

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

WILLIAM V. AGUIAR, III,

Plaintiff,

v.

FLOYD WEBB, BARRON SHEPHERD,
WENDY SHEPHERD and ASHIDA KIM
a/k/a CHRISTOPHER HUNTER and
a/k/a BRADFORD DAVIS,

Defendants.

Civil Action No. 07-CA-11673-MLW

**CO-DEFENDANTS' MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF
THEIR MOTION TO DISMISS**

Co-Defendants, Barron Shepherd and Wendy Shepherd ("Co-Defendants"), by their undersigned counsel, hereby move pursuant to Local Rule 7.1 for leave to file the accompanying Reply Memorandum in Support of Co-Defendants' Motion to Dismiss (the "Reply Memorandum"). Co-Defendants filed their Motion to Dismiss on October 1, 2007. Plaintiff has opposed the relief requested in that motion. Plaintiff has not consented to the instant motion for leave to file a reply.

Co-Defendants' Reply Memorandum is necessary to address a number of inaccurate contentions of fact and law set forth in Plaintiff's Memorandum to Deny Co-Defendants' Motion to Dismiss, filed on October 15, 2007. The Reply Memorandum will clarify and resolve both factual and legal issues, thereby allowing both parties to focus on the merits. Accordingly, submission of the accompanying Reply Memorandum will not prejudice plaintiff.

For the reasons described above, there is good cause to grant leave for the Co-Defendants to file a reply in support of their Motion to Dismiss.

A proposed order is attached hereto.

Respectfully submitted,

BARRON SHEPHERD
WENDY SHEPHERD

By their attorneys,

/s/ Aaron Silverstein
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Dated: October 31, 2007

CERTIFICATE OF CONSULTATION

I, Aaron Silverstein, hereby certified that counsel for co-defendants, Barron and Wendy Shepherd, conferred in good faith with pro se plaintiff regarding this motion in an attempt to resolve or narrow the issues presented by this motion but no agreement was reached.

/s/ Aaron Silverstein
Aaron Silverstein

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be served via first-class mail to those indicated as non-registered participants on October 31, 2007.

/s/ Aaron Silverstein
Aaron Silverstein