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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT  
C.A. No. 2684CV \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS,

Plaintiff,

v.

LAMAR COOK,

Defendant.

**COMPLAINT**

The Commonwealth of Massachusetts brings this Complaint against LaMar Cook to recover money erroneously paid to him for accrued vacation leave time that he was not entitled to receive because he was terminated for cause from his employment with the Office of the Governor.

**PARTIES**

1. Plaintiff Commonwealth of Massachusetts is a sovereign state and body politic duly organized by law and represented by the Attorney General, who brings this action in the public interest and on behalf of the Commonwealth and its citizens and taxpayers.
2. Defendant LaMar Cook is a natural person who, on information and belief, has a last and usual place of residence at 110 Lamont Street in Springfield, Massachusetts.

**JURISDICTION AND VENUE**

3. The Attorney General has the authority to bring this action pursuant to G.L. c. 12, § 3 and § 5.

4. This Court has subject matter jurisdiction over the subject matter of this action pursuant to G.L. c. 212, § 4 and/or G.L. c. 223, § 5.
5. This Court has personal jurisdiction over Mr. Cook pursuant to G.L. c. 223A, § 2.
6. Venue is proper in Suffolk County pursuant to G.L. c. 223, § 5.

## FACTS

7. Governor Maura Healey appointed Mr. Cook as the Western Massachusetts Deputy Director of the Office of the Governor effective May 1, 2023.
8. As the Western Massachusetts Deputy Director of the Office of the Governor, Mr. Cook was subject to the “Rules Governing Paid Leave and Other Benefits for Managers and Confidential Employees,” also known as the “Red Book.”
9. Pursuant to section 2.11 of the Red Book: “Employees whose services terminated by resignation, by dismissal through no fault or delinquency of their own, by retirement, or by entrance into the defense forces, shall be paid an amount equal to the vacation leave which has been credited but not used by the employee up to the time of separation, provided that no monetary or other allowance has already been made therefor.”
10. Employees subject to the Red Book who are terminated for cause are not entitled to be paid any amount for accrued vacation leave time.

11. On October 25, 2025, the Office of the Governor became aware that Mr. Cook had been detained by law enforcement on the premises of the Springfield State Office building, and upon learning that information, it immediately terminated his employment for cause. Mr. Cook was later arrested on October 28, 2025 and charged with cocaine trafficking, unlawful possession of a firearm, and unlawful possession of ammunition.

12. On November 21, 2025, after Mr. Cook was terminated for cause, the Commonwealth's Human Resources Division erroneously paid him \$31,438.56 in total gross pay, \$22,374.29 net pay, for 530 total hours of vacation leave time that he accrued from his former employment with the University of Massachusetts and his employment with the Office of the Governor.

13. Mr. Cook received \$22,374.29 net pay from the Commonwealth, in the form of direct deposits into his two bank accounts, for accrued vacation leave time that he was not entitled to receive.

14. Mr. Cook was not entitled to receive any money for accrued vacation leave time because he was terminated for cause.

15. Upon realizing the error in paying Mr. Cook for accrued vacation leave time, the Commonwealth attempted to reverse the direct deposits, but it could not do so due to insufficient funds available in the accounts.

16. The Commonwealth has demanded that Mr. Cook pay back the money that he received in error, but despite demand, he has failed and refused to pay back the money.

#### **COUNT I – Money Had and Received**

17. The Commonwealth repeats and incorporates by reference the allegations in paragraphs 1-16 as if fully set forth herein.

18. After Mr. Cook was terminated for cause, the Commonwealth erroneously paid him money for accrued vacation leave time.

19. Mr. Cook received money from the Commonwealth for accrued vacation leave time that he was not entitled to receive.

20. Mr. Cook was not entitled to receive any money for accrued vacation leave time because he was terminated for cause.

21. Mr. Cook received money for accrued vacation leave time that in justice should not be retained by him and that in equity and good conscience should be paid back to the Commonwealth.

22. Despite demand, Mr. Cook has failed and refused to pay back the money.

23. As a result of his failure and refusal to pay back the money, Mr. Cook is liable to the Commonwealth for \$31,438.56, plus interest.

WHEREFORE, the Commonwealth demands judgment against Mr. Cook in the amount of \$31,438.56, plus interest.

**JURY DEMAND**

The Commonwealth demands a trial by jury on all claims so triable.

COMMONWEALTH OF MASSACHUSETTS

By its Attorney,

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

*/s/ Eric A. Martignetti*

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Date: January 7, 2026