

STATE OF MAINE  
YORK, ss.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO: CV-09-111

ROBERT F. ALMEDER, et al.,

Plaintiffs

v.

TOWN OF KENNEBUNKPORT, et al.,

Defendants

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COUNTY OF YORK CLERKS OFFICE

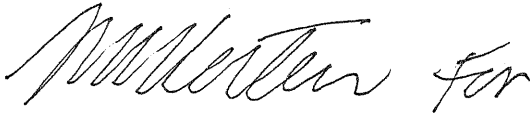
**PROCEDURAL ORDER**

As this case is scheduled to proceed to trial on August 6, 2012, this court issues the following order to clarify the scope of the issues to be tried.

It is ORDERED that the August 2012 trial will address the parties' use-related claims and will not address title, ownership, or any claims arising from the construction or interpretation of any deeds or conveyances. Therefore, the parties should be prepared to present their cases on Counts IV (prescription) and VI (custom) of the Town's Counterclaim, on the class prescriptive easement issue raised by the TMF Group, the Lachiatto, and the Driver Defendants' Counterclaims, and on the State's public trust defense. The parties are reminded that exhibit lists must be filed by July 13, 2012 and witness lists are to be filed one week before trial.

The Clerk is directed to incorporate this Order into the docket by reference pursuant to M.R. Civ. P. 79(a).

DATE: 7-9-12

  
\_\_\_\_\_  
G. Arthur Brennan  
Justice, Superior Court, Active Retired

STATE OF MAINE

SUPERIOR COURT

York, ss.

Docket No. RE-09-111

DISTRICT COURT

Location \_\_\_\_\_

Docket No. \_\_\_\_\_

Robert F. Almeder, et als

Plaintiff

v.

NOTICE OF BENCH TRIAL

Town of Kennebunkport, et als

Defendant

To: See attached list

This is to notify you that the above matter has been set for <sup>Bench</sup> Trial on Monday  
August 6, 2012 at 9:00 (a.m.)(p.m.) at the above named court  
located at:

Cumberland County Superior Court  
205 Newbury Street, 2nd floor  
Courtroom 12  
Portland, ME 04112

If you wish to be heard, you must appear, in person or by counsel.

Date: July 11, 2012



\_\_\_\_\_  
Clerk

Cc:

Sidney St. F. Thaxter, Esq.  
Christopher Pazar, Esq.  
Brian Willing, Esq.  
Andre Duchette, Esq.  
Neil L. Weinstein, Esq.  
Paul Stern, A.A.G.  
Nicholas S. Strater, Esq.  
Thomas R. McNaboe, Esq.  
Charles Nickerson, Esq.  
Robert Danielson, Esq.  
William Leete, Esq.  
Alan Shepard, Esq.  
Anthony Aversa, M.D., pro se  
Kendall and Linda Burford, pro se  
Alan J. Clark, pro se  
Richard and Margarete Driver, pro se  
Paul and Sharon Hayes, pro se  
Joanne Gustin, pro se  
William Lee Joel, II, pro se  
Michael and Donna Kelly, pro se  
Alexander and Judith Lachaitto, pro se  
Kristen Mulvihill, pro se  
Mary Jane and Jason Mulvihill, pro se  
Paley Family Homes, LLC, pro se  
Allison Pinney, Jr., pro se  
Thomas M. Ramsey, pro se  
Barbara H. Russell, pro se  
Carolyn Sherman, pro se  
Jennifer Wasserman, c/o Richard Wasserman, pro se  
Peter Wasserman, pro se  
Barbara P. Young, pro se