

STATE OF MAINE
YORK, ss.

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

ROBERT F. ALMEDER and VIRGINIA)
S. ALMEDER, et al.,)

Plaintiffs)

v.)

TOWN OF KENNEBUNKPORT and)
ALL PERSONS WHO ARE)
UNASCERTAINED,)

TMF Intervenors)

MOTION TO INTERVENE UNDER PROVISIONS
OF RULE 24, MAINE RULES OF CIVIL
PROCEDURE¹

(Title to Real Estate is Involved)

NOW COME, 15 Belvidere Avenue Kennebunkport, Maine Inc.; 131 Kings Highway LLC; John and Neal Melley as Trustees for the 5 Sunset Lane Realty Trust; Sharon Alexander; William and Mary Ammann; Joanne and Donald Anderson as Trustees for the Anderson Family Trust; Thomas Anuszewski; Kate and Mark Badertscher; David and Claudia Bantz; Dominique Barsalou and Michel Lalande; Stanley and Barbara Barwise; Batson's River Cottages, LLC; Kathleen Bauer Burke as Trustee for the Mary I. Bauer Revocable Trust; BelAir Condominium Association; Peter and Kathleen Bennett; Russell and Cheryl Benson; Jon Weber as Trustee for the Sylvia B. Block Trust and Joseph Block Testamentary Trust; Anne, Virginia and Peter Boginski as Trustees for The Peter and Virginia Boginski Family Trust; Peter and Margaret Bradshaw; Nicholas and Margaret Brill; Frederick and Denise Buckley; John and Mary Anne Calcutt; Peter and Jean Ciarametaro; Dorcas Cofer and S.J. Cohen; Herbert and Judith Cohen; Judith Rice Colby; Robert Convery; Richard and Stephenie Cook; Gregory and Christopher

¹ The list of intervenors represented by Taylor McCormack & Frame, LLC by this filing will, for ease of reading, be labeled "TMF Intervenors".

Cooper; Marge Anderson as Trustee for The Joseph M. Cunniff Trust; Richard and Arthur Curtis as Trustees for The Curtis Realty Trust; John and Sonia Dalton; Gail Danckert; Richard and Sandra Day; Eleanor Dell; Kathleen DeMarre-Pappas; Susan and Richard Denekamp; C. Faith Detchon; Salvatore DiPillo and Marion Slater; Robert and Lorraine Dolbeare as Trustees for the Lorraine A. Dolbeare Trust; Brendan, Marion and Lauren Donovan; Paul and Denise Doran; Gregory Doyle; William and Patricia Dugan; Christine Ekchian; William and Therese Evans; Jan Fitzpatrick; Stuart and Eleanor Flavin; Martha and Edward Forbes; Kathleen and William Frieswick; Ann and Thomas Galligan, III; Robert and Jane Garvey; Robert Gerace as Trustee for The Gerace Family Realty Trust; Babak and Anne Ghayour; Judith and Richard Gilman; Mary and Francis J. Glavin, Jr. as Trustees for the Glavin-York Realty Trust; Robert and Cathy Gordon; Gordon Family Home Place LLC; L.F. Griswold, Stephen L. Griswold and Rosanne Cook; Sharon Ann Eon Harris and John Michie Harris; Ronald and Patricia Hayes; Lois Heaphy; Joan Hertz and Alan Gordon; Robert and Alice Heaton as Trustees for The Robert C. Heaton Trust; Patrick Hill; Harold and Bonnie Himmelman; Paul Hogan and Geralyn Fitzgerald; Jean and David Holden; Arthur and Janet Johnston; Judy Jose-Roddy; Joan T. and William A. Junker, Jr.; Maria and William Junker, III; Carol and Stan Jurga; Ann Kelly; Richard and Sharon Kelly; Killybegs, LLC; The King's Highway Goose Rocks Beach Condominium Association; Margaret Kirby; Richard and Kathleen Koffs; Carol and John Kraeuter; Mary Kudasoski as Trustee for the Mary C. Kudasoski Trust and Lisa and Wayne Taylor; Mary Kudasoski, Lisa Taylor and Jane Kudasoski; Ernestine LaFave and Roderick MacDonald; Ann LaFortune; Gordon and Jeannie Lewis as Trustees for The Lewis Family Realty Trust; Al and Audrey Loika as Trustees for The Loika Family Trust; Jeffrey and Catherine Lunde as Trustees for the Jeffrey S. Lunde Family Trust and the Catherine J. Lunde Family Trust; William and Joan Luthern; Graham W.

MacDonald; Graham and Holly MacDonald as Trustees for the MacDonald Children's Trust; Roderick D. MacDonald; J. Alexander MacMartin, Jr. and Arlene A. Laurenitis; Houchidar C. Maneche, M.D. as Trustee of the Houchidar C. Maneche Revocable Trust; Maritime Cottages Owners Association; Michael and Dawn Maron; Andrea Martin; Thelma S. Mather as Trustee for The Thelma Mather Trust; Deborah and Nicholas Maucieri; Ann and Nicholas Maucieri, Sr.; David and Barbara Mazeika; Douglas McCrae; John and Joan McEvoy; Kevin and Tracy McGovern; Alfred T. McHugh; Agnes McNamee and Deidre Bath as Trustees for The McNamee Family Trust; Terry and Caroline Merrill; Sally M. Milewski as Trustee for the Milewski Family Trust; Eileen Miller; Jeanne and Roger Miller; John and Mary Ann Morrissey; Jill Crawford Muhrer, Bruce Crawford, Robin Crawford Sakovics and Steven Crawford; Robert and Ann Murphy; Thomas and Sue Ellen Muse; Ray and Ellen Nichols; Howard J. Nixon, Betsey S. Nixon, and Monica Piombino as Trustees of The Howard J. Nixon Family Irrevocable Trust; Norwood Condominium Association; James and Sandra Nutter; Edward O'Neill, Jr.; Christopher and Mary Owen; Stephen H. Painter, III and Ann K. Corbey; Wilma Pappalardo as Trustee of the Wilma A. Pappalardo Revocable Trust; Charles and Lynda Parrott; Robert Pearce; Gregory and Sandra Pelletier; Pickard Union, LLC; Kathy Powers and Herbert and Ann Young as Trustees for the Powers/Young Maine Real Estate Trust; Chris Queen as Trustee for the Grace Queen Trust; Patrick J. and Gail A. Regan as Trustees of the Regan Family Realty Trust; Pamela Reynolds; Gary Roth and Roberta Capuano as Executor for the Estate of Sue Ann Roth; Winston and Christine Ryan as Trustees for the Winston C. Ryan Revocable Trust and the Christine B. Ryan Revocable Trust; Sand Dollar Condominium Association; Sand Castles at GRB, LLC; Carl and Delores Schmalz; Carolyn and Anthony Scibelli; Jane Shanahan; Rebecca B. Shepard as Trustee of the Rebecca B. Shepard Revocable Trust; Patricia Skeirik; Robert Benjamin

Czekanski and Pamela Nugent Czekanski as Trustees of the Skyline Drive Realty Trust; Ann Smith; M. Carroll Smith; Mark W. Smith; Peter and Nancy Smith; Marvin and Faye Snider; Steven and Thomas Snyder and Theo Glickman; George D. Sorenson, M.D. as Trustee for the George D. Sorenson Revocable Trust; Edward and Helen Sousa; Frederick and Charlene Stafford; David and Kathy Stievater; Janet Surrect as Trustee for The Janet M. Surrect Trust; Betty Tacy; Pierre-Andre Themens and Johanne Pérusse; Treetops, LLC; Roger Tricco as Trustee for the Tricco 1998 Family Trust; William and Maureen Van Benthuyzen; Kathleen, Daniel and George Vorce as Trustees for the Mariana M. Vorce Family Realty Trust; William Steele, Jr. as Trustee for The Westport Trust; Tom and Pam Weyl; Frederick White; Jeannette White as Trustee for The Jeanette L. White Qualified Personal Residence Trust; Audrey Whitehead; Charles and Kristine Whittemore as Trustees for the Whittemore Living Trust dated April 11, 2006; David W. and Vikki A. Wiewel; Suzanne M. Wilson; Barbara and Henry Wostbrock; John Zimmerman and Bette Schofield; and Leslie and Susanne Ziskis; by and through their undersigned counsel, hereby move this Court to allow them to intervene in the above-captioned matter under the provisions of Rule 24 of the Maine Rules of Civil Procedure on the following grounds:

1. 15 Belvidere Avenue Kennebunkport, Maine Inc. is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 15 Belvidere Avenue.
2. 131 Kings Highway LLC is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 131 Kings Highway.

3. 5 Sunset Lane Realty Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 5 Sunset Lane.
4. Sharon Alexander is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 6 Crescent Avenue.
5. William and Mary Ammann are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located 5 Cleaves Avenue.
6. The Anderson Family Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 37 Dyke Road, Unit 8 and 22 Dyke Road.
7. Thomas Anuszewski is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 186 Kings Highway.
8. Kate and Mark Badertscher are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 21 Norwood Lane.
9. David and Claudia Bantz are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 9 Skyline Drive.

10. Dominique Barsalou and Michel Lalande are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 293 Kings Highway.
11. Stanley and Barbara Barwise are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 6 Sea Lane.
12. Batson's River Cottages, LLC is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 18 Norwood Lane.
13. The Mary I. Bauer Revocable Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 7 Marshview Drive.
14. BelAir Condominium Association is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 9A and 9B BelAir Avenue.
15. Peter and Kathleen Bennett are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 8 Kings Lane.
16. Cheryl and Russell Benson are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 10 Norwood Lane.
17. The Sylvia Block Trust and Joseph Block Testamentary Trust are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 280 Kings Highway.

18. The Peter and Virginia Boginski Family Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 311 Kings Highway.
19. Peter and Margaret Bradshaw are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 23 Kings Lane.
20. Nicholas and Margaret Brill are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 3 Glazier Lane.
21. Frederick and Denise Buckley are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 9 Abbey Road.
22. John and Mary Anne Calcutt are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 27 Kings Lane.
23. Peter and Jean Ciarametaro are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 42 Wildwood Avenue.
24. Dorcas Cofer and S. J. Cohen are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 3 Hayward Avenue.

25. Herbert and Judith Cohen are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 106 Kings Highway.
26. Judith Rice Colby is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 126 Kings Highway.
27. Robert Convery is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 1 Skyline Drive.
28. Richard and Stephenie Cook are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 232 Kings Highway.
29. Gregory and Christopher Cooper are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 184 Kings Highway.
30. The Joseph M. Cunniff Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 37 Wildwood Road.
31. The Curtis Realty Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 7 Belvidere Avenue.

32. John and Sonia Dalton are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 7 New Biddeford Road.
33. Gail Danckert is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 1 Norwood Lane.
34. Richard and Sandra Day are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 28 Winter Harbor Road.
35. Eleanor Dell is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 9 New Biddeford Road.
36. Kathleen DeMarre-Pappas is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 3 Belleglade Avenue.
37. Richard and Susan Denekamp are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 282 Kings Highway.
38. C. Faith Detchon is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at R 122 Kings Highway.

39. Salvatore DiPillo and Marion Slater are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 23 Norwood Lane.
40. The Lorraine A. Dolbeare Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 10 Belvidere Avenue.
41. Brendan, Marion and Lauren Donovan are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 238 Kings Highway and 6 Bel Air Avenue.
42. Paul and Denise Doran are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 8 Edgewood Avenue.
43. Gregory Doyle is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 62 Wildes District Road.
44. William and Patricia Dugan are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 14 Whittemore Lane.
45. Christine Ekchian is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 9 Belvidere Avenue.

46. William and Therese Evans are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 26 Prescott Drive.
47. Jan Fitzpatrick is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 13 Sand Point Road.
48. Stuart and Eleanor Flavin are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine , specifically located at 19 Norwood Lane.
49. Martha and Edward Forbes are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 300 Kings Highway.
50. Kathleen and William Frieswick are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 16 Edgewood Avenue.
51. Ann and Thomas Galligan, III are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 8 Hayward Avenue.
52. Robert and Jane Garvey are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 150 Kings Highway.

53. The Gerace Family Realty Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 5 Skyline Drive.
54. Babak and Anne Ghayour are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 6 Henchey Way.
55. Judith and Richard Gilman are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 41 Wildwood Avenue.
56. The Glavin-York Realty Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 11 Community House Road and 15 Sand Point Road.
57. Robert and Cathy Gordon are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 8 Cottage Avenue.
58. Gordon Family Home Place, LLC is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 286 Kings Highway.
59. L.F. Griswold, Stephen L. Griswold and Rosanne Cook are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 26 New Biddeford Road.

60. Sharon Ann Eon Harris and John Michie Harris are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 13 Wildwood Avenue and 13A Wildwood Avenue.
61. Ronald and Patricia Hayes are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 49 Winter Harbor Road.
62. Lois Heaphy is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 104 Kings Highway.
63. Joan Hertz and Alan Gordon are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 12 Wildwood Avenue.
64. The Robert C. Heaton Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 10 Community House Road.
65. Patrick Hill is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 23 Skyline Drive.
66. Harold and Bonnie Himmelman are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 12 Dorrance Road.

67. Paul Hogan and GERALYN Fitzgerald are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 324 Kings Highway.
68. David and Jean Holden are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 47 Wildwood Extension and 4 Dorrance Road.
69. Arthur and Janet Johnston are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 4 New Biddeford Road.
70. Judy Jose-Roddy is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 122 Kings Highway.
71. Joan T. and William A. Junker, Jr. are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 305 Kings Highway.
72. Maria and William Junker III are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 114 Kings Highway.
73. Carol and Stan Jurga are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 8 Dorrance Road.
74. Ann Kelly is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 272 Mills Road, Unit 2F.

75. Richard and Sharon Kelly are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 12 Skyline Drive.
76. Killybegs, LLC is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 168 Kings Highway.
77. The King's Highway Goose Rocks Beach Condominium Association is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 224, 226 and 228 Kings Highway.
78. Margaret Kirby is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 5 Kings Lane.
79. Richard and Kathleen Koffs are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 182 Kings Highway.
80. John and Carol Kraeuter are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 148 Kings Highway.
81. The Mary C. Kударoski Trust and Lisa and Wayne Taylor are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 110 Kings Highway.

82. Mary Kударoski, Lisa Taylor and Jane Kударoski are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 7 Sunset Lane.
83. Ernestine LaFave and Roderick MacDonald are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 3 New Biddeford Road.
84. Ann LaFortune is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 35 Dyke Road.
85. The Lewis Family Realty Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 4 Jeffreys Way.
86. The Loika Family Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 44 Wildwood Avenue.
87. The Jeffrey S. Lunde Family Trust and the Catherine J. Lunde Family Trust are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 228 Kings Highway.
88. William and Joan Luthern are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 12-14 Norwood Lane.

89. Graham W. MacDonald is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 7 Bartlett Street.
90. The MacDonald Children's Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 10 Crescent Avenue and 12 Crescent Avenue.
91. Roderick D. MacDonald is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 20 Prescott Drive.
92. J. Alexander MacMartin, Jr. and Arlene A. Laurenitis are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 10 Whittimore Lane.
93. The Houchidar C. Maneche Revocable Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 17 Beaver Pond Road.
94. Maritime Cottages Owners Association is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 146 Kings Highway.
95. Michael and Dawn Maron are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 16 Norwood Lane.

96. Andrea Martin is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 2 Dorrance Road.
97. The Thelma Mather Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 284 Kings Highway.
98. Deborah and Nicholas Maucieri are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 7 Prescott Drive.
99. Ann and Nicholas Maucieri, Sr. are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 5 Prescott Drive.
100. David and Barbara Mazeika are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 162 Kings Highway.
101. Douglas McCrae is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 8 Broadway.
102. John and Joan McEvoy are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 7 Edgewood Avenue.
103. Tracy and Kevin McGovern are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 13 Norwood Lane.

104. Alfred T. McHugh is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 240 Goose Rocks Road.
105. The McNamee Family Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 64 Winter Harbor Road.
106. Terry and Caroline Merrill are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 11 Dorrance Road.
107. The Milewski Family Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 17 Norwood Lane.
108. Eileen Miller is the are owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 4 Henchey Way.
109. Jeanne and Roger Miller are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 116 Kings Highway.
110. John and Mary Ann Morrissey are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 28 New Biddeford Road.

111. Jill Crawford Muhrer, Bruce Crawford, Robin Crawford Sakovics, and Steven Crawford are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 306 Kings Highway.
112. Ann and Robert Murphy are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 6 Dorrance Road.
113. Thomas and Sue Ellen Muse are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 4 Crescent Avenue.
114. Ray and Ellen Nichols are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 5 Norwood Lane.
115. The Howard J. Nixon Family Irrevocable Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 112 Kings Highway.
116. Norwood Condominium Association is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 15 Norwood Lane.
117. James and Sandra Nutter are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 29 Dyke Road.

118. Edward O'Neill, Jr. is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 5 Hayward Avenue.
119. Christopher and Mary Owen are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 37 Kings Lane.
120. Stephen H. Painter, III and Ann K. Corbey are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 6 Wildwood Avenue.
121. The Wilma A. Pappalardo Revocable Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 16 Prescott Drive.
122. Charles and Lynda Parrott are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 6 Kings Lane.
123. Robert Pearce is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 15 Wildwood Avenue.
124. Gregory and Sandra Pelletier are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 33 Kings Lane.

125. Pickard Union, LLC is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 142 Kings Highway.
126. The Powers/Young Maine Real Estate Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 308 Kings Highway.
127. The Grace Queen Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 12 Belvidere Avenue.
128. The Regan Family Realty Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 5 Wildwood Avenue.
129. Pamela Reynolds is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 8 New Biddeford Road.
130. Gary Roth and The Estate of Sue Ann Roth are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 3 Dorrance Road.
131. The Winston C. Ryan Revocable Trust and the Christine B. Ryan Revocable Trust are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 296 Kings Highway.

132. Sand Dollar Condominium Association is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 5 Dyke Road.
133. Sand Castles at GRB, LLC is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 187 Kings Highway.
134. Carl and Delores Schmalz are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 230 Kings Highway.
135. Anthony and Caroline Scibelli are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 3 Marshview Circle.
136. Jane Shanahan is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 2 Bellglade Avenue.
137. The Rebecca B. Shepard Revocable Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 11 Kings Lane.
138. Patricia Skeirik is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 118 Kings Highway.

139. The Skyline Drive Realty Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 22 Skyline Drive.
140. Ann Smith is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 9 Bartlett Avenue.
141. M. Carroll Smith is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 272 Mills Road.
142. Mark W. Smith is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 6 Clark Road.
143. Peter and Nancy Smith are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 8 Marshview Drive.
144. Marvin and Faye Snider are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 1 Marshview Circle.
145. Steven Snyder, Theo Glickman, and Thomas Snyder are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 5 Dorrance Road.
146. George D. Sorenson Revocable Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 18 Wildwood Avenue.

147. Edward and Helen Sousa are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 4 Community House Way.
148. Frederick and Charlene Stafford are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 244 Kings Highway.
149. David and Kathy Stievater are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 4 Skyline Drive.
150. The Janet M. Surrect Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 108 Kings Highway.
151. Betty Tacy is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 15 New Biddeford Road.
152. Pierre-André Themens and Johanne Pérusse are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 299 Kings Highway.
153. Treetops, LLC is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 13 New Biddeford Road.
154. The Tricco 1998 Family Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 2 Kings Lane.

155. William and Maureen Van Benthuisen are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 23 Winter Harbor Road.
156. The Mariana M. Vorce Family Realty Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 10 Bellevue Avenue.
157. The Westport Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 278 Kings Highway.
158. Tom and Pam Weyl are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 288 Kings Highway.
159. Frederick White is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 4 Hayward Avenue.
160. The Jeanette L. White Qualified Personal Residence Trust is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 301 Kings Highway.
161. Audrey Whitehead is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 2 New Biddeford Road.

162. The Whittemore Living Trust dated April 11, 2006 is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 120 Kings Highway.
163. David W. and Vikki A. Wiewel are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 13A New Biddeford Road.
164. Suzanne M. Wilson is the owner of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 236 Kings Highway.
165. Henry and Barbara Wostbrock are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 218 Kings Highway.
166. John Zimmerman and Bette Schofield are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 41 Dyke Road.
167. Leslie and Susanne Ziskis are owners of real property at Goose Rocks Beach, Town of Kennebunkport, County of York, and State of Maine, specifically located at 298 Kings Highway.
168. TMF Intervenors are frequent users of Goose Rocks Beach as described in Plaintiffs' Complaint and Defendant Town of Kennebunkport's Answer in this matter.
169. TMF Intervenors' renters are also frequent users of Goose Rocks Beach.
170. Plaintiffs' Complaint names as Defendants "unascertained persons . . . who claim the right to use or title in Plaintiffs' Property."


171. TMF Intervenors claim the right to use property allegedly owned by Plaintiffs, and also claim an easement over said property.
172. TMF Intervenors have not been served with process in this matter.²
173. TMF Intervenors have an interest in the property, which is the subject matter of this action.
174. TMF Intervenors are impeded and impaired from protecting their interests in this matter as a practical matter unless they are allowed to participate in this action as a party.
175. TMF Intervenors have claims and defenses in this matter, which may in some aspects (but not all) be common to the claims and defenses of Defendant, Town of Kennebunkport.
176. There are questions of law and fact in common between the parties and TMF Intervenors in this action.
177. The rights of TMF Intervenors in the property involved in this matter could be seriously prejudiced if TMF Intervenors are not allowed to intervene.
178. There are no parties to this action that are obligated to protect any of TMF Intervenors' property and easement rights relating to the property which is the subject matter of this action.

WHEREFORE, TMF Intervenors respectfully requests this Court to allow intervention under the provisions of Rule 24, M.R. Civ. P., either as a right under Rule 24(a) or by permission under Rule 24(b), M.R. Civ. P.

² The list of TMF Intervenors has grown exponentially as clients and potential clients have received information about the litigation via word of mouth. This phenomenon gives lie to Plaintiff's argument that its Notice to "all persons who are unascertained" was adequate. Indeed, as this Pleading was being drafted, others have sought to join the TMF Intervenor Group, and there will likely be more should the Deadline to Intervene be extended.

DATED:

June 4, 2020


Gregg R. Frame, Esq., Bar # 9291
Andre G. Duchette, Esq., Bar # 9872

Attorneys for TMF Intervenors

TAYLOR, McCORMACK & FRAME,
LLC
4 Milk Street, Suite 103
Portland, ME 04101
207-828-2005

IMPORTANT NOTICE

ANY MATTERS IN OPPOSITION TO THE WITHIN MOTION SUBMITTED PURSUANT TO RULE 7(c) OF THE MAINE RULES OF CIVIL PROCEDURE MUST BE FILED NO LATER THAN TWENTY-ONE (21) DAYS AFTER THE FILING OF THE WITHIN MOTION UNLESS ANOTHER TIME IS PROVIDED EITHER BY THE MAINE RULES OF CIVIL PROCEDURE OR SET BY THIS HONORABLE COURT. FAILURE TO FILE TIMELY OPPOSITION WILL BE DEEMED A WAIVER OF ALL OBJECTIONS TO THE WITHIN MOTION, WHICH MAY BE GRANTED WITHOUT FURTHER NOTICE OR HEARING.

