

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

TRIAL COURT FOR THE
COMMONWEALTH
SUPERIOR COURT DEPARTMENT
DOCKET #: 16-84-CR00751
16-84-CR00752
16-84-CR00906

COMMONWEALTH

v.

JOSEPH KERRISSEY III

&

J KERRISSEY LLC.

&

SUNRISE EQUIPMENT & EXCAVATION
INC.

JOINT PROPOSED MOTION AND ORDER FOR
AGREED TOTAL RESTITUTION AMOUNT,
ALLOCATION OF RESTITUTION OWED,
AND
PAYMENT DISTRIBUTION

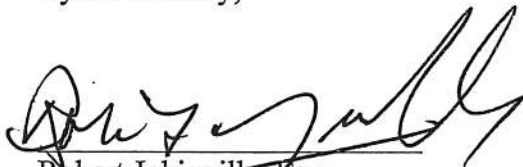
NOW COMES the Commonwealth and Joseph Kerrissey III, J. Kerrissey LLC, and Sunrise
Equipment and Excavation Inc. ("Defendants") and respectfully request the Court enter the
following Order regarding restitution on the above captioned matter:

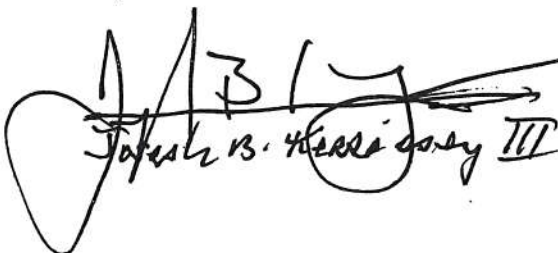
- 1) Defendants, jointly and severally, accept full responsibility for the repayment of
restitution in the amount of ~~\$92,813.00~~ 91,743.53
- 2) Restitution is to be paid to the named victims in the amounts delineated in the
attached chart and in the order they are listed. *See attached.*
- 3) The named victims and amount of restitution owed to each is undisputed by the parties.

6/5/18 Anna Kearns and without opposition
this Motion is allowed. Compliance with
this Order is condition of defendant's
term of probation. Siegel, J.

- 4) Defendants will pay this restitution in 36 installments of \$2,548.43 and will complete restitution payment in 36 months.
- 5) The first payment is due within thirty (30) calendar days of entry of Order.
- 6) This Order may not be changed, altered, or modified, except by further order of the Court.
- 7) This Order becomes effective upon execution and entry by the Court.

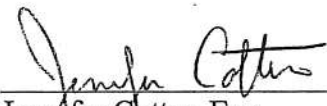
For the Defendants
Joseph Kerrissey, III
J. Kerrissey LLC
Sunrise Construction & Equip.
By his attorney,


Robert Jubinville, Esq.


Joseph B. Kerrissey III

Respectfully Submitted
For the Commonwealth,

MAURA HEALEY
ATTORNEY GENERAL
By Her Assistants,


Jennifer Cotter, Esq.
Andrew Cahill, Esq.
Assistant Attorney General
One Ashburton Place
Boston, MA 02108

SO ORDERED:


Justice, Superior Court

Dated: 6/5/18

<u>NAME</u>	<u>AMOUNT OWED</u>	<u>VIOLATION DATE(S)</u>	<u>TYPES OF INDICTMENTS</u>
	\$17,629.09	6/27/11 - 11/13/11	Willful Failure to Pay Prevailing Wage
	\$4,005.10	8/1/11 - 11/14/11	Willful Failure to Pay Prevailing Wage
	\$3,407.63	8/21/11 - 11/12/11	Willful Failure to Pay Prevailing Wage
	\$2,649.26	9/11/11 - 10/29/11	Willful Failure to Pay Prevailing Wage, Larceny by Check over \$250
	\$2,861.60	9/12/11 - 10/12/11	Willful Failure to Pay Prevailing Wage, Larceny by Check over \$250
	\$3,830.20	9/19/11 - 11/18/11	Willful Failure to Pay Prevailing Wage
	\$542.00	3/18/13 - 4/13/13	Willful Failure to Pay Wages
	\$3,000.00	12/1/13 - 1/4/14	Willful Failure to Pay Wages, Willful Failure to Pay Overtime
	\$711.00	1/2/14 - 1/4/14	Willful Failure to Pay Wages,
	\$1,316.00	6/10/14 - 6/27/14	Willful Failure to Pay Wages
	\$320.00	7/7/14 - 7/8/14	Willful Failure to Pay Wages
	\$827.50	7/17/14 - 8/9/14	Willful Failure to Pay Wages
	\$252.00	7/21/14 - 7/22/14	Willful Failure to Pay Wages
	\$1,584.00	8/1/14 - 9/5/14	Willful Failure to Pay Wages, Larceny by Check over \$250
	\$1,480.91	9/14 - 10/14	Willful Failure to Pay Wages, Larceny by Check over \$250
	\$466.00	9/15/14 - 10/17/14	Willful Failure to Pay Wages
	\$422.68	9/15/14 - 9/19/14	Larceny by Check over \$250
	\$823.73	10/17/14 - 10/27/14	Willful Failure to Pay Overtime, Larceny by Check over \$250
	\$1,561.00	11/1/14 - 12/15/14	Willful Failure to Pay Wages, Willful Failure to Pay Overtime
	\$305.00	2/26/15 - 2/27/15	Larceny by Check
	\$7,000.00	3/1/15 - 12/21/15	Willful Failure to Pay Wages, Willful Failure to Pay Overtime, Larceny by Check over \$250
	\$1,600.00	9/13/15 - 11/20/15	Willful Failure to Pay Wages, Willful Failure to Pay Overtime
	\$1,187.00	6/21/15 - 8/23/15	Willful Failure to Pay Wages, Willful Failure to Pay Overtime
	\$8,251.83	9/15/15 - 11/7/15	Willful Failure to Pay Overtime
	\$3,000.00	11/15 - 12/15	Willful Failure to Pay Wages, Willful Failure to Pay Overtime, Larceny by Check over \$250
	\$10,100.00	11/15 - 12/16	Willful Failure to Pay Wages, Larceny by Check over \$250
	\$8,000.00	12/15 - 6/16	Willful Failure to Pay Wages, Willful Failure to Pay Overtime
	\$350.00	12/16 - 2/17	Willful Failure to Pay Wages
	\$3,150.00	12/16 - 2/17	Willful Failure to Pay Wages, Willful Failure to Pay Overtime, Larceny by Check over \$250
	\$810.00	6/17 - 8/17	Willful Failure to Pay Wages, Willful Failure to Pay Overtime
	\$300.00	6/17 - 8/17	Willful Failure to Pay Wages

Restitution: \$91,743.53