

Appendix E

Labor Relations Commission, et al. v. BTU, Local 66, et al. Civil Action No. 07-0587-F

The School Committee agrees that in the negotiations leading to final agreement the Union has given good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged. The School Committee therefore agrees that if the Union appeals the Superior Court's contempt ruling dated February 27, 2007 in Labor Relations Commission, et al. v. BTU, Local 66, et al., Civil Action No. 07-0587-F, it will take no position on the appeal of the contempt ruling. The School Committee further agrees that if the Union files a motion in the Superior Court seeking remittitur of a contempt fine or vacation of the contempt finding, the School Committee will not file an opposition to such motion, and that the School Committee will not file the motion or affidavits authorized in the order on contempt, p.7. The School Committee's agreement herein is limited to a challenge based on the issue of contempt. The School Committee expressly reserves its right to oppose any challenge by the Union or by the other defendants, direct or indirect, to the legality, validity, scope, or jurisdiction of the Superior Court's injunction order entered on February 13, 2007, of the underlying Labor Relations Commission orders entered on January 18, 2007 and February 6, 2007, or of the orders denying stay entered on February 14, 2007. This includes the right to oppose any such challenge which is made in the context of a motion or appeal which also challenges the contempt ruling.