

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ZACHARY R. CHERTOK, ELIOT
JOKELSON, residents and taxpayers of the
City of Medford,

Plaintiffs,

v.

CITY OF MEDFORD, MEDFORD CITY
COUNCIL, BREANNA LUNGO-KOEHN, in
their official capacities,

Defendants.

Case No. 1:26-CV-10589-GAO

CITY OF MEDFORD’S STIPULATION

Now come the City of Medford Defendants, by and through its Chief Executive Officer, Mayor Breanna Lungo-Koehn (“City”), who hereby stipulates and agrees, and requests the Court’s approval that Final Judgment enter in this matter granting a permanent injunction in accordance with the terms and conditions set forth herein due to financial considerations relative to defense of this litigation impacting this City warranting resolution.

RELEVANT BACKGROUND

1. The City of Medford is a municipal corporation organized under the laws of the Commonwealth of Massachusetts. According to the City Charter, the Mayor is the Chief Executive Officer of the City, Section 1-3, and is duly authorized to settle litigation on its behalf.

2. On or about August 5, 2025, the City, by and through its City Council, enacted an ordinance entitled “Values-Aligned Local Investments Ordinance” (“Ordinance”).

3. On or about February 6, 2026, Plaintiffs, as residents and taxpayers of the City who claim to be aggrieved by the Ordinance, filed a Complaint containing eight (8) counts against the City and requesting that the Court: (1) declare the Ordinance invalid, ultra vires, and unenforceable; (2) enjoin the City from implementing or enforcing the Ordinance; (3) grant preliminary and permanent injunctive relief; and (4) award Plaintiffs their costs and other relief as the Court deems just.

4. The City, by and through its Mayor, hereby stipulates that after careful consideration of the legal issues raised in the litigation and significant fiscal year 2027 budgetary constraints facing this City, including cuts to the City's municipal funding, legal and operational costs, and other financial and policy matters concerning the expenditure of the City's limited public funds for the public's benefit to its residents this fiscal year, after careful consideration of City resources, staffing and finances, wishes to minimize the expenditure of any further expenses or costs in connection with this litigation.

5. Therefore, the City stipulates and seeks to resolve all claims regarding the Ordinance at issue in this litigation without any further costs and expenses associated with the defense of this litigation and any related appeals.

STIPULATION

6. This Stipulation by the City, by and through its Mayor, is being filed for the purpose of reducing the expenditure of limited municipal resources of the City. Specifically, in light of such pressing financial constraints impacting the City, including its recent legal budget cuts, schools and operational costs, and, after careful consideration regarding the continued allocation and use of public funds relative to anticipated litigation, for which the City has already expended more than \$35,000 to defend, to date, the City of Medford hereby stipulates and agrees that it will

not enforce, implement, or attempting to enforce or implement the Values Aligned Local Investments Ordinance enacted on or about November 12, 2025 that is the subject of the above-captioned litigation, or a substantially similar ordinance directing the City's investments in any manner except in accordance with Chapter 44 of the Massachusetts General Laws, or any other applicable law.

7. The City submits that this Stipulation has been made after careful consideration of legal and financial costs relative to such ongoing litigation and in an effort to resolve this litigation without further public expense and shall not be construed in any way to be an admission of liability or wrongdoing of any kind by the City, or its officials or employees, and the City denies any such liability or wrongdoing.

Respectfully submitted,

DEFENDANTS

CITY OF MEDFORD,
ET AL.

By their attorneys,

/s/ Janelle M. Austin

Janelle M. Austin (BBO# 666835)

Devan C. Braun (BBO# 703243)

KP Law, P.C.

101 Arch Street, 12th Floor

Boston, MA 02110-1109

(617) 556-0007

jaustin@k-plaw.com

dbraun@k-plaw.com

Dated: August 27, 2026

4929-9593-0309

CERTIFICATE OF SERVICE

I, Janelle M. Austin, hereby certify that on August 27, 2026, I caused a copy of the foregoing *City of Medford's Stipulation* to be served on all parties of record who are registered participants of the Court's CM/ECF system.

/s/ Janelle M. Austin

Janelle M. Austin