

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT

JEFFREY MACHADO and HERIK ESPINOSA,
on behalf of themselves and of similarly situated
individuals,

Plaintiffs,

v.

DEBORAH GOLDBERG, in her official capacity
as Treasurer & Receiver General, and
VETERANS' BONUS APPEAL BOARD,

Defendants.

Docket No. 1784CV02056H

SUFFOLK SUPERIOR COURT
CIVIL CLERK'S OFFICE
E-FILED
JOHN E. POWERS, III
CLERK MAGISTRATE

5/19/25

WASHINGTON SANTOS,
on behalf of himself and of similarly situated
individuals,

Plaintiff,

v.

DEBORAH GOLDBERG, in her official capacity
as Treasurer & Receiver General, and
VETERANS' BONUS APPEAL BOARD,

Defendants.

Consolidated with Docket No.
1884CV01310D

⁹
[PROPOSED] ORDER GRANTING CLASS CERTIFICATION AND ENTERING
DECLARATORY JUDGMENT

Having considered the written submissions and the oral arguments of the Parties at a hearing on 7/9, 2025, it is hereby ORDERED that Plaintiffs' Renewed Motion for Class Certification be GRANTED.

And it is FURTHER ORDERED that:

In accordance with Rule 23 of the Massachusetts Rules of Civil Procedure, the following class be certified:

All former enlisted military service members from Massachusetts:

1. Who served on full-time active duty in the Air Force, Army, Marine Corps, Navy, or Coast Guard for at least six months after September 11, 2001, and completed at least six months active service before July 23, 2020;
2. Who were honorably discharged for the purpose of immediate reenlistment for at least one additional term of enlistment;
3. Whose discharge or release from their final enlistment was under less-than-honorable conditions; and
4. Who have applied or may in the future apply for the Welcome Home Bonus.

The class representatives be the named Plaintiffs, Jeffrey Machado, Herik Espinosa, and Washington Santos, and class counsel be counsel of record from the Legal Services Center of Harvard Law School.

It be declared, pursuant to M.G.L. c. 231A § 1, that the custom, policy, procedure, or practice of the State Treasurer and Receiver General and of the Veterans' Bonus Appeals Board of denying the Welcome Home Bonus to ^{such class members,} former enlisted service members who served two or more terms of enlistment, at least one of which was terminated in an Honorable discharge or release, and whose final discharge or release was under less-than-honorable conditions (i.e., Other Than Honorable, Bad Conduct, or Dishonorable discharge characterization), violates M.G.L. c. 30A, for

the reasons stated in the Memorandum of Decision and Order entered in this action on December 21, 2018.

Pursuant to Rule 23(d) of the Massachusetts Rules of Civil Procedure, that class members receive proper and reasonable notice of such class certification and declaratory judgment. Plaintiffs and Defendants shall confer and agree upon the best practicable method of promptly issuing such notice, under the circumstances presented here. The Court allows for discovery, as necessary, to effectuate the notice requirement, including any required coordination with other state agencies.

That the Parties jointly confer and submit within sixty days a proposed Consent Decree, including the terms, procedures, and timeline for providing proper and reasonable notice to class members, pursuant to Rule 23(c) and (d) of the Massachusetts Rule of Civil Procedure, as well as any other necessary relief to effectuate the Court's Order.

If the Parties cannot agree upon a Consent Decree within such time, the Parties shall submit their proposals for such a Decree to this Court no later than fifteen days after such 60-day period.

DATED this 18th day of July, 2025.

BY THE COURT

MDRICCIUTI, CJ

MDRICCIUTI

Chief Associate Justice
Suffolk County Superior Court