

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE TRIAL COURT

HAMPDEN, SS.

DISTRICT COURT DEPARTMENT
PALMER DIVISION
CIVIL ACTION NO. 1143CV293

Brian Johnson,)
Plaintiff)
v.)
Peter Frei,)
Defendant)

DEFENDANT'S MOTION TO DISMISS

Now comes the defendant, Peter Frei, in the above captioned matter and hereby moves to dismiss the Plaintiff's complaint in this matter pursuant to Mass. Rule of Civ. Procedure 12(b)(6).

The basis for this Motion to Dismiss is articulated in the MEMORANDUM OF LAW filed simultaneously herewith.

WHEREFORE, the Defendants move for dismissal of the complaint in its entirety.

Respectfully submitted by the Defendant,
Peter Frei
101 Maybrook Road
Holland, MA 01521
phone (413) 245 4660
July 1st, 2011

Peter Frei

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the following by hand delivery:

Tani E. Sapirstein, Sapirstein & Sapirstein, P.C.
1350 Main Street, 12th Floor
Springfield, MA 01103
July 1st, 2011

Peter Frei