

**STATE OF MAINE  
YORK, ss.**

**SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. RE-09-111**

**ROBERT F. ALMEDER et al.,** )  
 )  
 **Plaintiffs,** )  
 )  
 v. )  
 )  
 **TOWN OF KENNEBUNKPORT et** )  
 **al.,** )  
 )  
 **Defendants.** )

**ORDER**

**(Title to Real Estate Involved)**

UPON CONSIDERATION of the parties' Joint Motion for Dismissal, the intervenor Surfrider Foundation having consented to the joint motion, WITH/WITHOUT objection, WITH/WITHOUT hearing, requesting dismissal of Plaintiffs Robert B. Eisenberg and Leslie A. Eisenberg's complaint against the Town of Kennebunkport ("Town") and defendants without prejudice and without costs; and dismissal of the respective counterclaims asserted by the Town of Kennebunkport, John Michie Harris and Sharon Eon-Harris, Alexander M. Lachiatto and Judith A. Lachiatto, and Richard and Margarete Driver as to Plaintiffs Robert B. Eisenberg and Leslie A. Eisenberg, only, without prejudice and without costs; the motion is hereby GRANTED.

IT IS SO ORDERED. The claims asserted by Plaintiffs Robert B. Eisenberg and Leslie A. Eisenberg against the Town of Kennebunkport and defendants are dismissed without prejudice and without costs. The respective counterclaims asserted by defendants as to Robert B. Eisenberg and Leslie A. Eisenberg, only, are dismissed without prejudice and without costs.

The clerk is directed to incorporate this Order into the docket by reference. M. R.

Civ. P. 79(a).

Dated: 6/1/10

  
Justice, Superior Court