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Chief Solomon lawyer issues public statement on Lariviere trial

On Thursday, January 24, 2008, a jury of eight citizens rendered a unanimous verdict in favor of Joseph Solomon and Joseph Alaimo in the United States District Court in Boston in the lawsuit brought by Maurice Lariviere. Each of Mr. Lariviere's five remaining counts was rejected unanimously by the jury after they heard six days of testimony and reviewed all of the evidence. Joseph Solomon and Joseph Alaimo concur with Judge Edward Harrington's comments that the jury's verdict was "fair" and was well-supported by the evidence.

The jury clearly considered all of the evidence, including: the graphic mistreatment of Fulya Capanelli by Mr. Lariviere shown on the videotape of the events on February 16, 2005; the audiotaped interview of Mr. Lariviere during which he waived his right to an attorney, his right to remain silent and during which he requested that the taping cease; and days of testimony about why the criminal investigation into Mr. Lariviere's conduct between October, 2004 and February 16, 2005 was mandated under the laws of the Commonwealth, conducted in accordance with all professional law enforcement standards and entirely consistent with the oaths of office taken both by Joseph Solomon and Joseph Alaimo. In reaching their unanimous verdict, the jury was legally required to find that Mr. Lariviere's written resignation was completely voluntary and was not the product of any misrepresentation, coercion or intimidation either by Joseph Solomon or Joseph Alaimo.

The jury also necessarily discredited the sworn testimony of Michael Wnek and Michael Hatem regarding false statements that they attributed to Joseph Alaimo. Mr. Wnek's testimony contradicted his sworn testimony at a deposition in November, 2006. Mr. Wnek did not report the purported statement to any of the prosecutors involved with this investigation and did not include the statement in any of his lengthy reports created during the investigation. The jury clearly concluded that Mr. Hatem's testimony was fabricated because records demonstrate quite clearly that Joseph Alaimo was on vacation and was not "in uniform," as suggested by Mr. Hatem, on February 17, 2005 when the comment was allegedly made.

Many of the deposition transcripts and other relevant documents to the criminal investigation into Mr. Lariviere's conduct have been filed with the United States District Court and are public records available for viewing. Joseph Solomon and Joseph Alaimo urge any and all of their fellow citizens who are curious about the true facts of this matter to review the transcripts and other documents carefully.

The conclusion of this lengthy trial brings three years of litigation to an end for Joseph Solomon and Joseph Alaimo. Because of the baseless lawsuit brought by Mr. Lariviere, Joseph Solomon and Joseph Alaimo have been maligned in the public by Mr. Lariviere and have been unable to comment due to the advice of their lawyers to not comment on pending litigation. Mr. Lariviere's lawsuit has cost the taxpayers of Methuen dearly and his actions will continue to cost Methuen in related litigation. Mr. Lariviere's baseless allegations also have inconvenienced a multitude of Methuen government employees and have distracted them from countless hours of work in order to participate in this lawsuit.

Sadly, given his recent comments after the jury returned a verdict that rejected entirely his claims, Mr. Lariviere has continued his attempts to defame Joseph Solomon and Joseph Alaimo, personally and professionally. Whereas earlier the only response could be to deny the assertions without further comment, Joseph Solomon and Joseph Alaimo now can point to the impartial verdict of eight persons who sat in judgment of Mr. Lariviere's claims and saw them for what they always have been: unfounded and outrageous allegations not grounded in credible evidence. Moreover, given the evidence revealed publicly at trial, one might think that there is no person less worthy of casting moral judgment on others than Mr. Lariviere.

Joseph Solomon and Joseph Alaimo would like to thank all of their family and friends for their support during this trying litigation. They also would like to thank the following witnesses for testifying truthfully in a court of law: Fulya Capanelli, David Bain, William Manzi, Peter McQuillan, John Molori, Thomas Kelly, Randy Haggar, Kristopher McCarthy and Sharon Pollard.

- Gareth W. Notis, Morrison Mahoney LLP, Boston, Massachusetts

- Andrew J. Gambaccini, Reardon, Joyce & Akerson, P.C., Worcester, Massachusetts