

**COMMONWEALTH OF MASSACHUSETTS  
PROBATE AND FAMILY COURT DEPARTMENT**

ESSEX, ss.

Docket No. ES09E0094QC

ALEXANDER B.C. MULHOLLAND, JR.,	)
PETER FOOTE, DONALD WHISTON,	)
JAMES FOLEY, ELIZABETH KILCOYNE,	)
PATRICK J. MCNALLY, AND INGRID	)
MILES AS THEY ARE THE FEOFFEES OF	)
THE GRAMMAR SCHOOL IN THE TOWN	)
OF IPSWICH	)
Plaintiffs,	)
	)
v.	)
	)
ATTORNEY GENERAL OF THE	)
COMMONWEALTH OF MASSACHUSETTS,	)
IPSWICH SCHOOL COMMITTEE, and	)
RICHARD KORB, as he is Superintendent of	)
Schools in the Town of Ipswich,	)
Defendants.	)

**RECORD APPENDIX TABLE OF CONTENTS**

1. Will of William Payne;
2. November 14, 1650, Ipswich Town Meeting Minutes;
3. January 26, 1652, Ipswich Town Meeting Minutes;
4. January 12, 1756, Ipswich Town Meeting Minutes;
5. Chapter 26 of the Province Laws of 1755-56;
6. Chapter 5 of the Province Laws of 1765-66;
7. Chapter 54 of 1786;
8. Town of Ipswich Assessor's Map 24C (Little Neck);
9. Minutes of the 349<sup>th</sup> Annual Meeting of the Feoffees of the Grammar School in  
the Town of Ipswich (May 19, 1998);
10. Sample Tenant Agreement;

11. Sample bills for fiscal year 2004;
12. Sample bills for fiscal year 2005;
13. Proposed Lease for fiscal year 2007 (seasonal, with first and last page of annual lease appended);
14. Rental Income Summary;
15. Feoffees of the Grammar School in the Town of Ipswich Form 990 for the period beginning 7/1/01 and ending 6/30/02, as submitted to the Office of Public Charities of the Attorney General of the Commonwealth of Massachusetts as part of a Form PC filing;
16. Feoffees of the Grammar School in the Town of Ipswich Form 990 for the period beginning 7/1/02 and ending 6/30/03, as submitted to the Office of Public Charities of the Attorney General of the Commonwealth of Massachusetts as part of a Form PC filing;
17. Feoffees of the Grammar School in the Town of Ipswich Form 990 for the period beginning 7/1/03 and ending 6/30/04, as submitted to the Office of Public Charities of the Attorney General of the Commonwealth of Massachusetts as part of a Form PC filing;
18. Feoffees of the Grammar School in the Town of Ipswich Form 990 for the period beginning 7/1/04 and ending 6/30/05, as submitted to the Office of Public Charities of the Attorney General of the Commonwealth of Massachusetts as part of a Form PC filing;
19. Feoffees of the Grammar School in the Town of Ipswich Form PC for the period beginning 7/1/05 and ending 6/30/06;
20. Feoffees of the Grammar School in the Town of Ipswich Form PC for the period beginning 7/1/06 and ending 6/30/07;
21. Feoffees of the Grammar School in the Town of Ipswich Form PC for the period beginning 7/1/07 and ending 6/30/08;

22. Feoffees of the Grammar School in the Town of Ipswich Form PC for the period beginning 7/1/08 and ending 6/30/09;
23. December 10, 1998, Notice of Enforcement Action by Massachusetts Department of Environmental Protection;
24. Administrative Consent Order ACO-NE-99-1017;
25. April 19, 2001, letter from Richard A. Nysten, Jr. to Madelyn Morris, Esq.;
26. May 1, 2001, letter from Madelyn Morris, Esq. to Richard A. Nysten, Jr.;
27. Administrative Consent Order ACO-NE-03-1G005;
28. Administrative Consent Order ACO-NE-03-1G005a;
29. March 24, 2005, approval of wastewater holding tanks;
30. September 30, 2004 Agreement-Engineering Services for Sewer System & Holding Tank/Loading Station Implementation Little Neck-Ipswich;
31. Project Overview revised November 4, 2004;
32. Wastewater Collection System Contract Specifications, December 28, 2004, revised January 10, 2005(together with plan showing system as constructed);
33. January 20, 2005 Agreement and Formal Contract;
34. Wastewater Holding Tank Contract Specifications, April 25, 2005;
35. July 6, 2005 Agreement and Formal Contract;
36. Contract Documents O & M Services, March 24, 2006;
37. Stipulation and Request for Instructions (Essex County Probate Court Docket No. 05E-0026-GC1);
38. Order (Essex County Probate Court Docket No. 05E-0026-GC1);
39. June 7, 2005, Commercial Promissory Note;

40. June 7, 2005, Conditional Assignment of Betterment Fees;
41. June 7, 2005, Collateral Assignment and Security Agreement;
42. June 7, 2005, Conditional Assignment of Leases and Rents;
43. October 31, 2010, Institution for Savings audit statement;
44. Class Action Complaint and Jury Demand (Essex County Superior Court Docket No. 2006-02328D);
45. Answer and Counterclaim and Jury Demand of Feoffees (Essex County Superior Court Docket No. 2006-02328D);
46. Stipulation (Essex County Superior Court Docket No. 2006-02328D);
47. December 2008, Press Release;
48. Settlement Agreement and Release, dated December 24, 2009;
49. Purchase and Sale Agreements for cottages without chattel mortgages (sample P & S and addendum with 158 first and last [signature] pages);
50. Bills of Sale for cottages without chattel mortgages;
51. Purchase and Sale Agreements for cottages with chattel mortgages (seven first and last [signature] pages);
52. Bills of Sale for cottages with chattel mortgages;
53. May 20, 2010, report of the Ad Hoc Committee of the Ipswich School Committee;
54. Appraisal of Little Neck by LandVest, Inc. as of September 11, 2010, with Affidavit of James Monahan;

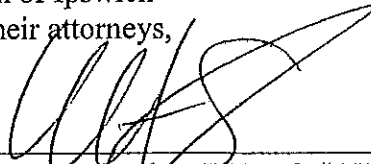
Pro Formas of Dan Clasby (55-58)

55. Feoffees of the Grammar School- Cash Available for Distribution to Schools- Alternatives 1A, 1B, 1C, 2A, 2B, and 2C;
56. Feoffees of the Grammar School Proforma Income Statements Years Ended October 31- Alternatives 1A, 1B, 1C, 2A, 2B, and 2C;
57. Feoffees of the Grammar School Proforma Balance Sheets As of October 31- Alternatives 1A, 1B, 1C, 2A, 2B, and 2C;
58. Feoffees of the Grammar School Proforma Subschedules Years Ended October 31- Alternatives 1A, 1B, 1C, 2A, 2B, and 2C;
59. Branagan v. Zoning Bd. of Appeal of Falmouth, 75 Mass.App.Ct. 1107 (2009)(Rule 1:28);
60. Erosion remediation report and plans of Vine Associates with Affidavit of David Vine;
61. Eastern Bank Promissory Note;
62. Eastern Bank Commercial Guaranty (Don Whiston);
63. Eastern Bank Commercial Guaranty (James Foley);
64. Eastern Bank Commercial Guaranty (Alexander Mulholland);
65. Cambridge Savings Bank Commitment letter and extensions;
66. September 2, 2010 Cambridge Saving Bank letter to the Feoffees;
67. Cambridge Savings Bank proposed loan servicing term sheet and e-mail related thereto;
68. Cambridge Savings Bank investment advisory services documents;
69. Affidavit of Donald Whiston;

70. Affidavit of Alexander B.C. Mulholland, Jr.; and

71. Affidavit of Dan Clasby.

Respectfully submitted,  
Alexander B.C. Mulholland, Jr., et al.,  
Feoffees of the Grammar School in the  
Town of Ipswich  
By their attorneys,



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