

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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JOHN P. FERREIRA;  
FERREIRA CONSTRUCTION CO., INC.;  
J&J MATERIALS CORP.;  
DAVIS STREET INVESTMENT, LLC; and  
THE JPF FAMILY LIMITED PARTNERSHIP

Plaintiffs,

v.

TOWN OF REHOBOTH,  
CHRISTOPHER MORRA, *individually and in his official  
capacity as a member of the Board of Selectmen  
For the Town of Rehoboth, Massachusetts;*  
KENNETH FOLEY, *in his official capacity as a member  
of the Board of Selectmen for the Town of Rehoboth,  
Massachusetts; and*  
FREDERICK VADNAIS, *in his official capacity as a  
member of the Board of Selectmen for the  
Town of Rehoboth, Massachusetts;*  
JOHN DOES/JANE DOES, *individually and  
in their capacities as Elected or Appointed  
Town officials.*

Defendants.

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JURY TRIAL DEMANDED  
C.A. No.

Exhibit A

**AFFIDAVIT OF BARBARA J. VADNAIS**

NOW COMES, Barbara J. Vadnais upon oath and affirmation does hereby attest and swear to the following:

1. My name is Barbara J. Vadnais and I am a Massachusetts resident with a mailing address of P.O. Box 281, Rehoboth, Massachusetts, 02769.
2. I have lived in the Town of Rehoboth for most of my life and have participated with various Town Boards and Commissions including many public hearings regarding land development in the Town of Rehoboth over the years.
3. I am familiar with the Board of Selectmen and know Christopher P. Morra and Kenneth Foley, who are currently Selectmen, on both a professional and personal level.
4. I was appointed to the Rehoboth Conservation Commission in 2006 by the Board of Selectmen and in particular Mr. Christopher P. Morra.
5. I served on the Conservation Commission for two (2) years between 2006 and 2008, during which time I attended many meetings involving various land development projects proposed in the Town of Rehoboth.
6. I am familiar with John P. Ferreira, Ferreira Construction Company, and J&J Materials Corporation and many of their land development projects in Town, including Rocky Run Phase II and the Kingsley Estates Subdivision Project.
7. During my time of service on the Rehoboth Conservation Commission (hereinafter the "Conservation Commission"), between 2006 and 2008, there were many occasions when Mr. Ferreira or his representatives came before the

Conservation Commission regarding various requests for review and approval of applications presented to said Commission.

8. During my time of service on the Conservation Commission, Mr. Morra would call me on my cell phone, almost on a daily basis, to speak to me about issues pending before the Conservation Commission and how he wanted me to proceed with said issues.
9. On many occasions Mr. Morra would call me before a Conservation Commission meeting and direct me to vote against any project or application pending before the Commission that was submitted by John P. Ferreira and/or his representatives.
10. On many occasions Mr. Morra told me that he was 'out to get John Ferreira' and 'wanted to stop John Ferreira and his various developments in the Town.'
11. Based upon my conversations with other people in Town, I am also aware that Mr. Morra has called other Town Board Members, including members of the Planning Board and directed them to vote against John P. Ferreira and/or his projects or applications pending before those Boards.
12. Mr. Morra has made many comments and representations to me in the past that were derogatory towards John P. Ferreira and/or his companies. Specifically, Mr. Morra has told me that Mr. Ferreira was being investigated by the FBI and Mr. Morra has also told me that Mr. Ferreira had hired certain individuals to assault him, this past winter. Mr. Morra made these statements to me while I was serving as a member of the Conservation Commission and while Mr. Ferreira had pending applications before said Commission.

13. For at least the past five (5) to six (6) months, Mr. Ferreira's Rocky Run Phase II Subdivision project has been pending before the Conservation Commission on various issues, one (1) of which was the removal of a large stock-piled gravel pile on the site. The Conservation Commission directed Mr. Ferreira to remove the pile and Mr. Ferreira did so on or about May, 2008.
14. On or about April 2008, I met with Mr. Morra to express my concerns regarding the actions of Ms. Donna Choate, another member of the Conservation Commission (who was recently appointed by Mr. Morra), which actions were clearly biased against Mr. Ferreira, at which time Mr. Morra stated to me that 'I wouldn't disagree with Donna if I were you.' Following that statement, I expressed my concern to Mr. Morra about potential legal liabilities and unnecessary lawsuits for the Town of Rehoboth in regard to this matter and in regard to Ms. Choate's actions, and Mr. Morra stated to me 'I don't care if the Town gets sued and I don't care who gets sued, look at what John Ferreira did to me.'
15. Following the removal of the gravel pile, a Conservation Commission meeting was conducted on or about May, 2008, which I attended as a member. At that meeting, Ms. Choate and I had a disagreement regarding the timing in which Mr. Ferreira removed the gravel pile.
16. It was my contention at this time that the pile had been removed and Mr. Ferreira had complied with the Conservation Commission's request and that we should move on to the next issue, nevertheless, Ms. Choate continued to disparage Mr. Ferreira regarding this gravel pile issue.

17. It was clear to me that Ms. Choate was purposely disparaging and trying to discredit Mr. Ferreira regarding the removal of the pile and the project.
18. Less than one (1) month later I was up for reappointment to the Conservation Commission and I did not even receive a phone call regarding reappointment to the same from the Board of Selectmen and/or Mr. Morra.
19. I spoke with Mr. Kenneth Foley, another Selectman, (and close political ally of Mr. Morra), regarding my potential reappointment and Mr. Foley stated to me that I would not be reappointed because 'Mr. Morra felt I was on John Ferreira's side.'
20. I am aware that Mr. Morra has a personal vendetta against Mr. Ferreira and has had such a vendetta stemming from various issues for quite a few years, including Mr. Ferreira's participation in a recent effort to recall Mr. Morra as a Selectman.
21. Based upon my experience and my many conversations with many individuals in Town, it is my belief that Mr. Morra is utilizing his power as a Selectman to target, scrutinize, harass, and intimidate Mr. Ferreira and his companies and is dead set on interfering and/or derailing his projects and business in any way possible, including the Kingsley Estates Subdivision Project and the Rocky Run Phase II Subdivision Project.
22. I am very afraid of the repercussions of my statements contained herein, as I believe Mr. Morra will target me and my family following the submission of this affidavit due to my statements in order to punish me for the same. However, I am submitting these statements because I believe it is the right thing to do and I believe that Mr. Ferreira's companies are being denied many of their rights and

are being harassed and intimidated by Mr. Morra due to his personal vendetta  
against Mr. Ferreira.

I, Barbara J. Vadnais, do hereby swear and attest that the information set forth  
herein is accurate and true and that I have personal knowledge thereof.

Barbara J. Vadnais  
Barbara J. Vadnais

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF BRISTOL

In Rehoboth in Bristol County on the 1<sup>st</sup> day of August, 2008 before me  
personally appeared the above named, Barbara J. Vadnais, to me known and known by  
me to be the party executing the foregoing instrument, and she acknowledged said  
instrument, by her executed, to be her free act and deed.

Cheryl Ann Santos  
Notary Public

My Commission Expires: May 29, 2009