

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

PROBATE & FAMILY COURT
DOCKET NO. ES09E0094QC

ALEXANDER B.C. MULHOLLAND, JR., et al.)
AS THEY ARE THE FEOFFEEES 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.)

**MOTION TO QUASH AND FOR PROTECTIVE ORDER REGARDING SUBPOENA
OF EXPERT**

The Little Neck Legal Action Committee (“LNLAC”), a non-party to this action, hereby moves pursuant to Mass. R. Civ. P. 45(b)(1) to quash the subpoenas which Defendants served on the Keeper of Records of Peterson LaChance Regan Pino, LLC and the Keeper of Records of Petersen LaChance Realty Advisors (collectively, “Peterson LaChance”), and on Mr. William LaChance (“Mr. LaChance”). LNLAC also moves pursuant to Mass. R. Civ. P. 26(b)(1) that the discovery which Defendants are seeking to take of Peterson LaChance and Mr. LaChance not be had. LNLAC is filing this motion on behalf of itself and on behalf of Peterson LaChance and Mr. LaChance.

As set forth more fully in LNLAC's accompanying memorandum of law, Defendants' subpoenas of Peterson LaChance and Mr. LaChance are improper attempts by Defendants to take depositions of an expert who is expected to testify at trial in this case on behalf of Plaintiffs.

WHEREFORE, for the reasons set forth in the memorandum, LNLAC respectfully requests that the Court allow this motion and enter an order in the form of the proposed Order attached hereto that the subpoenas are quashed and the discovery may not be had.

Respectfully submitted,

LITTLE NECK LEGAL ACTION COMMITTEE

By their attorney,



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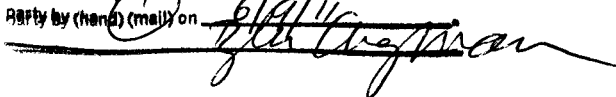
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June 9, 2011

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by (hand) (mail) on



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)

[PROPOSED] ORDER

After hearing, and after review of the *Motion To Quash And For Protective Order Regarding Supboena Of Expert* and the memoranda in support of and in opposition to same, the Court hereby rules that the motion is ALLOWED and that, accordingly, Defendants’ subpoenas of the Keeper of Records of Peterson LaChance Regan Pino, LLC, the Keeper of Records of Petersen LaChance Realty Advisors, and Mr. William LaChance are each quashed and the Court now enters a protective order that the discovery sought by the subpoenas not be had.

Sahagian, J.

Dated: June __, 2011