

SUPERIOR COURT  
YORK, ss.  
Docket No. RE-09-111

ROBERT F. ALMEDER and VIRGINIA  
S. ALMEDER, et al.,

Plaintiffs

v.

TOWN OF KENNEBUNKPORT and  
ALL PERSONS WHO ARE  
UNASCERTAINED,

Defendants

**NOTICE OF APPEAL**

Civil

Criminal

Intervenor State of Maine appeals from the judgments, orders or rulings entered in this proceeding on October 16, 2012, as a final judgment on November 29, 2012.

[x] If this is a civil appeal, the Statement of issues (reasons for appeal) are as follows, pursuant to M.R. App. P. 5(b)(2)(A). Pursuant to M. R.App. P. 2(b)(3), Intervenor State of Maine hereby gives notice of cross-appeal from the "Partial Judgment" of this matter dated October 16, 2012, entered as a final judgment on November 29, 2012, insofar as the Superior Court's decision denied the State's public trust doctrine claims, including whether the Superior Court erred in limiting public trust doctrine rights in the intertidal zone to "ocean-based", waterborne activities" and denying public trust doctrine rights regarding, *inter alia*, swimming, bathing or wading; walking; picnicking or playing games in the intertidal zone.

**CHECK APPLICABLE BOX:**

The Transcript Order form is attached.

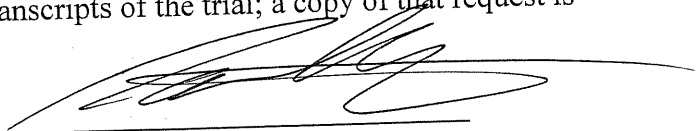
No transcript form is attached.\*

No electronic or other recording of the proceeding can be prepared for this civil case.

\* Plaintiffs previously ordered the pertinent transcripts of the trial; a copy of that request is enclosed herewith.

DATED: December 26, 2012

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