

COMMONWEALTH OF MASSACHUSETTS

APPEALS COURT NO:
2012-P-0635

APPEALS COURT
SINGLE JUSTICE
NO.:2012-J59

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

STATUS REPORT

The Appellants¹ file this Status Report in response to the Appeals Court's Order of April 26, 2012, requesting a status report regarding the progress of the underlying Probate Court action, the appeal of which will be consolidated with this appeal

In the underlying Probate Court action, Alexander B.C. Mullholland, Jr. et al. v. Attorney General of The Commonwealth of Massachusetts, et al., Probate Court Docket No. ES09E0094QC, there is a post-judgment motion pending which is scheduled to be heard on June

¹ 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

1, 2012.² When this post-trial motion has been decided by the Probate Court, the case will be ready for assembly of the record by a clerk of the Probate Court.

For these reasons, the Appellants request a continuance of the stay for two (2) months so that the underlying case in the Probate Court can be concluded and the record assembled by the clerk of the Probate Court. Once the Notice of Assembly has been issued, the Appellants will promptly docket the related appeal and move to consolidate both appeals.

Respectfully Submitted,

DOUGLAS J. DeANGELIS, CATHERINE T.J. HOWE, JACQUELINE PHYPERS, JONATHAN PHYPERS, PETER BULETZA, KENNETH SWENSON, ROBERT WEATHERALL, JR., JOANNE DELANEY, CARA DORAN, ANDREW BRENGLE, SUSAN BRENGLE, MICHELE WERTZ, JASON WERTZ and CLARK ZIEGLER, individually and on behalf of their minor children,

By their attorney,



Catherine J. Savoie, BBO# 544599
POSTERNAK, BLANKSTEIN & LUND, L.L.P.
The Prudential Tower
800 Boylston Street
Boston, MA 02199
(617) 973-6100
csavoie@pbl.com

Dated: May 24, 2012

² The motion has been brought by the Defendant School Committee to compel the plaintiffs, Feoffees of the Grammar School, to record the Master Deed, a requirement of the Judgment which entered in that action.

CERTIFICATE OF SERVICE

I, Catherine Savoie, hereby certify that on this 24th day of May, 2012, I served a copy of

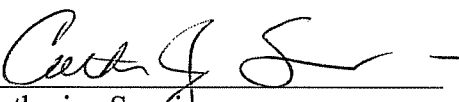
the foregoing by first-class mail upon the following counsel:

William Sheehan, III
MacLean Holloway Doherty
Ardiffe & Morse
8 Essex Center Drive
Peabody, MA 01960

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

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

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



Catherine Savoie