

**SUMMONS AND TEMPORARY
RESTRAINING ORDER**

DOCKET NUMBER

1572CV00586

Trial Court of Massachusetts
The Superior Court

CASE NAME:

AIDS Support Group of Cape Cod, Inc. vs. Town of Barnstable et al

Scott W. Nickerson, Clerk of Court
Barnstable County

TO:

Town of Barnstable Director of Public Health

COURT NAME & ADDRESS

Barnstable County Superior Court
3195 Main Street
Barnstable, MA 02630

To the above named defendant(s):

You are hereby summoned and required to serve upon, plaintiff's attorney:

Andrew Charles Musgrave, Esq.

AIDS Action Committee

75 Amory Street

Boston, MA 02119

in answer to the complaint/3rd party complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint/3rd party complaint. You are also required to file your answer to the complaint/3rd party complaint in the office of Clerk of this Court at Barnstable either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will hereafter be barred from making such claim in any other action.

WE ALSO NOTIFY YOU that application has been made in said action for a Temporary Restraining Order. A hearing on a preliminary injunction will be held at the court house on:

Date: 11/20/2015

Time: 12:00 PM

Session: Civil A

Session Location: Barnstable County Superior Court

at which time you may appear and show cause why such application should not be granted. In the meantime, until such hearing, **WE COMMAND YOU**, Town of Barnstable Director of Public Health and your agents, attorneys and counselors, and each and every one of them:

The defendants and their agents and employees are enjoined and restrained from enforcing the cease and desist orders dated September 22, 2015 and September 23, 2015, or otherwise prohibiting or restricting the possession, distribution or exchange of hypodermic needles and syringes by plaintiff AIDS Support Group of Cape Cod.

A true copy, Attest:

Clerk

DATE ISSUED

11/10/2015

ASSOCIATE JUSTICE

Hon. Raymond P Veary, Jr.

ASSISTANT CLERK

X

SESSION PHONE#

(508)375-6684