

JUL 18 2019



THE COMMONWEALTH OF MASSACHUSETTS
CONTRIBUTORY RETIREMENT APPEAL BOARD
OFFICE OF THE ATTORNEY GENERAL
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Catherine E. Sullivan, Chair
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July 16, 2019

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Re: Elizabeth Bell v. Franklin Regional Retirement Board, CR-15-600.

Dear Counsel:

Enclosed please find CRAB's Remand Order.

Very truly yours,

Catherine E. Sullivan (db)

Catherine E. Sullivan
Assistant Attorney General, Chair
(617) 963-2822

Enclosure, CES/db
cc: Edward McGrath, Esq. (DALA/original)
Courtesy/PERAC & Adlaw

COMMONWEALTH OF MASSACHUSETTS
CONTRIBUTORY RETIREMENT APPEAL BOARD

ELIZABETH BELL,
Petitioner-Appellee

v.

FRANKLIN REGIONAL RETIREMENT SYSTEM,

Respondent-Appellant.

CR-15-600

REMAND ORDER

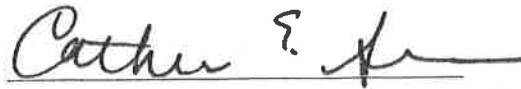
On July 9, 2019 the Superior Court issued its order and notice 2019 in *Franklin Regional Retirement Board v. Contributory Retirement Appeal Board and Elizabeth Bell*, Franklin Super. Ct. Civil Action No. 1878CV00063, remanding this matter for the taking of further evidence on the issue of causation. Because the matter is not yet final, it is not appealable and we do not await the passage of time for appeal.¹ Accordingly, pursuant to the Superior Court's order, this case is remanded to the Division of Administrative Law Appeals for the purpose of taking additional evidence on the issue of whether the cause of death of the petitioner's decedent, David Bell, was the "natural and proximate result of the injury or hazard on account of which such member was retired," G.L. c. 32, § 9(1).

SO ORDERED.

¹ See *Federman v. Board of Appeals of Marblehead*, 35 Mass. App. Ct. 727, 729-730 (1994).

CONTRIBUTORY RETIREMENT APPEAL BOARD

By:

A handwritten signature in dark ink, appearing to read "Catherine E. Sullivan", followed by a horizontal line.

Catherine E. Sullivan
Assistant Attorney General, Chair
Attorney General's Appointee

Date: July 16, 2019