCAC) volunteer/agent. Mr. Belanger made the classic extortion move of cornering Shivick in the bathroom minutes before a 2016 Select Board meeting and telling him he would "put him on the school contract negotiations" if Shivick would willingly accept being "removed" from water district liaison because he was allegedly "causing problems." In reality Mr. Belanger's hope of pulling one over on an attorney was dashed by the absurdity of his own smoke and mirrors game, resulting in Belanger, Wilson, and company spending weeks spreading false rumors, together with others, that Shivick, a practicing attorney, was somehow "interfering with the operations of the water districts" by asking questions, attending meetings, disseminating public contracts and information,

and otherwise discharging his basic duties as an elected official. On belief and information the Hillbilly Mafia is very serious about not having the water districts consolidated or publicly audited, so they can continue to embezzle funds, lie about water quality and infrastructure to the state, cover all of the decades of malfeasance up, continuing to hand out plum jobs to their relatives and cronies to consolidate power, and avoid the obvious civil and criminal prosecution attendant to the very same. It was clear from the Department of Environmental Protection's investigations into the Leicester Water Supply District that their water pipes are not operating as intended, leading to substantial water lost in transmission, and precluding the LWSD from providing assistance to other areas of town affected by other mismanagement and water problems. The LWSD, in order to avoid having to face the realities of their aging infrastructure, had Joseph Wood, son of disgraced Highway Superintendent Tom Wood, "investigate" the alleged porous main water line under Paxton Street and "report" that the DEP was in fact wrong and there was no problem with the pipe. This before they literally covered it up and paved over the evidence.

The Hillbilly Mafia regularly uses individuals like Mr. Wood and Mr. Margadonna to conduct "dirty work" that other, more apt individuals, would refuse to engage in. Mr. Margadonna used his position numerous times from 2016-present to engage in intentional and malicious defamation against Mr. Shivick in order to specifically damage his reputation for truthfulness and propensity to practice law (stated in writing numerous times), often under color of state law. He also used his position to manipulate the programming at LCAC in order to favor Mr. Shivick's opponent and, more specifically, acting with Arthur Paquette the Executive Director, Paul Morris, and others to implement rules and regulations aimed at curtailing Mr. Shivick's free speech rights under state and federal law. Mr. Morris receives direct monetary compensation from his son's position as superintendent of the CVRWD and CVSD in regard to contracts and work referred directly to him by his son to him under color of state law. Margadonna used his position to schedule interviews with Mr. Shivick's opponent and air the interview in a manner to give the opponent an advantage in the 2019 Select Board race, as well as outright deleting Shivick's programming from the LCAC broadcast lineup on 2019 election weekend and day. Mr. Paquette denied any such "deletion" instead stating that "these things happen," and despite this happening in the past regarding recordings of specific water district meetings going missing or "not saving."

The more egregious violations by Mr. Margadonna of state and federal laws included running a smear campaign against Mr. Shivick, in accordance with others, on social media, which was intentionally false information that Mr. Margadonna knows is false, that was published and aimed specifically to defame Mr. Shivick as a person, candidate, and professional. One specific instance was goading others to believe Mr. Shivick has

used his vehicle to assault a supporter of his 2019 opponent for Select Board by running over a curb in an aggressive manner, within 48 hours of the election. The remainder of the months-long social media smear campaign included blocking Shivick from "posts" and spreading intentionally false information about him, specifically because Shivick was uncovering the decades of lawlessness at the water and sewer districts for individuals like Mr. Wilson, who has already plead guilty to falsifying training records for 32 employees of the Town stating the EMTs he oversees as Fire and EMS Chief conducted 24 hours of necessary safety training that never occurred. He also over saw the malconstruction of the Fire Station that had more problems that lead directly, because of his malfeasance, ignorance, and abject incompetence as a person, leader, and fire chief, to \$1.1 million dollars being paid in settlement money, in addition to ongoing water runoff problems on the adjacent street and homes leading to another \$500,000 in settlement money. That is a collective \$1.6 million spent on Bobby Wilson's malfeasance in one year, in the face of decades of incompetence and additional malfeasance, in addition to the almost \$500,000 additionally spent on a hook and ladder truck, bringing the total "interest" for striving for such mediocrity and incompetence to a staggering \$2.1 million in taxpayer funds.

This while intentionally maintaining falsehoods, such as Moose Hill cannot be made "shovel-ready," its water is not drinkable, is not sustainable, is not economically viable, and that Mr. Shivick is intentionally lying in order to defame the Wilson family – despite their glaring malfeasance and millions of misappropriated dollars – and that is before we even get to the Cherry Valley Sewer District and the Cherry Valley Rochdale Water District. The latter of which was the first public utility to go bankrupt in the history of the Commonwealth and was found to be millions of dollars short in its financial accountings after a recent private forensic audit. Said audit occurred concurrently behind closed doors while the Hillbilly Mafia concurrently defamed Shivick and derided him relentlessly for seeking a public forensic audit, in part to keep him out of office and to consolidate their power. Mr. Bachrach for CVRWD went out of his way to obstruct multiple citizens petitions, with Bachrach outright giving intentionally false and impotent legal opinions and information to keep the heat off of the Hillbilly Mafia, including repeatedly calling "legally defective" the petition drawn by Mr. Shivick seeking a forensic audit of the CVRWD, in an attempt to defeat the petition and concurrently attack Mr. Shivick's propensity for truth and to practice in his profession. Mr. Bachrach, Belanger, and Wilson appear to all have ties to property interests in the state of Florida. This while CVRWD had its water supply taken away by the Commonwealth in 2016 due to years of mismanagement and what appears to be substantial misappropriation of ratepayer funds, in an orgy of embezzlement and racketeering fit for the Brooklyn UFCW, not the sleepy town of Leicester.

Mr. Wilson erstwhile continued to get up in front of the town and demand \$500,000 for a fire truck, while exploiting the Special Municipal Employee exception to the conflict of interest law and using his positions to avoid going forward on the 2003 IMA, as legally required, including conspiring to or outright personally destroying the agreed rate structure to be paid by the LWSD to the Town under the IMA. Cf. East Longmeadow v. Springfield, 5 Mass.App.Ct. 143 (1977)(pennies in rate changes lead to litigation except where as here the RICO has control of both contracting organizations). He then used his position to “fire up” the entire fire department and their friends and families, in order to “stack” a town meeting and spend money desperately needed to move forward as obligated under the IMA on a fire truck that the Town absolutely did not need. The Hillbilly Mafia believes Mr. Wilson should be able to “maximize his pension” with his wife otherwise running the treasury of 4 of the 7 water and sewer districts and cutting Wilson checks at the Oxford Rochdale Sewer Department without having conducted the requisite ethics training and having previously pleading guilty to willingly lying about records that directly affect the health, safety, and well being of the residents of Leicester, Cherry Valley, Rochdale, and Oxford.

Even worse, Mr. Margadonna, in accordance with others, conspired to and used their positions on the Parks and Recreation Committee from 2017 on, in order to obstruct Mr. Shivick’s attempt to rebuild Towtaid Park, up to and including denying they ever approved a Towtaid Subcommittee, and working with others like Mr. Belanger and Mr. Harry Brooks to obstruct the use of grant money obtained by Mr. Shivick through physically writing a grant on behalf of the town in 2017. In 2017, Mr. Margadonna, Mr. McKay, Mr. Pingeton, and others, all ambushed Mr. Shivick one night at a Parks and Recreation Meeting and separate night at a Select Board meeting (called in halfway through by Mr. Brooks’ under the table text message) to intentionally defame and lie about Mr. Shivick and to gaslight and insist he was a “problem.” Their acts that night were intentionally false and malicious and aimed at casting Mr. Shivick in a false light – despite his only transgressions being writing successful grants amidst questionably literate power mongers who could not tolerate another elected official speaking truth to power and asking questions about the substantial shortcomings of the Town.

This implicates the overall scheme surrounding the Hillbilly Mafia (“enterprise”), as it relates to my client, who has standing as an individual for the personal injuries sustained as well as a resident and taxpayer of the Town of Leicester. The acts and omissions of the individuals of named above and below, comprise the facts supporting my client’s demand for substantial behavioral and pecuniary relief. As a direct and proximate result of the conduct of the Town of Leicester, and its staff, my client, now 39 years old, was subjected to extreme social and emotional abuse and has suffered and does continue to

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suffer extreme mental stress and emotional harm, as well as other foreseeable consequential damages.

The above would not be complete without understanding the acts of individuals like Mr. Belanger, Mr. Wilson, and Mr. Margadonna, among others, as it relates to the multiple water and sewer districts within the town's borders. Mr. Belanger acting as Chairman for the Town Selectmen (then) named Mr. Shivick as a "liaison" to the water districts, upon Shivick being elected by a landslide in June 2016 over Mr. Belanger's neighbor. My client prior to that time had no working knowledge of the water districts and the massive scheme they are covering up, which is why Mr. Belanger appointed Mr. Shivick to that position of water district liaison, because, on belief and information, Mr. Belanger gets kicks out of pulling one over on people while laughing with the rest of the Hillbilly Mafia over how they tricked everyone again with "smoke and mirrors," as Mr. Belanger likes to say. Mr. Shivick in his role attended every meeting of every water district, including seemingly tangential districts like Cedar Meadow, who seemed shocked that a Selectman would appear at one of their meetings.

In September 2016, Mike Knox of the Cherry Valley Rochdale Water District and Victor Taylor of the Cherry Valley Sewer District appeared at a Selectmen's (then so named) meeting and seemed visibly upset. They went on to report that Henshaw Pond would run out of water in a week and "we need to get Moose Hill going or something," as was exclaimed by Mr. Taylor. The then Town Administrator Kevin Mizikar commenced working with Mr. Shivick and other officials to commence alleviating the impending water emergency the Town was facing. Shortly thereafter, the Commonwealth of Massachusetts through the Department of Environmental Protection (DEP) informed the Cherry Valley Rochdale Water District (CVRWD) that they were no longer allowed to use Henshaw Pond as a public water source. The 2012 approval by the ratepayers of that water district of a "MiEx" water treatment facility was deemed insufficient by the DEP and the CVRWD was left without sufficient water to supply its customers. The CVRWD brass continued to push forward for a "second permanent interconnection" with the City of Worcester, despite there being an existing interconnection already, which was considerably new (1980) compared to the failing infrastructure elsewhere in the District (1915).

Mr. Shivick at this juncture became aware of a M.G.L. c.40 s.4A Inter-Municipal Agreement (2003 IMA) between the Town and LWSD, which legally required, among many specifics, the Town – which includes Cherry Valley and Rochdale Water District ratepayers - to pay for certain LWSD infrastructure and capital expenditures that became the property of the LWSD, in the Town's reliance that Moose Hill Reservoir would be brought online as a public water source. In researching the legislative history of Moose

Hill, it became apparent that experts at SEA Consultants, Inc., stated specifically the population projections for the Town would potentially render the town with insufficient water supplies by FY 2000 (1987 Moose Hill Study). The report made specific and conspicuous mention that, should Henshaw Pond go "offline," the town would face an inability to provide an adequate water supply to town residents – this express warning some 40 years prior to it actually occurring. However, the Hillbilly Mafia took the honest work of SEA Consultants and twisted it around and into: 'if we do not allow the population to increase past a certain amount, then we can leave the water districts the same.' Their purpose in such backward reasoning becomes clear through further distillation of the facts at instant case. This lead directly to debacle policy decisions such as increased frontage requirements to stymie development and the purchase and continued operation of Hillcrest Country Club to avoid the building of residential units that would have caused a population increase and the water issue to come to a head.

In 2009, some 6 years after the IMA was signed and millions of tax dollars expended pursuant to the same, Mr. Thomas V. Brennan, who was run out of an executive position with Leicester Savings Bank for *crimen falsi*, and Mr. Belanger, UFCW 1445 Secretary-Treasurer, in accordance with Mr. Robert Reed, the then Town Administrator, declared Moose Hill Reservoir unfundable and a dead issue, and tried to bury it forever without making any earnest attempt to fund it. What Mr. Brennan and the rest of the Hillbilly Mafia could not perceive was the future fate of Henshaw Pond as it relates to weather and precipitation patterns – as God has a funny way of bringing such dark to light. The crack in the Hillbilly Mafia's proverbial foundation was that their rudimentary calculations were predicated on no other variables besides population, which was the death knell of their Racketeer Influence Corrupt Organization's façade of normalcy. The CVRWD ratepayers shot down numerous attempts to perpetuate the enterprise by Mr. Knox and their attorney Mr. Bachrach, who also represented the individuals at 1001 Stafford Street, and for CVRWD, and made representations in contravention of all known laws, the latter of which resulted in the now infamous and intentionally deceptive and misleading "YES" vs "NO" document that made flagrant misrepresentations in order to scare elderly ratepayers into voting to continue the operation of the CVRWD as a stand-alone entity. Mr. Barry Bachrach, a lawyer, who represented the CVRWD throughout the last tumultuous 5+ years, has engaged in numerous intentional violations of law and his profession's code of professional conduct, including filing frivolous suit in Worcester Superior Court against the DEP to posture in furtherance of the enterprise. Such acts also include, but are in no way limited to, intentionally rendering fraudulent legal opinions to intentionally stop citizen petitions and avoid a public accounting of the CVRWD. He, as previously stated, on behalf of CVRWD, intentionally made false representations in order to compel behavior from certain individuals, including Mr. Shivick, by intentionally misrepresenting the amount each ratepayer would be charged if it voted against the

CVRWD in December 2016 – which was aimed to result in a second, permanent interconnection with Worcester and further entrenchment and perpetuation of the water and sewer district scam and, thus, enterprise. Mr. Bachrach additionally made further intentional misrepresentations by email in order to harass and attack Mr. Shivick for engaging in 1st Amendment protected behavior, including gathering signatures and seeking an audit of the CVRWD. CVRWD shares facilities and staff with CVSD and has no “firewall” betwixt the two entities, the latter of which reported being the only district in Massachusetts history to approach bankruptcy, as well as, on belief and information, a recent forensic audit showing the CVSD with a multi-million dollar deficit in a District serving a few hundred consumers.

The situation only devolves from there. Mr. Wilson attempted to bully Mr. Shivick at water district meetings in 2016-17 and thereafter in the community at large. In one instance Wilson’s wife calling him to a LWSD meeting by text message to sit behind Mr. Shivick in a vain attempt to intimidate Shivick, an elected official, into leaving. Another instance involved Mr. Wilson at Town Hall putting his finger in Ms. Shivick’s face and yelling “YOU CUT THE BULLSHIT” at Mr. Shivick and acting in an aggressive manner, which lead Mr. Shivick to remind Mr. Wilson that he had committed assault, and that Mr. Wilson was his subordinate. Concurrent with this prong of the Hillbilly Mafia campaign, Ms. Sandy Wilson, Mr. Wilson’s sister in law, began appearing at Town Hall and sitting in Town offices during business hours, despite having no position with the Town, and spreading false information regarding Mr. Shivick, in an effort to defame him and derail his attempts to investigate what was going on at the Water Districts and with Moose Hill.

The matters got worse as a 2016 vote by the Hillcrest Water District Commissioners to join the Town in a “water panel discussion” with then TA Mizikar was later flatly denied by Joe Wood and Don Lennerton as having never happened, at a private February 2017 meeting with elected officials, the state, and representative of each water district, in the Town Hall basement. The Hillcrest Water District was essentially unrepresented at that meeting and Mr. Wood expressly stated, on their behalf, that Mr. Shivick could “check the audiotapes” of that meeting to see there never was any vote by the Hillcrest Commissioners. Forced to make a public records request for that recording, Mr. Shivick was informed that the recording existed, but the portion of the meeting in question was missing as the audio recorder had mysteriously now stopped recording halfway through the Hillcrest meeting in question, despite there having been no problem at that meeting with it, and the clerk clicking off the recorder at the end of same. Subsequent requests by Mr. Shivick for a forensic audit of the original recording to determine whether it had been tampered with were expressly refused. These acts and omissions comprise, alone, with the obvious destruction of the agreed upon rates to be paid to the Town by the LWSD,

two obvious predicate offenses within 10 years sufficient to sustain a RICO claim. Later meetings attended by Shivick included individuals spontaneously asking Shivick if he was personally recording the meeting – as the LWSD had since changed its policy to no longer recording any meetings, in perpetuity. Totally inconspicuous behavior.

Mr. Shivick was a guest on the Jordan Levy Show in February 2017, which resulted within days all 3 water districts agreeing in writing signed by all available water commissioners – represented collectively by Mr. Bachrach – stating that they agreed to public hearings on the water problems. No such meeting ever took place. In fact, Brooks along with Kurt Parliament, Wilson, Margadonna, and others, sought to intentionally and illegally disband the Moose Hill Water Commission – despite the continued applicability of laws governing inter-municipal agreements. Ms. Wilson made numerous intentionally false representations in public meetings stating that “there is no town wide solution,” along with Mr. Brian Green, who served as Selectman and Hillcrest commissioner and conspired with her to intentionally publish the false information – in furtherance of the enterprise and water scam. Ms. Wilson also regularly says and does anything to cast doubt on the contract supporting the development of Moose Hill, so the Hillbilly Mafia does not face accountability for their decades of mismanagement of the water supply – solely in their own self interest, under the guise of public interest and safety. Any questioning of the water districts or their related operations results in immediate accusations of “interference with the operations of the water district,” which is a heavy handed attempt to threaten any one with real questions with criminal prosecution – again under the guise of public safety – but in reality solely in furtherance of the criminal enterprise.

Mr. Genereux through 2020 has continued hold private and secret meetings of the various water districts, in furtherance of the enterprise. Mr. Genereux, Mr. Brooks, and Mr. Margadonna, particularly, conspired to ensure that no public can attend and no records are kept. They later attempt to hide behind a “conflict law” to keep interlopers out of said meetings and “public report” generated exclusively by Genereux at Select Board meetings to feign transparency. The individuals at these secret and private meetings appear to be making binding policy decisions, where certain facts have come to light that may amount to criminal conduct by public safety officials and others, including but not limited to the rigging of the physical water meter at Leicester Town Hall in order to facilitate meter and billing fraud by agents of the Town and LWSD, and destruction of the agreed water rates the LWSD is to pay the Town under the 2003 IMA, in furtherance of the enterprise. Genereux throughout meetings in 2019 insisted that the DEP had issued an edict of some kind stating that Moose Hill Reservoir was “unusable.” This would not reconcile with my own recollection of a 2017 meeting of all water and sewer districts, and other instances, where the DEP representatives stated they would be happy to

progress as the Town sought best – despite the LWSD continually pointing to the ACO as the averred reason they could not go forward under the 2003 IMA.

Mr. Genereux in accordance with Brooks and others, used their positions under color of state law to ensure that Mr. Shivick was denied notice of the first Moose Hill Water Commission meeting, subsequent to his public election and swearing in, in 2019. The flimsy excuse of a new staff member not knowing Shivick's email address prior to said meeting was proffered as the pretext to avoid liability. This is in addition to Mr. Brooks using his position under color of state law to censor the content of Mr. Shivick's speech at a 2019 Select Board meeting, without any supporting regulation, where Mr. Brooks literally and outwardly decried and derided "due process" and the "1st Amendment" expressly. Mr. Brooks at a later 2019 Moose Hill Water Commission meeting worked with Genereux and Margadonna to ensure that all recording and minutes were rested in the hands of Margadonna and Paquette at LCAC – including Genereux's classic-style administrative punishment of removing the secretary from the Commission in order to effectuate the lack of record and treat the committee as "minimized." The recording to be relied on as the basis for the minutes for the meeting went missing immediately after the meeting, with Mr. Margadonna only keeping/recording the last few minutes of the meeting. These last few minutes contained inflammatory language from Mr. Genereux in a specific attempt to maliciously defame Mr. Shivick – the only attorney in the room – stating that the issues being discussed were too important to permit Mr. Shivick to enter the discussion, which would result in public knowledge of the issues regarding water being discussed and decided. The recording snippet that remained left out substantial discussion of case law brought up by Shivick refuting many of the enterprise's falsehoods, as well as back and forth between Shivick and Brooks that resulted in Brooks, red faced, declaring that if anyone else showed up at the secret water meetings, then no one would participate. Mr. Brooks has in the past used his position under color of state law to lure one resident into purchasing a \$50,000.00 van as a "donation to the Town," but which the Town did not authorize and he then converted said property as his own until the "donor" found out it was parked at Brooks' house, and forced him to return it for an approximate \$10,000.00 loss to the "donor," Mary Johnson (deceased). Mr. Brooks has effectuated similar fraudulent economic practices, such as running up debts on behalf of the town to bus company AA Transportation, again under color of state law, without authorization to the town and which resulted in interference with the operations of the town due to the same. Mr. Brooks has targeted Mr. Shivick for defamation and smear campaigns, often also under color of state law, because Shivick is aware that Mr. Brooks is a con artist who does not work and regularly acts in a manner not befitting his alleged disability, in addition to the numerous illegal acts he has perpetrated as an elected official of Leicester, many in furtherance of his own gifting, and the enterprise.

In 2019, Mr. Shivick brought up the fact that the Town was responsible under a 100-year lease, to refurbish and enjoy the Rochdale School Library, through 2081. It is clear that the public interest in moving forward with the Rochdale Library was strong, based on multiple public gatherings regarding the same. However, the enterprise puts its own interests before that of its residents, yet again, as Mr. Taylor rendered another of his questionable opinions that the library was somehow unable to be refurbished and must be immediately demolished. The Brooks and Wilson lead Board sent Paul Morris to demolish the building within 7 days of notice regarding the same, and made no effort to fix or otherwise rebuild the historical building, which was conveyed in equity to the Town, as part of the Deed to the Rochdale School. The enterprise thereafter plowed forward on the "Swan Tavern," which is a different historical building championed by Mr. Lennerton, in particular, in Leicester Center, which borders the "Fire Station for the next 100 years."

POLICE MISCONDUCT

Mr. Shivick has been subjected to retaliatory, defamatory, and criminal acts and practices by the Leicester Police Department, specifically "Detective" Mathew Brady, Officer Michael Lombardozi, and "Chief" Kenneth Antanavica. On July 5, 2019, Mr. Shivick was driving on Henshaw Street in Leicester at approximately midnight when a SUV came speeding up behind him, causing him to accelerate past the 30 m.p.h. speed limit. The SUV continued to push and tailgate Mr. Shivick to over 38 m.p.h. until eventually engaging its blue lights and initiating a stop of Mr. Shivick's vehicle, from which he was not free to leave. The officer informed Mr. Shivick that his license was suspended and Mr. Shivick informed him that he had no notice of the issue due to an impending appeal of a prior moving violation, in addition to another recently Dismissed, and a motion he had filed in regard to the same. Mr. Shivick checked from his mobile phone through the state website and determined that his license had in fact been suspended on July 3.

Brady returned to the vehicle and Mr. Shivick informed him first that yes it was in fact suspended. It being obvious that Mr. Shivick had no idea his license was suspended, the remainder of the stop will forever be one of the saddest and most irresponsible displays of power by a state agent in Commonwealth history. Shivick at the request of Brady and Lombardozi opened his trunk to inspect the interior as a search incident to a tow and inventory search, prior to Shivick exiting the vehicle. At that time, Brady asked Mr. Shivick to exit the vehicle. Mr. Shivick noticed two other cruisers at the stop location, one being Lombardozi and the other being Ruth. Ruth left after conferring with Lombardozi and Lombardozi eagerly rushed to the vehicle, wrenching his black-gloved hands together en route, to strip the plates as fast as possible from the vehicle, breaking the license plate holder in the process.

Mr. Shivick, a lawyer and elected official, questioned the propriety of the action of towing the vehicle and was abruptly and forcefully reminded that "if you don't like it, we will just arrest you." This was repeated at least two other times during the pendency of the stop by both officers. Shivick was then informed he was being issued a criminal application. Responding that this was indeed seemingly "harsh" treatment by Brady considering the circumstances, Shivick was again more than reminded that being arrested at that moment was a realistic probability. Shivick reminded him that there was no requisite *mens rea* or even *actus reus* to support a criminal application and Mr. Brady went on to pontificate that he would be upset too if he had no prior notice of the suspension, all the while insinuating Mr. Shivick was lying. Mr. Brady went on to arrogantly and smugly pontificate his erroneous legal opinion under color of state law regarding the legal standard for operating on a suspended license, stating concisely, "all they have to do is show they mailed you a letter," which constitutes legal malpractice under color of state law leading to violation of Shivick's rights, in addition to the false imprisonment and repeated threats and assault. The law had changed months prior and Antanavica failed to appropriately train his slugs resulting in Shivick's great damage. This in addition to Brady intentionally falsifying the incident report in a salacious, malicious, defamatory, and criminal fashion, in order to get the case past the probable cause hearing and including numerous pieces of false or incomplete information, including attempting to indicate that an actual arrest did in fact occur.

Shivick asked multiple times for Brady to review the file at the station, as he had filed a Rule 60(b) motion to vacate a default judgment on the infraction allegedly underlying the suspension, and the court had issued a ruling pursuant to the same, which request was rebuffed by Brady without hesitation – and Shivick's license physically taken and he told to call a ride. Shivick was told to get any property he wished to take with him as the car was being impounded, in the time between exiting his vehicle and being abused unlawfully by Brady and Lombardozi's overzealous and intentionally oppressive and illegal tactics. Shivick protested the tow again, gathered property from his vehicle, and closed the trunk. Brady then immediately "asked" Shivick to open the trunk again, and he and Lombardozi tore the trunk and its contents apart, - the same contents that were in there moments earlier - conducting a full-fledged Terry stop and search, specifically using their fingers to caress each individual object and package in the trunk space, in an attempt to assert the "look and feel" in their professional opinion lead them to believe contraband or weapons were present. This was their attempt to conduct a full warrantless search of the vehicle and my client's person without right or meeting a warrant exception. All of this is missing from Brady's intentionally false, defamatory, and illegal police report and sworn affidavit supporting his complaint for a criminal application.

Brady and Lombardozi must not have known Shivick was a lawyer based on their "detective work" on the People of Leicester Facebook Group (which was nothing more than Margadonna and others defaming Shivick intentionally to damage his reputation in furtherance of the enterprise). Finding nothing in that illegal search, consented to solely under duress and repeated threats of unwarranted and unlawful arrest, they turned to trying to invent pretexts to search Shivick's person, including his attorney briefcase, by changing their story and demanding that Shivick now go with Lombardozi in the cruiser, despite telling Shivick to call a ride literally minutes earlier. Having to get his elderly relative out of bed to come get him, then moments later trying to "offer a ride" was a disingenuous attempt under color of state law to conduct another illegal warrantless search of a court officer and elected official, after their last illegal pretexts failed to bear fruit. Both of the hillbilly slugs you try to pass off as officers of the law spent the evening badgering an elected attorney who drives roughly 60,000 miles a year taking trials from Greenfield to Boston to Barnstable and everywhere in between, trying to drum up charges to nick him up with – a strikingly similar method of operation as was reported in the telegram and gazette regarding Kelly O'Brien. Further, there remains a racket going on between the police and fire department who act in collusion to effect violations of law to continue to control the town and, at times, specific individuals, without right and under color of state law. This includes painting the fire and police vehicles in similar and in some cases indistinguishable patterns. My client was targeted by the enterprise's security force for no other reason than his exercise of his innate right to freedom of speech, freedom of association, and duty to uphold the Constitution as an officer of the court.

Further, the chiefs of both the police and fire departments are proven intentional liars, in writing, under color state law. Mr. Shivick contacted Mr. Antanavica on his personal phone the next day July 5 to express his displeasure with his department's actions, and was told "try to put your best foot forward," with a chuckle. The two had at least three discussions by personal phone over the course of the July 5 weekend resulting in Antanavica refusing to take any action to correct the record, stating that his officers do "everything by the book." Mr. Antanavica failed to turn over any of those phone records during a subsequent public records request amid other material deficits with the same.

Mr. Shivick requested and then presented at the Probable Cause hearing and was presented a police report and narrative written by and signed by "Detective" Mathew Brady under pains and penalties of perjury. It was clear within a few sentences that Brady has no regard for facts, the law, or his oath, as the narrative provided had intentionally omitted substantial and material facts that transpired, intentionally cast Mr. Shivick on a false and defamatory manner, in an attempt to get the bogus complaint past the Magistrate hearing and ensure that charges were filed, regardless of the facts or outcome. "Detective" Fontaine appeared on behalf of the town and smirked at Mr. Shivick

throughout the hearing, since he probably taught Brady how to falsify police reports in this way, based on belief and information. In fact, in 1998, Fontaine trumped up fraudulent distribution of marijuana charges against Shivick, 17 at the time, because they needed to justify their own sad existence and state funding by creating problems for other people's children, while of course doing nothing about their own drug problems, as well as that of their ignorant, derelict, drunk, steroid injected relatives and co-workers. It was sad to see Mr. Fontaine again misusing his position, in furtherance of the Hillbilly Mafia, to further Mr. Brady's misrepresentations and ensure that Brady could not be questioned regarding the veracity of his bogus complaint. This of course in retribution for Shivick speaking truth to power regarding the ongoing suppression of Moose Hill and the 2003 IMA in order to, on belief and information, keep cooking the books at the water districts, both financially and regarding water quality numbers reported to the state. The District Attorney took one look at the charges and dismissed them on payment of \$100 court costs, rendering Shivick with no admission of liability whatsoever.

It is clear that Brady acted in furtherance Hillbilly Mafia members to try and defame Shivick, embarrass and humiliate him, threaten him, falsely imprison him, and take his license as a trophy, specifically because he is a lawyer and spoke truth to power – especially to Mr. Wilson, an adjudicated fraud and express detriment to the public's safety. Brady intentionally misused his position and discretion to inflict damage on Mr. Shivick's life and reputation, under color of state law, in direct retribution for Shivick exercising his innate and lawfully exercised rights. This in addition to acting as a protection force for the Hillbilly Mafia, in furtherance of the criminal enterprise. There were no charges without the defamation – which falls outside the scope of his agency.

Mr. Shivick then conducted a public records request, for which Antanavica is the Records Access Officer, seeking all records from the July 5 incident with Brady, et al. Antanavica responded by committing malpractice under color of state law to intentionally and further maliciously defame Mr. Shivick, as well as violating his constitutional right to procedural and substantive due process, responding in public record that Shivick was a "criminal," and denying him the records sought, while wearing a Leicester Police uniform. Upon further correspondence, Antanavica attempted to call Shivick and extract information from him under color of state law, while attempting to appear as if he was being friendly and offering to "deliver" the documents directly to his home, and attempting to discuss his deceased father. This example of highly unorthodox methodology underscores the intentionally unprofessional behavior by the alleged Chief, as part of an ongoing campaign by the enterprise to drive Mr. Shivick out of politics, out of town, and out of the practice of law. This in addition to placing a live parked and marked SUV near Mr. Shivick's driveway during the weeks leading up to the 2019 municipal election. This in addition to pulling vehicles over directly in front of Shivick's residence repeatedly in the

weeks leading up the election – for the first time in 39 years. Mr. Antanavica on election day also used his position to benefit Mr. Shivick's opponent by failing to enforce rules regarding parking and otherwise using his position in a way that gave a benefit to Shivick's opponent.

Mr. Antanavica and his cronies continue to act as a security force for the Hillbilly Mafia, while failing to protect an elected official, in the furtherance of a civil and criminal conspiracy. This is illustrated by the inability of the same department "Chief" who appeared at the station one day and, along with his fellow thugs, refused to investigate charges that Mr. Jeffery Eller committed assault, battery, and false imprisonment against Mr. Shivick at a community event. On belief and information, Mr. Antanavica and Mr. Eller fraternize in their private lives and acted in tandem with others to so violate Mr. Shivick's constitutional rights, commit malicious defamation in Mr. Shivick's professional life, and outright refuse to do his job as "Chief" in order to effect his own personal political agenda, in accordance with and on behalf of the Hillbilly Mafia, and thereby solidify his position to permanent chief of a RICO security force. In December 2019, an armed robbery of a bank occurred across the street from the Police Station, and the department spent the next days chasing a man dressed up as a Grinch doll around town for social media clout. Yet there was no occasion to investigate assault and battery on an elected official when reported by Mr. Shivick, under oath, an attorney and officer of the court. On belief and information, Mr. "Christmas Lights" Scott Weikel has also been engaged in questionable practices, which is why Chief Hurley shut his light display down, as well as destroying evidence and tampering with witnesses, including Mr. Shivick, likely in tandem with Mr. Eller, Mr. Bill Goddard, Mr. Gerry Gaudette, who selectively administer the "People of Leicester" facebook page, and Mr. Antanavica as part of an ongoing smear campaign against Shivick.

Shivick was also damaged when the former chief of police Jim Hurley was pressured for conducting investigations into the Hillbilly Mafia, resulting in conviction of one of their long standing drug dealers, who is currently incarcerated in Walpole State Prison. Other investigations by Chief Hurley included into the former head of the Highway Department for numerous violations of law. The retribution meted out by the Hillbilly Mafia, directed by Belanger, Brennan, Wilson, and others, was the partial closing of the Leicester Police Station, which had been built recently and specifically for detainees and dispatch to be housed there. Belanger lead the charge to close down the police station in that way, on belief and information because Belanger collects kick-backs on the drug deals and was a long time cocaine dealer himself at Breezy Bend, earning him the nickname "Doobie Belanger," in addition to being close friends with the disgraced former head of Highway, Wood, and being Secretary-Treasurer of the notoriously corrupt UFCW, Local 1445. Further retribution was meted out by attempting to send the father of the said convicted

drug dealer to Shivick's law office, in a vain attempt to give him a "dirty" case through intentional misrepresentation. Said father attempted to get Shivick to collect on a legally frozen debt, so that he could try and exchange the honest Shivick for his derelict drug dealer son who moonlights as a tights-wearing professional wrestler while pushing steroids on local children, and reverse the effects of the Hurley investigation, drug bust, and arrest – by intentionally trying to lure Shivick into their ongoing criminal conspiracy and scapegoat him for it. The same was repudiated and reported by Shivick to law enforcement in 2019. This in accordance with the acts and omissions of Brady, Antanavica, and their band of thugs.

Wilson, Belanger, and company concurrently plowed recklessly forward on a fire station "for the next 100 years," but which did not function as intended from day one, including structural defects directly related to negligent or reckless site preparation – a task which was expressly reserved to the town in apparent contravention of customary practices. Said fire station appears to have certainly resulted in embezzlement in some capacity such as skimming and/or kickbacks by the Hillbilly Mafia, as well as partially destroying and devaluing the homes around it, and a \$1.1 million lawsuit against the Town and subsequent settlement with the contractors. Said contractors sued the Town over the intentional missteps by Wilson, who overzealously oversaw the entire construction of said building, which resulted in the payment of hundreds of thousands of taxpayer dollars in attorney's fees and settlement. This was followed up by the Hillbilly Mafia, lead by Wilson and Belanger, to spend another \$500,000 on a hook and ladder truck, to ensure that any money that could be used to fix the water scam was used "for public safety." This in addition to Wilson, Brennan, Belanger, and company trotting the fire truck around the town and a city of Worcester parade as a trophy to show how they control the Town. Wilson has engaged in numerous other ethical and legal violations during his tenure with the Town/LWSD/ORSD, including pleading guilty to falsifying records, pleading guilty to lying about public safety training for 32 people, allowing volunteer firefighters to commit insurance fraud by claiming offsite injuries as happening at work, allowing non-department members to commandeer a fire truck and lie to cover it up (found by a Wilson and Brooks lead Select Board to be no violation), falsifying records, covering up malfeasance, not disclosing his family's interests in purchasing the hook and ladder truck, and in many other ways, like lying about the condition of the LWSD infrastructure to perpetuate the ongoing water scam – and intentionally failing to go forward on the IMA to force the town to pay for the LWSD infrastructure, in furtherance of the enterprise.

Mr. Wilson also put pressure on the Hillcrest Water District Commissioners to lie about the vote they made to join the town's effort to fix the water problems. He also had Joe Wood the LWSD superintendent lie about the condition of the infrastructure, to specifically contradict the findings of the DEP, then paving over the evidence in

accordance with Belanger, in order to perpetuate the ongoing embezzlement at the water districts. The Hillbilly Mafia, through Brennan, Belanger, Wilson, Brooks, Antanavica, Margadonna, and now Genereux, has at all times, and in furtherance of the enterprise, sought to control the town and water and sewer districts, and made policy decisions, or conspired to do so, in order to keep the water district embezzlement going, regardless of the effect on the health, safety, and economic well-being of taxpayers and residents alike.

The Town upon notice of the impending lawsuit forced Shivick to make all Public Records Requests through their counsel. Shivick has on multiple occasions acted as de facto Town counsel on all issues related to Moose Hill, including the illegality of abolishing the same, as well as the actual rights enjoyed by the Town – when the enterprise sought to disband the Moose Hill Water Commission and repeat the falsehood that the Town had to purchase Moose Hill land from the state in order to use its water rights. Both of the enterprise's assertions, and that of each specific agent so intertwined with the campaign of lies, in that regard are intentionally and patently false, in furtherance of the enterprise.

The legal basis for this action will include the Town and each entity named herein being commandeered as a part of the ongoing enterprise, and, further, its breach of its duty to ensure its employees refrained from engaging in unlawful acts perpetrated against my client. During the time the Town of Leicester, et al., and the Hillbilly Mafia enmeshed therein, had a duty to refrain from unlawful perpetration against my client and was in breach of that duty as alleged above, the Town, et al., through its individual and collective agents either intended to inflict emotional distress or knew or reasonably should have known that its conduct was outrageous and outside the bounds of all human decency and further that extreme emotional distress was the likely result of its conduct, and was otherwise objectively unlawful in light of established laws, resulting in my client's substantial damages.

During the time that the Town, et al., had a duty to refrain from unlawful perpetrations against my client and was in breach of that duty as alleged above, the agents of the Town, et al., acted intentionally so as to cause harmful and offensive physical contact and touching and malicious defamation of my client, in furtherance of the enterprise, and repeatedly performed such unjustified harmful and offensive physical contact and touching and malicious defamation, and was otherwise objectively unlawful in light of known laws, resulting in my client's damages.

During the time that the Town, et al., had a duty to refrain from unlawful deprivation of rights with regard to my client and was in breach of that duty as alleged above, the agents of Leicester, et al., and its staff acted intentionally so as to cause harmful and offensive

deprivations and contact with my client, in furtherance of the enterprise, and thus placing him in imminent and reasonable apprehension of such contact and deprivation, and was otherwise objectively unlawful in light of known laws, all to his great damage.

Under the Constitution and laws of the Commonwealth, my client is entitled to the exercise and enjoyment of certain rights. These rights include, without limitation, the right to be secure and safe in one's property and physical body, the right to be free of unlawful physical assault and malicious defamation – especially by elected and other state officials, the right to be free of intrusion upon one's physical solitude, the right to be free of unlawful detainment, searches, and seizures of all kinds, and the right to procedural and substantive due process. My client's rights, as illustrated above, were denied and interfered with by the acts and omissions, including coercion and failure to properly supervise and/or train your agent(s) in accordance with prevailing standards of law, practice, and care, all to his great damage. The acts and omissions of the Town of Leicester, and the other organizations and individuals named herein, are and were in direct violation of 18 USC s. 1961-1968, 42 USC s. 1981-83, and 18 USC s. 1346, which directly and proximately caused my client to suffer and continue to suffer defamation of character, extreme mental distress and emotional harm, deprivation of numerous constitutional rights, as well as other consequential damages.

Pursuant to M.G.L. c.258 §4, the names and addresses of all municipal or quasi-municipal entities against whom the claim is being made and to whom notice is being provided is as listed on the first page of this 19-page letter.

Further, you are to cease and desist forthwith the illegal acts as averred herein and any individuals unjustly enriched to disgorge or otherwise make reparations for any illegal profits and/or benefits obtained through, by or on behalf of the enterprise, back to the taxpayers and ratepayers, to whom it belongs.

My client hereby retracts all his prior votes as a member of the Leicester Select Board in regard to paving roads.

All communications and notices with regard to the issues set forth herein should be sent to Michael J. Shivick, Esq., PO Box 428, Rochdale, Massachusetts 01542.

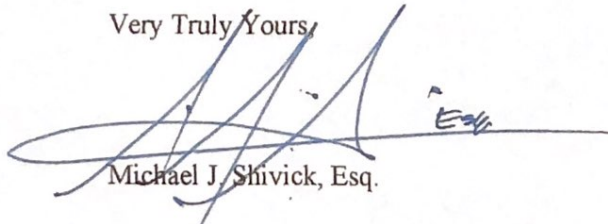
My client demands \$5,550,000.00 (\$5.55mil) in damages, in order to settle all claims and avoid litigation.

If you fail to tender a reasonable offer of settlement within the statutory period of 6 months, civil suit will be commenced under the RICO laws against all parties in United States District Court for the District of Massachusetts.

Thank you for your prompt attention to this matter.

I look forward to your response.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Michael J. Shivick", is written over the typed name. The signature is stylized with a large, sweeping loop at the beginning and a horizontal line extending to the right.

Michael J. Shivick, Esq.

CC: United States Attorney; United States Inspector General;