

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Civil Action No. 07-CV-11807 RGS

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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 PORTER, and M. JANE DONAHUE, )  
 Individually and As Members of The Board of Selectman )  
 of Wareham, )  
 )  
 Defendants, )  
 )  
 v. )  
 )  
 FRIENDS OF THE WAREHAM FREE LIBRARY, INC., and )  
 WAREHAM LIBRARY FOUNDATION )  
 )  
 Defendants in Counterclaim, )  
 )  
 v. )  
 )  
 MIIA PROPERTY AND CASULATY GROUP, INC. )  
 )  
 Third Party Defendant. )

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**ASSENTED TO MOTION TO EXTEND SCHEDULING ORDER**

NOW COMES THE DEFENDANT/PLAINTIFF IN COUNTERCLAIM, Town of Wareham (the "Town") and moves, pursuant to Local Rule 26.2(B), that the deadlines in the Scheduling Order for taking of fact depositions, completing and exchanging expert disclosures, and filing and serving motions for summary judgment each be extended by approximately four months, as described in more detail below. Please note that all attorneys in this matter with the exception of Attorney Phillip Beauregard and Attorney Timour Zoubaidouline (who represent the Wareham Free Library, Inc. and the individual plaintiffs,) assent to this motion.

This Honorable Court granted the parties' first request for an extension of approximately two months. Since the parties' first request, the parties have actively engaged in discovery and completed the depositions of Priscilla Porter, Sandra Wheeler, John Lanci, Diane Lazarus, Hazel Taber, Brenda Eckstrom and Bruce Sauvageau. The parties filed a second joint motion requesting an additional three months, which was granted in part by the Court. Since the filing of the second motion, the parties have deposed Jane Donahue and conducted one of the outstanding 30(b)(6) depositions. The deposition of John Cronan will proceed tomorrow, June 12, 2009. The discovery deadline is currently June 26, 2009.

In support of this motion, the Town states two grounds for its request for an additional four months extension of the scheduling order. First, the Town states that there are approximately two outstanding depositions to be completed, that of Nora Bicki and another 30(b)(6) deposition. The attorney representing the Town in its counterclaim, Elizabeth Corbo, was unexpectedly placed on a medical leave of absence from work effective June 5, 2009. (Exhibit A). Attorney Corbo is also due to have a child on July 1, 2009 and will not be available to assist with this case for several months. As a result, Attorney Michele Randazzo is filing a Notice of Appearance in this matter. However, there are approximately two outstanding



**ASSENTED TO:**

Defendants,  
Officially and Individually

Defendant in Counterclaim  
Friends of the Wareham Free Library, Inc.

By their attorneys,

By its attorney,

/s/ Peter E. Montgomery  
Leonard H. Kesten (BBO 542042)  
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/s/ Thomas J. Gallitano  
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Third Party Defendant  
MIA PROPERTY AND CASULATY GROUP, INC.  
By its attorney,

/s/ Arthur E. Maravelis  
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Dated: June 11, 2009

CERTIFICATE OF SERVICE

I, Elizabeth R. Corbo, certify that the above document will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be served upon any party or counsel of record who is not a registered participant of the Court's ECF system upon notification by the Court of those individuals who will not be served electronically.

/s/ Elizabeth R. Corbo

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