

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DOCKET NO. 07-CV-11807 RGS

WAREHAM FREE LIBRARY, INC. and  
PRISCILLA PORTER, MARY NYMAN, HAZEL TABER,  
MICHELLE BAUM, SANDRA WHEELER, JOHN LANCI,  
MARTHA MAGUIRE, YELENA FARIOLI-BEAUPRE,  
and DIANE LAZARUS, Individually and As Trustees of  
Wareham Free Library, Inc.

Plaintiffs / Defendants in Counterclaim /  
Third Party Plaintiffs

v.

THE TOWN OF WAREHAM

Defendant / Plaintiff in Counterclaim

and

BRENDA ECKSTROM, BRUCE SAUVAGEAU, JOHN  
CRONAN, JAMES POTTER, and M. JANE DONAHUE,  
Individually and As Members of The Board of Selectmen of  
Wareham

Defendants

v.

FRIENDS OF THE WAREHAM FREE LIBRARY, INC.,

Defendant in Counterclaim

v.

MASSACHUSETTS INTERLOCAL INSURANCE  
ASSOCIATION

Third Party Defendant

**JOINT STATEMENT**

**I. PROPOSED SCHEDULE**

The parties propose the following schedule for litigation events:

Filing of Motions to Amend .....	February 22, 2008
Service of Initial Disclosures under FRCP 26(a)(1) .....	March 24, 2008
Service of, and compliance with, Written Discovery Requests .....	May 23, 2008
Completion of Fact Depositions .....	August 22, 2008
Disclosure of Experts .....	September 19, 2008
Completion of Expert Depositions .....	October 17, 2008
Filing of Motions for Summary Judgment .....	November 21, 2008
Final Pretrial Conference .....	February 2009

The proposed plan for discovery does not extend beyond 270 days from the date of the Scheduling Conference.

**Defendants' Additional Statement**

Defendants the Town of Wareham and members of the Board of Selectmen believe that four counts of plaintiffs' complaint may be ripe for judicial determination without the need for discovery. The Town defendants would propose creating a stipulated fact record on which the Court could consider arguments that could dispose of all counts.

**Plaintiffs' Response**

Plaintiffs and defendants in counterclaim believe that discovery may be necessary prior to adjudicating all claims.

## II. CERTIFICATION OF COUNSEL

The undersigned counsel certify that they have conferred with the parties with a view to establishing a budget for the costs of litigation and to considering the use of alternative dispute resolution.

Respectfully submitted,

PLAINTIFFS /  
DEFENDANTS IN COUNTERCLAIM /  
THIRD PARTY PLAINTIFFS

By Their Attorneys,

/ S / Timour Zoubaidouline

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PLAINTIFF IN COUNTERCLAIM,  
The Town of Wareham

By Its Attorneys,

/ S / George X. Pucci

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DEFENDANTS,  
Officially and Individually,

By Their Attorneys,

/ S / Peter E. Montgomery

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DEFENDANT IN COUNTERCLAIM,  
Friends of the Wareham Free Library, Inc.

By Its Attorneys,

/ S / Thomas J. Gallitano

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THIRD PARTY DEFENDANT,  
Massachusetts Interlocal Insurance Association

By Its Attorneys,

/ S / Arthur E. Maravelis

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Dated: January 18, 2007

**CERTIFICATE OF SERVICE**

In accordance with the Electronic Case Filing (“ECF”) Administrative Procedures of the United States District Court for the District of Massachusetts, I, Timour Zoubaidouline, hereby certify that the foregoing document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (“NEF”) and that paper copies will be sent to those indicated as non-registered participants by first class mail on January 18, 2008.

/ S / Timour Zoubaidouline

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TIMOUR ZOUBAIDOULLINE, BBO # 656212