

STATE OF MAINE
YORK, s.s.

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

ROBERT F. ALMEDER et al.,

Plaintiffs,

v.

TOWN OF KENNEBUNKPORT et al.,

Defendants.

OPPOSITION TO SURFRIDER
FOUNDATION'S MOTION FOR
SUMMARY JUDGMENT

(Title to Real Estate Involved)

Plaintiffs/counterclaim defendants¹ Robert Almeder, et al., and parties in interest² represented by Sidney St. F. Thaxter, Esq. and the law firm Curtis Thaxter LLC (collectively "Plaintiffs") hereby oppose the intervenor Surfrider Foundation's motion for summary judgment filed May 13, 2011 and incorporate herein for their opposition to this motion the plaintiffs' memorandum of law in opposition to intervenor State of Maine's motion for summary judgment.

Dated: May 18, 2011



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¹ Plaintiffs/counterclaim defendants include all property owners identified in Plaintiffs' complaint for declaratory judgment and quiet title, Plaintiffs' first amendment to complaint, and Mark E. Celi and William E. Brennan, Jr., Trustees of The Celi Kennebunkport Real Estate Trust No. 1; Susan Flynn; William D. Forrest; Nancie M. Julian; Donna K. Lencki, Trustee of the Donna Lencki Revocable Trust of 1993; and Goose Rocks Beach Holdings, LLC, and their successors in interest.

² David and Jennifer Eaton; Susan K. Lewis, Trustee of the Amended and Restated Susan K. Lewis Residence Trust; Paley Family Homes, LLC; and Heather Vicenzi, Trustee of the George A. Vicenzi Trust.

NOTICE

Pursuant to Rule 7 of the Maine Rules of Civil Procedure, opposition to this Motion must be filed not later than 21 days after the filing of the Motion, unless another time is provided by the Rules of Court. Failure to file a timely objection will be deemed a waiver of all objections to this Motion which may be granted without further notice or hearing.