



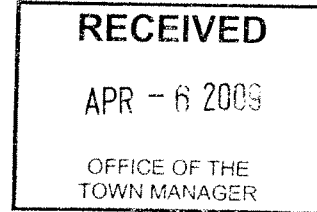
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April 2, 2009

Joseph S. Fair
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Kevin G. Powers, Esq.
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18 Tremont Street
Boston, MA 02108



Re: Manuel Cachopa (Town of Stoughton)

Dear Mr. Powers:

I am writing in response to your March 20, 2009 letter to this firm regarding amounts you claim are still owing to Mr. Cachopa from the Town, specifically, compensation for vacation and sick time. Please be advised that it is the Town's position that all monies due Mr. Cachopa following his termination from the Town's employ on February 13, 2009 have already been paid to him.

Contrary to your assertion, Mr. Cachopa was not entitled to receive any compensation for his unused sick time under the terms of the collective bargaining agreement nor does G.L. c.149, §148 define the term "wages" to include sick time. As for vacation time, even using your method of calculation, I count a total of one hundred and thirty-one (131) vacation days of which twenty-five (25) have already been paid. This leaves a balance of one hundred and six (106) days at most and not the one hundred and twenty (120) you assert.

Moreover, it is the Town's position that the twenty-five (25) days that were paid to Mr. Cachopa was on the outer limit of what he was entitled to receive under the collective bargaining agreement. It could be argued that he was not even entitled to receive that much. However, in the interest of avoiding a potentially costly legal battle over the issue, the Town elected to pay to him the full twenty-five (25) days. For Mr. Cachopa to now come to the Town and demand, under the threat of treble damages and attorney's fees, payment for what amounts to five (5) weeks of vacation for each year that he was out of work on paid administrative leave and receiving his full pay from the Town for all fifty-two (52) weeks of each of those years is unfathomable and completely beyond the pale.

Very truly yours,

Joseph S. Fair

JSF/ja

cc: Town Manager
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