August 16, 2018

Prior to September Court Date:
MUSEUM LAWYERS ASK APPEALS COURT
TO UPHOLD SUPERIOR COURT DECISION
DISMISSING CHALLENGE TO MUSEUM PLAN

For immediate release (Pittsfield, Mass.) Lawyers representing the Berkshire Museum are asking the Appeals Court to uphold an earlier ruling of the Superior Court dismissing a 2017 lawsuit the lawyers describe as “wholly insubstantial and frivolous,” particularly in light of a decision earlier this year from the Supreme Judicial Court (SJC).

In a letter to the Appeals Court, Berkshire Museum lawyers write, “The SJC’s decision makes plain that this appeal is wholly insubstantial and frivolous. The SJC confirmed the Attorney General’s ‘exclusive province to ensure that a charitable trust established for the benefit of the public is properly administered.’”

Further, the lawyers, write, earlier court decisions concluded those bringing this appeal “do not have standing.”

The still-pending appeal was brought by James Hatt, Kristen Hatt, and Elizabeth Weinberg opposing the museum’s plan to secure the future of the museum and better meet the needs of the community by selling a very limited number of works from the museum’s extensive collection.

A copy of the letter is attached.

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