

COMMONWEALTH OF MASSACHUSETTS
APPEALS COURT

ESSEX, SS.

ALEXANDER B.C. MULHOLLAND,
JR., et al.

Plaintiffs,

v.

ATTORNEY GENERAL OF THE
COMMONWEALTH OF
MASSACHUSETTS, et. al.

Defendants.

PROBATE AND FAMILY
DEPARTMENT OF THE
TRIAL COURT

No. ES09E0094QC

APPEALS COURT
SINGLE JUSTICE
NO.:2012-J59

**MOTION FOR LEAVE TO FILE A REPLY AND REPLY AFFIDAVITS
REGARDING MOTION TO STAY**

The Proposed Interveners in the above matter hereby move for leave to file a reply to the three memoranda filed in opposition to the Proposed Interveners' Motion to Stay Judgment; and to file three reply affidavits: 1) The Affidavit of Patrick McNally (Selectmen Feoffee); 2) The Affidavit of Rachel Roesler (School Committee Member); and 3) The Affidavit of Mark E. Dixon (Descendant of William Payne).

As grounds for this motion the Proposed Interveners state:

- 1) the reply is concise;

2) the reply brings to the attention of the single justice cases relevant to the public policy issues raised in the three oppositions to the motion;

3) the reply will assist the court in determining the issues raised in the motion and in the oppositions; and

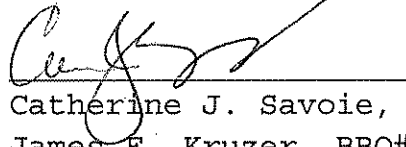
4) the affidavits filed in support correct misstatements made in the parties' filings and will assist this Court in determining the issues before it.

For the above reasons, the Interveners respectfully request leave to file a reply memorandum and three affidavits. The proposed reply and the three affidavits are attached to this motion.

Respectfully submitted,

Douglas J. DeAngelis, Catherine
T.J. Howe, Jacqueline and Jonathan
Phypers, Peter Buletza, Kenneth
Swenson, Robert Weatherall, Jr.,
Joanne Delaney, Cara Doran, Andrew
and Susan Brengle, Michele and
Jason Wertz, and Clark Ziegler

By their attorneys,



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Dated: March 1, 2012

CERTIFICATE OF SERVICE

I, Catherine Savoie, attorney for the interveners, hereby certify that on this 1st day of March, 2012, I served a copy of the within U.S. Mail to:

**For Plaintiffs, Alexander
B.C. Mulholland, Jr., et
al**

William Sheehan, III
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**For Ipswich School
Committee and Richard Korb**

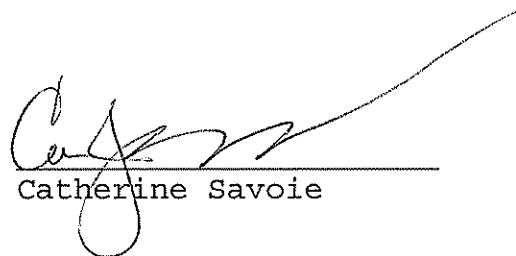
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**For Attorney General for
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