

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT  
CIVIL ACTION  
NO. 00-2564

_____	)
ROBERT L. MANDELL, et al.	)
Plaintiffs,	)
v.	)
TOWN OF READING,	)
Defendant.	)
_____	)

AFFIDAVIT OF RUSSELL GRAHAM

I, Russell Graham, do hereby depose and state:

1. I am the Chairman of the School Building Committee ("Building Committee") in the Town of Reading, Massachusetts ("Reading"), and I have personal knowledge of the following facts.

2. The Reading School Building Committee ("Building Committee") is a special committee of Town Meeting charged with the task of bringing to Town Meeting recommendations relative to space and enrollment problems within the Reading school system. Consistent with that charge, the Building Committee selected a designer in 1998 to perform a Feasibility Study in connection with the construction and renovation of Reading's elementary schools. The Building Committee is entirely separate and distinct entity from the Reading School Committee ("School Committee").

3. In selecting Earl R. Flansburgh & Associates, Inc. ("Flansburgh") to perform the Feasibility Study, the Building Committee did not act as an Advisory

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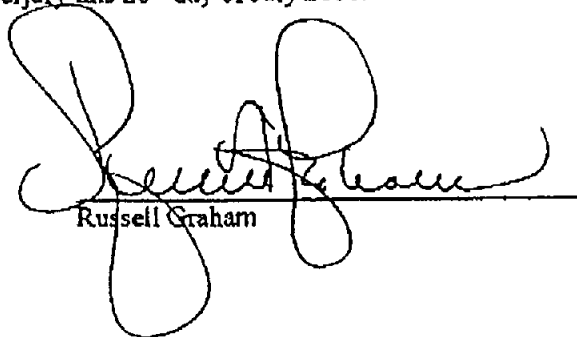
Committee to the School Committee, but rather is an independent entity formed by and directed by Town Meeting.

4. The Building Committee selected Flansburgh to perform the Feasibility Study pursuant to its own criteria set forth in the Request for Qualifications for the Feasibility Study ("Feasibility Study RFQ"), and the scoring sheet used by the Building Committee to rank the design firms. The Feasibility Study RFQ and designer scoring sheet utilized by the Building Committee are attached hereto as Exhibits A and B respectively.

5. In selecting a designer for the Feasibility Study, the Building Committee indicated that it believed that Flansburgh had made the best presentation and was best able to meet the needs of Reading's elementary schools. A copy of the Building Committee's meeting minutes from August 27, 1998 are attached hereto as Exhibit C.

6. These meeting minutes are public records which can be obtained by the public upon request.

Signed under the penalties of perjury this 26<sup>th</sup> day of July 2000.



Russell Graham