

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

PROBATE & FAMILY COURT  
DOCKET NO. ES09E0094QC

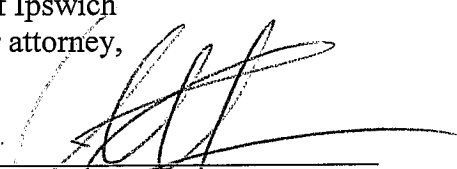
ALEXANDER B.C. MULHOLLAND, JR., et al. )  
AS THEY ARE THE FEOFFFEES OF THE )  
GRAMMAR SCHOOL IN THE TOWN )  
OF IPSWICH )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
ATTORNEY GENERAL OF THE )  
COMMONWEALTH OF MASSACHUSETTS, )  
IPSWICH SCHOOL COMMITTEE, and )  
RICHARD KORB, as he is Superintendent of )  
Schools in the Town of Ipswich, )  
 )  
Defendants. )

**PLAINTIFFS' MOTION TO STRIKE SUPPLEMENTAL  
AFFIDAVIT OF CLARK ZIEGLER AND AFFIDAVIT OF WEBSTER A. COLLINS**

Plaintiffs hereby move to strike the Supplemental Affidavit of Clark Ziegler and the Affidavit of Webster A. Collins. In support of this motion, plaintiffs state as follows:

1. The motion to intervene of Douglas J. DeAngelis was served on December 20, 2011.
2. The affidavits sought to be struck were served via e-mail on the evening of January 26, 2012.
3. Probate Court Rule 29 requires that "when a motion is supported by affidavit, the affidavit **shall** be served with the motion" (emphasis added).
4. The purpose of Rule 29 is to prevent exactly what has occurred here: piecemeal, and late, filings made to plug holes identified by the parties who oppose the movant.

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



---

William H. Sheehan III, BBO #457060  
MacLean Holloway Doherty  
Ardiff & Morse, P.C.  
8 Essex Center Drive  
Peabody, MA 01960  
(978) 774-7123  
[wsheehan@mhdpc.com](mailto:wsheehan@mhdpc.com)

Dated: January 27, 2012

**CERTIFICATE OF SERVICE**

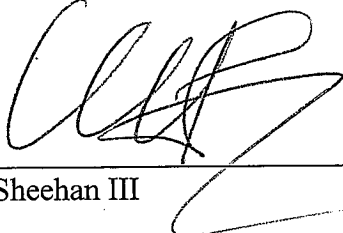
I, William H. Sheehan III, attorney for the Plaintiffs, hereby certify that I have served a copy of the above document upon all parties or counsel of record, by mailing the same, first class mail, postage prepaid, to the following attorneys:

Stephen M. Perry, Esq.  
Casner & Edwards, LLP  
303 Congress Street  
Boston, MA 02210

Johanna Soris, Esq.  
Commonwealth of Massachusetts  
Office of the Attorney General  
Public Charities Division  
One Ashburton Place  
Boston, MA 02108

And to the would be intervener:

Mark E. Swirbalus  
Day Pitney LLP  
One International Place  
Boston, MA 02110

  
\_\_\_\_\_  
William H. Sheehan III

Dated: January 27, 2012