



*City of New Bedford*  
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December 3, 2020

Via Electronic Mail

Justin Butterfield  
First Liberty Institute  
jbutterfield@firstliberty.org

Andrew Beckwith  
Massachusetts Family Institute  
c/o jbutterfield@firstliberty.org

Re: Occupancy Limitations for Indoor Gatherings

Dear Attorneys Butterfield and Beckwith:

Your November 20, 2020 correspondence addressed to Mayor Jon Mitchell was forwarded to my attention for review and response. Following the U.S. Supreme Court's November 25, 2020 decision in Roman Catholic Diocese of Brooklyn, New York v. Andrew M. Cuomo, Governor of New York, 592 U.S. \_\_\_ (2020), the New Bedford Health Department has rescinded its May 22, 2020 memorandum, which was the subject matter of your correspondence.

We are also in receipt of your November 25, 2020 public records request. Please let us know whether, in light of the New Bedford Health Department's rescission of its May 22, 2020 memorandum, you still wish to receive the requested documents.

Please do not hesitate to contact me at (508) 472-1666 or [Mikaela.mcdermott@newbedford-ma.gov](mailto:Mikaela.mcdermott@newbedford-ma.gov) if you have any questions.

Very truly yours,

Mikaela A. McDermott  
City Solicitor

Cc: Mayor Jon Mitchell