

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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COMMONWEALTH OF MASSACHUSETTS	)	
<i>ex rel.</i> MYKEL POWELL,	)	
COMMONWEALTH SECOND	)	
AMENDMENT, INC. and BRENT	)	CIVIL ACTION NO.
CARLTON; and MYKEL POWELL,	)	1:18-cv-11336-FDS
	)	
Plaintiffs,	)	
	)	
-against-	)	<b>PLAINTIFFS' MOTION FOR</b>
	)	<b>LEAVE TO FILE A</b>
	)	<b>SUPPLEMENTAL</b>
SGT. BRIAN HOLMES, in his Individual and	)	<b>MEMORANDUM ON</b>
Official Capacity as Sergeant of the Stoughton	)	<b>CERTIFICATION TO THE</b>
Police Department; JAMES O'CONNOR, in his	)	<b>SUPREME JUDICIAL COURT</b>
Individual and Official Capacity as Deputy	)	
Chief of the Stoughton Police Department;	)	
DONNA M. McNAMARA, in her Individual	)	
and Official Capacity as Chief of the Stoughton	)	
Police Department; VILLAGE GUN SHOP,	)	
INC. d/b/a VILLAGE VAULT; and PETER	)	
DOWD,	)	
	)	
Defendants.	)	

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Plaintiffs respectfully seek leave to file the supplemental memorandum attached hereto. This supplemental memorandum suggests that, to the extent the issue is dispositive, the Court consider certifying the meaning of "person" (under the Massachusetts False Claims Act) to the Supreme Judicial Court.

Pursuant to Local Rule 7.1, Plaintiffs conferred with counsel for the Defendants in advance of filing this motion. The parties were unable to resolve this matter.

Dated: November 5, 2020

Respectfully submitted,

THE PLAINTIFFS,  
By their attorneys,

/s/ David D. Jensen  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on Nov. 5, 2020.

/s/ David D. Jensen  
David D. Jensen