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COMMONWEALTH OF MASSACHUSETTS

JUVENILE COURT DEPARTMENT OF THE TRIAL COURT

BRISTOL COUNTY DIVISION

RE: Michelle Carter

Docket # 1590004 NE

MOTION

Now comes the Commonwealth, in the above captioned

matter and hereby moves this Honorable Court, to allow an

ex-parte hearing on the Commonwealth's
request for a temporary order to
issue to Peter Breggin. Commonwealth
makes this ex-parte request because
defense counsel cannot be present and
in the absence of the requested relief,
Breggin can make further disclosures

Respectfully submitted,

Date: 8/10/17


BBO# 1045274

This motion is hereby ALLOWED-DENIED.

8/10/2017
DATE

[Signature]
Justice of Juvenile Court

of materials, as described in the
Commonwealth's motion of
August 9, 2017. The Commonwealth's
requests this Court order Peter
Breggin to cease any publication,
description of any information
he received in the course of this
case until further notice of the Court.

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a horizontal line.



The Commonwealth of Massachusetts

OFFICE OF THE
DISTRICT ATTORNEY

BRISTOL DISTRICT

THOMAS M. QUINN III
DISTRICT ATTORNEY

Fall River Justice Center
186 S. Main St.
Fall River, MA 02721
(774) 627-1600

August 11, 2017

Peter R. Breggin, MD
101 East State Street, #112
Ithaca, NY 14850

Commonwealth v. Michelle Carter
15YO0001NE

Dear Doctor Breggin:

Enclosed, please find the Order on Commonwealth's Motion for Return of all Materials Provided to Defendant's Witness Peter Breggin. These matters are scheduled for further hearing on August 21, 2017 at the Taunton Juvenile Court.

Very Truly Yours,

A handwritten signature in blue ink, appearing to be "Katie Rayburn", with a long, sweeping horizontal line extending to the right.

Katie Rayburn
Assistant District Attorney

KCR/mab
Enclosures

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
JUVENILE COURT DEPARTMENT
TAUNTON SESSION

FILED
BRISTOL SS
JUVENILE COURT

2017 AUG 11 PM 2:40

DOCKET # 15YO0001NE

COMMONWEALTH

vs.

MICHELLE CARTER

**ORDER ON COMMONWEALTH'S MOTION FOR RETURN OF ALL MATERIALS
PROVIDED TO DEFENDANT'S WITNESS PETER BREGGIN**

On August 9, 2017, the Commonwealth filed a motion as described above, seeking return of all materials provided to the defendant's expert, Dr. Peter Breggin, restriction of use of information garnered or developed by him during his work on this case, and execution of a document under oath by him that he had in fact returned all copies of such information. ADA Rayburn provided electronic notice to defendant's counsel of the motion and her intent to seek relief from the court at a hearing on August 10, 2017. ADA Rayburn represented to the court on August 10, 2017 that Mr. Cataldo, one of the defendant's counsel, was on trial in another court and that the defendant's other counsel Mr. Madera, was on vacation. That information was independently confirmed by a call from Mr. Cataldo to the clerk of this court. ADA Rayburn then filed, on August 10, 2017, a supplemental motion asking that the court consider her motion ex parte, given what she represented was the exigency of the situation.

Although this is a criminal matter, the court took direction from Massachusetts Rules of Civil Procedure, Rule 65, with respect to temporary restraining orders. To that end, Ms. Rayburn indicated her willingness to endorse her pleading in the nature of the verified complaint/affidavit, and did so.

Prior orders, including protective orders, had issued relative to access to privileged records of both the victim, Mr. Conrad Roy III, and defendant, Michelle Carter, which orders remained in effect and the court had further ordered, without objection, orders of impoundment as to certain records, primarily those involving mental health treatment of each and both of these individuals. All such orders remain in full force and effect at this time.

By virtue of the following order, this court seeks to enforce existing orders on which everyone had the opportunity to be heard and to prevent any irreparable harm that might result from the posting of any records that have already been impounded by this court until such time as counsel for the defendant can be heard and Dr. Peter Breggin given notice of this motion.

Consequently, this court now **ORDERS:**

1. Attorney Cataldo, in his capacity as the Counsel before this court who engaged Dr.