

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT  
C.A. NO. 1984CV01210 ✓

HENRY HIRVI, et al.,  
  
Plaintiffs,  
  
v.  
  
MARYLOU SUDDERS, et al.,  
  
Defendants.

SUFFOLK SUPERIOR COURT DEPT  
FILED Sept. 24, 2021  
*Marylou Sudders*  
Assistant Clerk

CONSOLIDATED WITH

SUFFOLK, ss.

SUPERIOR COURT  
C.A. NO. 1884CV03631 ✓

JOHN DEFAZIO,  
  
Plaintiff,  
  
v.  
  
DANIEL TSAI, et al.,  
  
Defendants.

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JUDGMENT ENTERED ON DOCKET Oct 14, 2021  
PURSUANT TO THE PROVISIONS OF MASS. R. CIV. P. 68(b)  
AND NOTICES SEND TO PARTIES PURSUANT TO THE PRO-  
VISIONS OF MASS. R. CIV. P. 77(d) AS FOLLOWS

AS Amended

**JOINT STIPULATION OF DISMISSAL**

Pursuant to Mass. R. Civ. P. 41(a)(1)(ii), the parties to the two above-captioned actions, Hirvi et al. v. Sudders et al. (No. 1984CV01210) and DeFazio v. Tsai et al. (No. 1884CV03631), agree and stipulate that these actions, including any and all claims set forth in any and all pleadings against the defendants, be dismissed with prejudice, with all rights of appeal being waived.

Plaintiffs,

Ann E. Gwyther, Personal Representative  
Estates of Henry E. Hirvi  
and Eva E. Hirvi

Nancy Beurpere, Personal Representative  
of the Estate of John DeFazio

By her attorney,

By her attorney,

/s/ Nicholas G. Kaltsas /EAK

John D. Welch /EAK

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BBO #556616

Defendants,

MARYLOU SUDDERS, Secretary of the  
Executive Office of Health and Human Services;  
KIM LARKIN, Director of the Board of Hearings  
of the Office of Medicaid of the  
Executive Office of Health and Human Services;  
and DANIEL TSAI, Director of the Office of Medicaid  
of the Executive Office of Health and Human Services,

By their attorney,

/s/ Elizabeth Kaplan

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Elizabeth Kaplan, BBO#568911  
Assistant Attorney General

Government Bureau  
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Boston, MA 02108  
(617) 963-2075  
[Elizabeth.Kaplan@mass.gov](mailto:Elizabeth.Kaplan@mass.gov)

DATE: September 24, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that, on September 24, 2021, a true and accurate copy of the foregoing was served by e-mail on the following:

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/s/ Elizabeth Kaplan

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Elizabeth Kaplan  
Assistant Attorney General