

**STATE OF MAINE
YORK, ss.**

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

ROBERT F. ALMEDER et al.,

Plaintiffs,

v.

TOWN OF KENNEBUNKPORT et al.,

Defendants.

**MOTION FOR LEAVE
TO WITHDRAW AS COUNSEL FOR
PARTY IN INTEREST
PALEY FAMILY HOMES, LLC**

(Title to Real Estate Involved)

Attorneys Sidney St. F. Thaxter, David P. Silk, Regan M. Haines, Joanna C. Wyman, Benjamin M. Leoni and the law firm of Curtis Thaxter, LLC (collectively "Curtis Thaxter"), pursuant to Rule 89(a) of the Maine Rules of Civil Procedure, move this Court for leave to withdraw as attorneys for party-in-interest Paley Family Homes, LLC ("Paley") in this action. In support of this motion, Curtis Thaxter states as follows:

1. Paley Family Homes, LLC's has not abided by its financial obligation to and agreement with Curtis Thaxter to continue to represent its interests in this action. Further, Paley Family Homes, LLC has stated that it no longer desires that Curtis Thaxter represent it in this matter.
2. Paley Family Homes, LLC's have been further informed of the legal risks and consequences of Curtis Thaxter's withdrawal as counsel in this action.
3. Upon information and belief and based upon Paley Family Homes, LLC's expressed request, that it will have no objection to Curtis Thaxter's motion to withdraw.
4. Party in interest Paley Family Homes, LLC's last known address, as required under Rule 89(a) is P.O. Box 271882, W. Hartford, Connecticut 06127-1882.

5. A copy of this motion is being served via U.S. Mail, postage prepaid, upon Paley Family Homes, LLC.

6. No unnecessary delay is anticipated to result and Paley Family Homes, LLC will not presently be substantially prejudiced in the withdrawal of the undersigned counsel. No trial date has been set by the court.

Wherefore, Sidney St. F. Thaxter and Curtis Thaxter respectfully request this Court to allow all attorneys appearing on behalf of Paley Family Homes, LLC to withdraw their representation of party in interest Paley family Homes, LLC, including David P. Silk, Regan M. Haines, Joanna C. Wyman, and Benjamin M. Leoni.

Dated: January 4, 2012



Sidney St. F. Thaxter, Bar No. 1301

David P. Silk, Bar No. 3136

Regan M. Haines, Bar No. 8301

Joanna C. Wyman, Bar No. 9975

Benjamin M. Leoni, Bar No. 4870

CURTIS THAXTER LLC

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Attorneys for plaintiffs/counterclaim
defendants Robert Almeder, et al. and
Certain Parties-In-Interest

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.