

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT

BERKSHIRE COUNTY, ss.

THOMAS ROCKWELL, JARVIS
ROCKWELL, PETER ROCKWELL, TOM
PATTI, TOM PATTI DESIGN LLC, JAMES
LAMME, DONALD MACGILLIS, JONAS
DOVYDENAS, and JEAN ROUSSEAU,

Plaintiffs,

v.

TRUSTEES OF THE BERKSHIRE MUSEUM
and MAURA HEALEY, in her capacity as
Attorney General of the Commonwealth of
Massachusetts.

Defendant.

CASE NO.: _____

MOTION FOR TEMPORARY RESTRAINING ORDER

Plaintiffs respectfully request that the Court enter a temporary restraining order barring the Defendant Trustees of the Berkshire Museum from selling, auctioning, or otherwise disposing of any of the works identified in its July 24, 2017 press release, and from removing such works from Pittsfield, Massachusetts, pending expiration of the order or further order of the Court. The referenced press release is contained in Exhibit G to the accompanying Declaration of Daniel L. McFadden.

Plaintiffs further request that the Court schedule a hearing on whether a preliminary injunction should enter, at which time the Attorney General will have an opportunity to be heard on the issues raised herein.

As grounds, Plaintiffs refer to and incorporate the accompanying memorandum in support of this motion.

Respectfully submitted,

THOMAS ROCKWELL, JARVIS
ROCKWELL, PETER ROCKWELL, TOM
PATTI, TOM PATTI DESIGN LLC,
JAMES LAMME, DONALD MACGILLIS,
JONAS DOVYDENAS, and JEAN
ROUSSEAU,

By their attorneys,


Michael B. Keating (BBO #263360)
Martha Coakley (BBO #087300)
Daniel McFadden (BBO #676612)
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210
(617) 832-1000
mkeating@foleyhoag.com
mcoakley@foleyhoag.com
dmcfadden@foleyhoag.com

Date: October 20, 2017