

COMMONWEALTH OF MASSACHUSETTS
STATE ETHICS COMMISSION

SUFFOLK, ss.

COMMISSION ADJUDICATORY
DOCKET NO: 23-0007

IN THE MATTER

OF

BARBARA DAVIS-HASSAN

RESPONDENT'S ANSWER TO ORDER TO SHOW CAUSE

The Respondent, Barbara Davis-Hassan, files this Answer to Order to Show Cause and sets forth her Affirmative Defenses as follows:

1. The Respondent makes no response to the allegations in this paragraph because they assert conclusions of law to which no response is required. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
2. The Respondent makes no response to the allegations in this paragraph because they assert conclusions of law to which no response is required. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
3. The Respondent makes no response to the allegations in this paragraph because the phrase “all relevant times” provides no specific timeframe. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
4. The Respondent admits that she owns and operates Barb Hassan Realty.
5. The Respondent admits that the Berkshire Mall (the “Mall”) is located in Lanesborough.

6. The Respondent makes no response to this request because she lacks sufficient knowledge to admit or deny the request. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
7. The Respondent makes no response to this request because she lacks sufficient knowledge to admit or deny the request. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
8. The Respondent admits that Durga Property Holdings, Inc. (“Durga”) purchased the Mall.
9. The Respondent denies the allegations in this paragraph.
10. The Respondent denies the allegations in this paragraph.
11. The Respondent denies the allegations in this paragraph.
12. The Respondent denies the allegations in this paragraph.
13. The Respondent denies the allegations in this paragraph.
14. The Respondent denies the allegations in this paragraph.
15. The Respondent denies the allegations in this paragraph.
16. The Respondent makes no response to this paragraph as it refers to a document, the content of which speaks for itself. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
17. The Respondent makes no response to this paragraph as it refers to a document, the content of which speaks for itself. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
18. The Respondent makes no response to this paragraph as it refers to a document, the content of which speaks for itself. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.

19. The Respondent makes no response to this paragraph as it refers to a document, the content of which speaks for itself. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
20. The Respondent makes no response to this request because she lacks sufficient knowledge to admit or deny the request. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
21. The Respondent denies the allegations in this paragraph.
22. The Respondent makes no response to the allegations in this paragraph because the phrase “all relevant times” provides no specific timeframe. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
23. The Respondent denies the allegations in this paragraph.
24. The Respondent makes no response to this request because she lacks sufficient knowledge to admit or deny the request. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
25. The Respondent denies the allegations in this paragraph.
26. The Respondent makes no response to the allegations in this paragraph because they assert conclusions of law to which no response is required. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
27. The Respondent makes no response to the allegations in this paragraph because they assert conclusions of law to which no response is required. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.

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39. The Respondent denies the allegations in this paragraph.
40. The Respondent denies the allegations in this paragraph.
41. The Respondent denies the allegations in this paragraph.
42. The Respondent denies the allegations in this paragraph.
43. The Respondent makes no response to the allegations in this paragraph because they assert conclusions of law to which no response is required. To the extent that this paragraph alleges liability against the Respondent, the Respondent denies the allegations.
44. The Respondent denies the allegations in this paragraph.
45. The Respondent denies the allegations in this paragraph.
46. The Respondent denies the allegations in this paragraph.
47. The Respondent denies the allegations in this paragraph.

Affirmative Defenses

1. The Respondent is entitled to protection as a special municipal employee.
2. The Respondent relied upon the advice and guidance provided by the State Ethics Commission and Lanesborough Town Manager.
3. The Respondent provided all necessary disclosures regarding potential conflicts of interest.
4. The Respondent is entitled to the protections of M.G.L. c. 268A, § 19(b) and M.G.L. c. 268A, § 22

Respectfully submitted,

BARBARA DAVIS-HASSAN,

By her attorney,

/s/ Stephen J. Orlando

Stephen J. Orlando, Esq. BBO #687670
GORDON REES SCULLY MANSUKHANI
21 Custom House Street, 5th Floor
Boston, MA 02110
(857) 504-2021
sorlando@grsm.com

/s/ Stephen J. Orlando

Certificate of Service

I certify that this document has been filed and that it will be served electronically to all parties of record who have registered with the ECF system.

/s/ Stephen J. Orlando