

3

FILED
IN THE OFFICE OF THE
CLERK OF COURTS
FOR THE COUNTY OF MIDDLESEX

NOV - 7 2019

Robert J. Quinn
CLERK

Commonwealth of Massachusetts

MIDDLESEX, SS.

TRIAL COURT OF THE COMMONWEALTH
SUPERIOR COURT DEPARTMENT
CIVIL DOCKET NO. 1981CV03156

*Amy Newcomb, Mother and
Next Friend of Wallace
Newcomb Rowe, a minor*, PLAINTIFF(S),

v.
Cari Brown, M.D., DEFENDANT(S)



SUMMONS

THIS SUMMONS IS DIRECTED TO *Cari Brown, M.D.* (Defendant's name)

You are being sued. The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this summons and the original complaint has been filed in the *Middlesex Superior* Court. **YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS.**

1. **You must respond to this lawsuit in writing within 20 days.** If you do not respond, the court may decide the case against you and award the Plaintiff everything asked for in the complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. **If you need more time to respond, you may request an extension of time in writing from the Court.**
2. **How to Respond.** To respond to this lawsuit, you must file a written response with the court **and** mail a copy to the Plaintiff's Attorney (or the Plaintiff, if unrepresented). You can do this by:
 - a. Filing your **signed original** response with the Clerk's Office for Civil Business, *Middlesex Sup. Court, 200 Trade Center, Woburn, MA 01801* (address), by mail or in person, **AND**
 - b. Delivering or mailing a **copy** of your response to the Plaintiff's Attorney/Plaintiff at the following address: *Susan M. Bourque, Esq., Parker Scheer LLP, One Constitution Center, Boston, MA 02129*
3. **What to include in your response.** An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to use them in court. If you have any claims against the Plaintiff (referred to as **counterclaims**) that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must **specifically** request a jury trial in your Answer or in a written demand for a jury trial that you must send to the other side and file with the court no more than 10 days after sending your Answer. You can also respond to a Complaint by filing a "Motion to Dismiss," if you believe that the complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under **Mass. R. Civ. P. 12**. If you are filing a Motion to Dismiss, you must also comply with the filing procedures for "Civil Motions" described in the rules of the Court in which the complaint was filed, available at www.mass.gov/courts/case-legal-res/rules-of-court.

4. **Legal Assistance.** You may wish to get legal help from a lawyer. If you cannot get legal help, some basic information for people who represent themselves is available at www.mass.gov/courts/selfhelp.
5. **Required information on all filings:** The "civil docket number" appearing at the top of this notice is the case number assigned to this case and must appear on the front of your Answer or Motion to Dismiss. You should refer to yourself as the "Defendant."

Witness Hon. Judith Fabricant, Chief Justice on November 4, 2019.



Michael A. Sullivan
Clerk-Magistrate

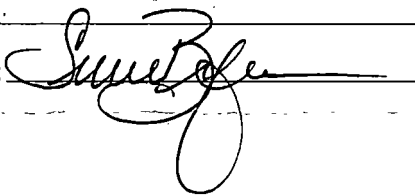
Note: The number assigned to the Complaint by the Clerk-Magistrate at the beginning of the lawsuit should be indicated on the summons before it is served on the Defendant.

PROOF OF SERVICE OF PROCESS

I hereby certify that on November 4, 2019, I served a copy of this summons, together with a copy of the complaint in this action, on the defendant named in this summons, in the following manner (See Mass. R. Civ. P. 4(d)(1-5)):

Counsel for the defendant, Cari Brown, M.D., has agreed to accept
Service. Affidavit of Service is attached hereto.

Dated: November 4, 2019

Signature: 

N.B. TO PROCESS SERVER:

PLEASE ENTER THE DATE THAT YOU MADE SERVICE ON THE DEFENDANT IN THIS BOX - BOTH ON THE ORIGINAL SUMMONS AND ON THE COPY OF THE SUMMONS SERVED ON THE DEFENDANT.

November 4, 2019

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPT.
C.A. No. 1981CV03156

| | |
|-------------------------|---|
| AMY NEWCOMB, MOTHER AND |) |
| NEXT FRIEND OF WALLACE |) |
| NEWCOMB ROWE, a minor |) |
| Plaintiff |) |
| |) |
| v. |) |
| |) |
| CARI BROWN, M.D. |) |
| Defendant. |) |

FILED
IN THE OFFICE OF THE
CLERK OF COURTS
FOR THE COUNTY OF MIDDLESEX

NOV - 7 2019

The Hon. J. A. [Signature]
CLERK

AFFIDAVIT OF SERVICE

I, Susan M. Bourque, hereby state and depose as follows:

1. I represent the Plaintiff, Amy Newcomb, as Mother and Next Friend of Wallace Newcomb Rowe, a minor, in the above-captioned matter.
2. Counsel for the Defendant, Cari Brown, M.D., has agreed to accept service of the Plaintiff's Complaint and Jury Demand on behalf of his client.
3. A copy of the Summons with the return of service indicating such agreement is enclosed herewith.

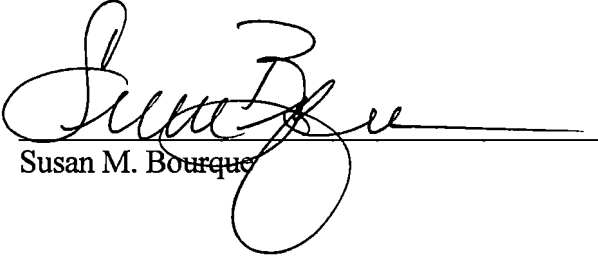
SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY ON THIS 4th
DAY OF NOVEMBER 2019.

[Handwritten Signature]

Susan M. Bourque

CERTIFICATE OF SERVICE

I, Susan M. Bourque, hereby certify that on this the 4th day of November 2019, I served a true copy of the enclosed documents upon the counsel of record by First Class mail, postage prepaid.



Susan M. Bourque

Date: 11/4/19