

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

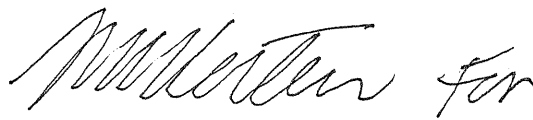
PROCEDURAL ORDER

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

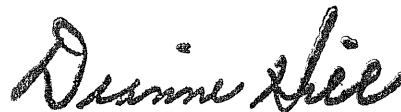
To: See attached list

This is to notify you that the above matter has been set for ^{Bench} 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