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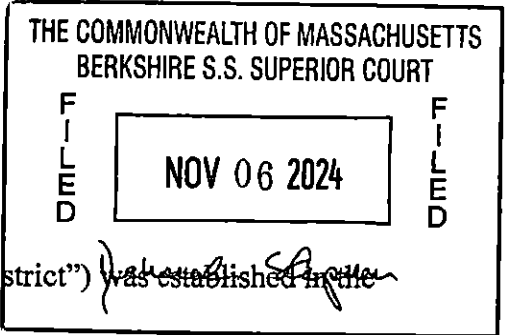
COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT DEPARTMENT
SUPERIOR COURT DIVISION

Berkshire, ss.

Pittsfield
Docket No.: 2476CV00175

LANESBOROUGH VILLAGE FIRE)
AND WATER DISTRICT)
Plaintiff)
v.)
JMJ RE HOLDINGS, LLC,)
Defendant)

VERIFIED COMPLAINT



SUMMARY OF THIS ACTION

The Lanesborough Village Fire and Water District (the "District") was established in the Town of Lanesborough (the "Town") pursuant to a Special Act – Chapter 255 of the Acts of 1935 as amended by Chapter 849 of the Acts of 1969 (the "Act") – which, *inter alia*, authorizes the District to assess property owners in the District, and those purchasing water from the District, fees and taxes to pay for necessary and incidental costs related to owning and maintaining its water supply system, and those other activities related generally to water resources development within the District. JMJ RE Holdings LLC ("JMJ") owns the Berkshire Mall, so-called (the "Mall"). The Mall is comprised of seven individual lots situated in the District. Historically, since 2023, when JMJ acquired the Mall, it has regularly been delinquent paying assessments owed to the District timely. With the commencement of this action, the District seeks to recover unpaid assessments owed by JMJ.

AA

PARTIES

1. Plaintiff, the Lanesborough Village Fire and Water District (the “District”) was established in the Town of Lanesborough (the “Town”) pursuant to a Special Act – Chapter 225 of the Acts of 1938, *as amended by Chapter 849 of the Acts of 1969* (the “Act”), having a principal place of business at 20 Bridge Street, Lanesborough, Massachusetts and having a mailing address at Post Office Box 1504, Lanesborough, Massachusetts 01237-1504.
2. The District is authorized to assess fees and taxes against property owners within the District to carry out its purposes as set forth in the Act and Massachusetts General Law.
3. The District purchases water from the City of Pittsfield to supply water to the Mall.
4. The District relies upon the Act, M.G.L. c.41, §108B, and an intermunicipal agreement to employ the Collector and Assistant Collector of the Town of Lanesborough to assess and collect fees and taxes due the District (the “Collector”).
5. The Collector is authorized to bring this action in the name of the Lanesborough Village Fire and Water District, styled as an action in contract, pursuant to M.G.L. c.60, §35.
6. Defendant, JMJ RE Holdings LLC is a Massachusetts corporation having as its registered agent, Harris N. Aaronson, 57 Wendell Ave, Pittsfield, Massachusetts 01201. Its managers are Joseph Jones and Mehran Namiri-Kalantari. See Exhibit A.
7. JMJ acquired the property from Mehran Namiri-Kalantari by deed dated March 22, 2023, and recorded in the Northern Berkshire Registry of deeds in Book 1820, Page 426.
8. Mehran Namiri-Kalantari acquired the property from Durga Property Holdings, Inc by deed dated July 28, 2022, and recorded in the Northern Berkshire Registry of deeds in Book 1798, Page 955.

9. At all relevant times, Steven Jones, is or was the agent of JMJ, and/or Mehran Namiri-Kalantari
10. At all relevant times JMJ and Mehran Namiri-Kalantari had actual knowledge of these water bills as they cover the period from November 11, 2022, through August 19, 2024.
11. As a matter of law, JMJ entered into a binding contract to pay the fees and taxes assessed by the District upon the Berkshire Mall.
12. The Mall is comprised of seven parcels of land identified on the tax maps of the Town of Lanesborough as parcels 248-7, 248-9, 248-10, 248-12, 248-13, 248-14, and 248-15, and all of which are taxed and assessed collectively, as there is one water supply line to said property (“water bill”).

COUNT I
(non payment of water bill due September 19, 2024)

13. The Collector mailed JMJ a water bill for the District on or before August 19, 2024 in the amount of NINETY ONE THOUSAND NINE HUNDRED FIFTEY ONE DOLLARS and NINETY NINE CENTS (\$91,951.99) that covered the period from November 10, 2022 through August 19, 2024. A copy of the water bill is attached hereto as Exhibit B.
14. JMJ failed to pay that water bill, set forth in Exhibit B.
15. The August 19, 2024 District water bill remains unpaid.
16. The District seeks damages in the amount of \$91,951.99, plus statutory interest as of October 31, 2024 in the amount of \$13,671.08 for a total of \$105,623.07, plus additional accrued per diem, and those incidental costs and fees authorized by M.G.L. c.60, §15.

Wherefore, the Lanesborough Village Fire and Water District respectfully requests that the Court enter judgment in its favor by awarding it its contract damages plus accrued statutory

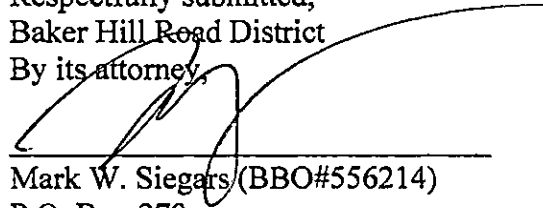
interest, those other incidental costs and fees authorized by M.G.L. c.60, §15, and any other judgment it deems fair and equitable.

VERIFICATION

I, Jodi Hollingsworth, assistant collector for the Lanesborough Village Fire and Water District, state that I have read the allegations set forth in the VERIFIED COMPLAINT, and that they are known to me, and on information and belief are true, which I sign under the pains and penalties of perjury.

A handwritten signature in black ink, appearing to read "Jodi Hollingsworth", written over a horizontal line.

Respectfully submitted,
Baker Hill Road District
By its attorney,

A handwritten signature in black ink, appearing to read "Mark W. Siegars", written over a horizontal line.

Mark W. Siegars (BBO#556214)
P.O. Box 279
Lanesborough, MA 01237
Ph: 413-822-1039
Fax: 866-393-5024
siegarsm@mac.com

Dated: October 31 2024

Exhibit

A

**The Commonwealth of Massachusetts, William Francis Galvin
Corporations Division**

One Ashburton Place - Floor 17, Boston MA 02108-1512 | Phone: 617-727-9640

Statement of Change of Resident Agent/Resident Office

(General Laws, Chapter 156C, Section 5A)

No Fee

Exact name of limited liability company: JMJ RE HOLDINGS LLC

Current resident agent name: BLAKE MENSING

Current resident agent office address: 100 STATE STREET 9TH FLOOR BOSTON, MA, 02109
USA

New resident agent office address in the commonwealth and the name of the appointed
resident agent at that office:

Agent name: HARRIS N. AARONSON

Number and street: 57 WENDELL AVE.

Address 2:

City or town: PITTSFIELD State: MA Zip code: 01201

I HAARRIS N. AARONSON,

consent to my appointment as the resident agent of the above limited liability company pursuant to
G. L. Chapter 109 Section 5A and Section 52.

This statement is effective at the time and on the date approved by the Division

SIGNED UNDER THE PENALTIES OF PERJURY, this 25 Day of June, 2024,

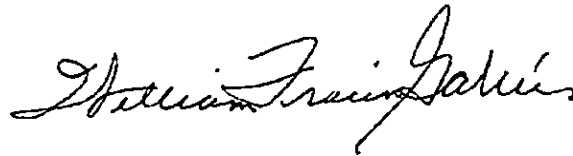
JOSEPH JONES

, Signature of Authorized Signatory.

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

June 25, 2024 11:13 AM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive style with a large, prominent initial "W".

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

**The Commonwealth of Massachusetts, William Francis Galvin
Corporations Division**

One Ashburton Place - Floor 17, Boston MA 02108-1512 | Phone: 617-727-9640

Certificate of Amendment

(General Laws, Chapter 156C, Section 13)

Filing Fee: \$100.00

Identification Number:	001590864				
1.a. Exact name of the limited liability company:	JMJ RE HOLDINGS LLC				
<input type="checkbox"/> Check if amending entity name					
1.b. The exact name of the limited liability company as amended, is:	JMJ RE HOLDINGS LLC				
1.c. The date of filing of the original certificate of organization:	06/23/2022				
2. Address in the Commonwealth where the records will be maintained:					
Number and street:	675 VFW PARKWAY				
Address 2:					
City or town:	CHESTNUT HILL	State:	MA	Zip code:	02467
Country:	UNITED STATES				
3. As amended, the general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:	THE GENERAL CHARACTER OF THE BUSINESS OF THE COMPANY IS THE ACQUISITION, DEVELOPMENT, OWNERSHIP, CONSTRUCTION, SALE, AND LEASING OF REAL PROPERTY, AND ANY OTHER ACTIVITY PERMITTED TO A LIMITED LIABILITY COMPANY ORGANIZED PURSUANT TO CHAPTER 156C OF THE GENERAL LAWS OF THE COMMONWEALTH.				
4. The latest date of dissolution, if specified: (mm/dd/yyyy)					
5. Name and address of the Resident Agent:					
Agent name:	HARRIS N. AARONSON				
Number and street:	57 WENDELL AVE.				
Address 2:					

City or town: PITTSFIELD State: MA Zip code: 01201

6. The name and business address of each manager, if any:

Title	Name	Address
MANAGER	JOSEPH JONES	675 VFW PARKWAY CHESTNUT HILL, MA 02467 USA
MANAGER	MEHRAN N KALANTARI	630 15 ST. SANTA MONICA, CA 90402 USA

7. The name and business address of the person(s) in addition to the manager(s), authorized to execute documents to be filed with the Corporations Division, and at least one person shall be named if there are no managers.

Title	Name	Address
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8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Title	Name	Address
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9. Additional matters:

10. State the amendments to the certificate:
CORRECTION OF MANAGER INFORMATION

11. The amended certificate is effective at the time and on the date approved by the Division, unless a later effective date not more than ninety (90) days from the date of filing is specified:

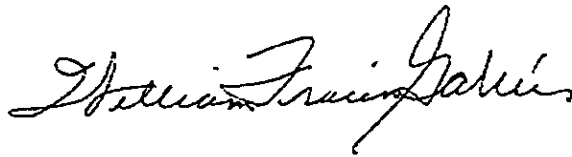
Later Effective Date (mm/dd/yyyy): Time (HH:MM)

SIGNED UNDER THE PENALTIES OF PERJURY, this 16 Day of July, 2024,
JOSEPH JONES
, Signature of Authorized Signatory.

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

July 16, 2024 02:39 PM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive style with a large, prominent initial "W".

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

Exhibit

B

**LANESBOROUGH VILLAGE FIRE & WATER
DISTRICT**

20 Bridge St
Lanesborough, MA 01237-9716
USA
+1 4134425916
katie@lvfwd.com

Statement

TO

Steven Jones
JMJ RE Holdings LLC
675 VFW PKWY
CHESTNUT HILL, MA 02467-
3656

STATEMENT NO. 1021

DATE 10/18/2024
TOTAL DUE \$91,951.99
ENCLOSED

DATE	DESCRIPTION	AMOUNT	BALANCE
11/09/2022	Balance Forward		0.00
11/10/2022	Invoice #32	12,507.36	12,507.36
02/13/2023	Invoice #33	13,136.37	25,643.73
05/19/2023	Invoice #35	14,958.08	40,601.81
08/25/2023	Invoice #41	11,781.06	52,382.87
01/09/2024	Invoice #42	12,013.17	64,396.04
02/07/2024	Invoice #43	13,136.37	77,532.41
08/19/2024	Invoice #45	14,419.58	91,951.99

Current Due	1-30 Days Past Due	31-60 Days Past Due	61-90 Days Past Due	90+ Days Past Due	Amount Due
0.00	14,419.58	0.00	0.00	77,532.41	\$91,951.99