

STATE OF MAINE  
YORK, ss.

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

ROBERT F. and VIRGINIA S. )  
ALMEDER, et al., )  
 )  
Plaintiffs )  
 )  
v. )  
 )  
TOWN OF KENNEBUNKPORT, )  
TMF DEFENDANTS, STATE OF )  
MAINE, et al., )  
 )  
Defendants )

MOTION TO DISMISS  
LOUISE S. DEMALLIE TRUST  
PURSUANT TO RULE 25

Defendant Town of Kennebunkport (the “Town”) hereby moves, pursuant to Rule 25 of the Maine Rules of Civil Procedure, to dismiss the Louise S. DeMallie Revocable Trust (the “DeMallie Trust”) as a plaintiff in the above-referenced action on the grounds that the DeMallie Trust’s interest in the property at issue here along Goose Rocks Beach in Kennebunkport, Maine was transferred to new owners over a year ago (by deed dated December 15, 2010), and Plaintiffs’ counsel failed to file a motion for substitution within 90 days.<sup>1</sup> Rule 25(a), therefore, expressly requires that the action be dismissed as to the DeMallie Trust.

Notwithstanding the transfer of the DeMallie Trust’s interest in the property on December 15, 2010, Plaintiffs failed to inform the Town (and the Court) of the conveyance even after the Town and TMF Defendants subsequently sought to take the deposition of the DeMallie Trust and despite an on-going discovery dispute in which the Town has specifically raised the


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<sup>1</sup> A copy of the December 15, 2010 deed, which was recorded in the York County Registry of Deeds on December 22, 2010 at Book 16014, Page 880, is attached hereto as Exhibit A.

DeMallie Trust's failure to produce documents and provide discovery as an issue.<sup>2</sup> Plaintiffs also filed a Partial Motion for Summary Judgment and Opposition to the Town's Motion for Summary Judgment on behalf of the DeMallie Trust on April 29, 2011, well over 90 days after the DeMallie Trust no longer had any interest in the Goose Rocks Beach property.

WHEREFORE, the Louise S. DeMallie Revocable Trust must be dismissed as a plaintiff in the above-referenced action, and the Town of Kennebunkport further requests such other relief as the Court deems appropriate.

Dated: January 19, 2012



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Amy K. Tchao, Bar No. 7768  
Brian D. Willing, Bar No. 9112  
David M. Kallin, Bar No. 4558

Drummond Woodsum  
84 Marginal Way, Suite 600  
Portland, ME 04101-2480  
207-772-1941

**NOTICE**

**Any opposition to this Motion must be filed not later than twenty-one (21) days after the filing of this Motion unless another time is provided by the Maine Rules of Civil Procedure or is set by the Court. Failure to file timely opposition will be deemed a waiver of all objections to the Motion, which may be granted without further hearing or notice.**

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<sup>2</sup> In its Request for Production of Documents served in this case, the Town specifically sought all title documents relating to Plaintiffs' properties. Since then, the Town has been involved in a discovery dispute with Plaintiffs concerning, in part, the failure of the DeMallie Trust and others to produce documents. Attached hereto as Exhibit B is correspondence from the Town's undersigned counsel to Plaintiffs' counsel pursuant to Rule 26(g) noting, in part, that "Louise S. DeMallie [and numerous other plaintiffs] have produced only their deeds to date in response to the Town's Request for Production of Documents, and they have produced no photographs of the beach or sea wall, no other title information, plans or surveys, no correspondence or communications with other plaintiffs, and no other information in support of their claims in this case as requested by the Town."

STATE OF MAINE  
YORK, ss.

SUPERIOR COURT  
CIVIL ACTION  
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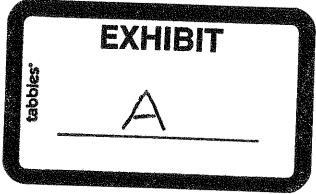
ROBERT F. and VIRGINIA S. )  
ALMEDER, et al., )  
 )  
Plaintiffs )  
 )  
v. )  
 )  
TOWN OF KENNEBUNKPORT, )  
TMF DEFENDANTS, STATE OF )  
MAINE, et al., )  
 )  
Defendants )

ORDER

Upon Motion of Defendant Town of Kennebunkport to Dismiss Louise S. DeMallie Trust  
as a plaintiff, the Court hereby GRANTS the Motion.

Dated:

\_\_\_\_\_  
Justice, Superior Court



After recording return to:  
Christian L. Barner, Esq.  
Bergen & Parkinson, LLC  
62 Portland Road, Suite 25  
Kennebunk, ME 04043

Doc# 2010058136  
Pk 16014 Ps 880 - 884  
Received York SS  
12/22/2010 1:02PM  
Debra L. Anderson  
Register of Deeds

588?  
No R.E. Transfer Tax Paid

Space Above This Line For Recording Data

**TRUSTEES' DEED OF DISTRIBUTION**

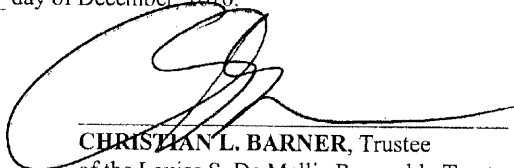
**ANNE E. ROBINSON, THOMAS D. ROBINSON, II and CHRISTIAN L. BARNER**, Successor Co-Trustees of the **LOUISE S. DE MALLIE REVOCABLE TRUST**, u/a dated November 12, 2002, as amended November 3, 2005, May 18, 2007 and February 17, 2009, and pursuant to Article IV, Paragraph B of said Trust, hereby grant to **DAVID B. ROBINSON**, whose mailing address is 3040 Boulder Place, Davis, CA 95618-4808, **ANNE E. ROBINSON** whose mailing address is 55 Salt Marsh Circle, Wells, ME 04090, and **THOMAS D. ROBINSON, II**, whose mailing address is 9 Clark Road, Brookline MA 02445-6029, the following real estate in the Town of Kennebunkport, County of York, and State of Maine:

See EXHIBIT A attached hereto and made a part hereof.

Witness our hand and seal this 15<sup>th</sup> day of December, 2010.

In presence of:

*Barbara J. MacCormack*

  
CHRISTIAN L. BARNER, Trustee  
of the Louise S. De Mallie Revocable Trust

STATE OF MAINE  
COUNTY OF YORK, ss.

December 15, 2010

Personally appeared the above-named **CHRISTIAN L. BARNER**, Trustee of the Louise S. De Mallie Revocable Trust acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Seal

Before me,

*Barbara J. MacCormack*  
Notary Public  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

In presence of:

Barbara J. Mac Cormack

ANNE E. ROBINSON

ANNE E. ROBINSON, Trustee  
of the Louise S. De Mallie Revocable Trust

STATE OF MAINE  
COUNTY OF YORK, ss.

December 15, 2010

Personally appeared the above-named ANNE E. ROBINSON, Trustee of the Louise S. De Mallie Revocable Trust acknowledged the foregoing instrument to be her free act and deed in her said capacity.

Seal

Before me,

**BARBARA J. MACCORMACK**  
A Notary Public of Maine  
My Commission Expires Sept. 12, 2012

Barbara J. Mac Cormack

Notary Public  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

In presence of:

[Signature]

Thomas D. Robinson II

THOMAS D. ROBINSON, II, Trustee  
of the Louise S. De Mallie Revocable Trust

STATE OF MASSACHUSETTS  
COUNTY OF Suffolk, ss.

December 9, 2010

Personally appeared the above-named THOMAS D. ROBINSON, II, Trustee of the Louise S. De Mallie Revocable Trust acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

[Signature]  
Notary Public  
Print Name: MASOUD GHOFRANI  
My Commission Expires: Jan 2013

Seal



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**EXHIBIT A**  
**TRUSTEES' DEED OF DISTRIBUTION**  
**287 King's Highway, Kennebunkport, Maine**

**PARCEL 1**

A certain lot or parcel of land, together with the buildings thereon, situated in that part of the Town of Kennebunkport, known as Goose Rocks Beach, bounded and described as follows:

Beginning at an iron pipe driven into the ground on the southeasterly side of the Kings Highway at the northerly corner of a 20 foot reserved way lying between the land herein described and land formerly of one Fessenden, now of one Harry Hall III; thence North 58° 30' East by said Highway 45.50 feet to an iron pipe driven into the ground; thence North 65° 55' East by said Highway 151.96 feet to an iron pipe driven into the ground and land of one Kelsey; thence South 0° 52' East partly by said land of Kelsey and partly by land of one Clark 207.9 feet to an iron pipe driven into the ground near the southeasterly face of the sea wall; thence South 80° 51' West along the southeasterly side of said sea wall 94.47 feet to a drill hole in the concrete top of said wall and said reserved way, said drill hole being 54.0 feet southeasterly of the underpinning at the westerly corner of the house standing on land hereby conveyed and being 61.14 feet southwesterly of the underpinning at the easterly corner of said house; thence North 32° 30' West by said reserved way 162.64 feet to the point of beginning.

Together with all right, title and interest, in and to land situated at said Goose Rocks Beach in said Town of Kennebunkport which lies between the South 80° 51' West course along said sea wall mentioned above and the Ocean and between said reserved way mentioned above and said land of Clark.

The above bearings refer to the 1960 Magnetic Meridian.

Being the same premises conveyed by H. Glen Caffrey, Executor of the Estate of Mildred MacDonald to Louise S. Robinson by deed dated February 12, 1969 and recorded in the York County Registry of Deeds in Book 1836, Page 654.

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## PARCEL 2

A certain lot or strip of land at Goose Rocks Beach in the Town of Kennebunkport, County of York, and State of Maine, being twenty feet in width running Southwesterly from King's Highway to the sea wall, being more particularly bounded and described as follows:

Beginning at a drill hole in the concrete top of said sea wall at the Southwesterly corner of land of Louise S. De Mallie f/k/a Louise S. Robinson, said drill hole being 54.0 feet southeasterly of the underpinning at the westerly corner of the house standing on said Robinson's land and being 61.14 feet southwesterly of the underpinning at the easterly corner of said house; thence North 32° 30' West by said Robinson's land 162.64 feet to an iron pipe driven into the ground at the Northwesterly corner of said Robinson's land and in the Southeasterly side line of King's Highway; thence Southwesterly twenty feet or more by said King's Highway to an iron pipe driven into the ground at the Northeasterly corner of land recently owned by Harry A. Hall III; thence South 32° 30' East by land formerly of said Hall One Hundred thirty-four and forty-three hundredths (134.43) feet to an iron pipe driven into the ground on the Southeasterly side of a stone wall at the sea wall, so-called; thence Northeasterly by said sea wall twenty feet (20') or more to the point of beginning.

Also all my right, title and interest in and to an adjoining parcel of land bounded as follows: Northwesterly by said above described 20-foot wide strip; Southeasterly by the Atlantic Ocean; Northeasterly by the extension in a southeasterly direction of the Northeasterly side line of the above described strip; and Southwesterly by the extension in a southeasterly direction of the Southwesterly side line of the above described strip.

Being the same premises conveyed by William E. Prescott to Louise S. Robinson by deed dated May 6, 1972 and recorded at the York County Registry of Deeds in Book 1949, Page 101.

This conveyance is made subject to the rights given by Elbridge G. Proctor to Nathaniel M. Lowe in deed dated May 26, 1882 as recorded in said Registry in Book 416, Page 283; said Lowe property having been subsequently conveyed by Oscar G. Hanson et ux to Warren F. Libby and Mabel H. Libby as joint tenants by deed recorded in Book 1072, Page 495

The above Parcel 1 and Parcel 2 being the same premises conveyed to Louise S. De Mallie, Trustee of the Louise S. De Mallie Revocable Trust, u/a dated November 12, 2002, by deed of Louise S. De Mallie, f/k/a Louise S. Robinson, dated November 12, 2002 and recorded in the York County Registry of Deeds in Book 12173, Page 220.

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**PARCEL 3**

A certain lot or parcel of land situated in that part of the Town of Kennebunkport known as Goose Rocks Beach and bounded and described as follows:

Beginning on the Southerly side of the King's Highway, so called, at the Northwesterly corner of land of Louise E. De Mallie said point bears South 65° 55' West twenty seven and 20/100 (27.2) feet from an iron pipe driven into the ground on the Southerly side of said Highway at the Northwesterly corner of land now or formerly of one Kelsey; thence running South 0° 52' East by said land of Louise E. De Mallie and by a line which is parallel with and twenty five and 00/100 (25) feet Westerly of the Westerly side of said land of said Kelsey, seventy (70) feet to an iron pipe driven into the ground; thence running South 24° 19' West by land of said Louise E. De Mallie, forty seven (47) feet to an iron pipe driven into the ground; thence running South 69° 51' West by land of said Louise E. De Mallie, thirty eight and 52/100 (38.52) feet to an iron pipe driven into the ground; and to other land of the grantee; thence running North 23° 21' West by said other land of the grantee, ninety two and 90/100 feet to an iron pipe driven into the ground and said Highway; thence running North 65° 55' East by said Highway, one hundred (100) feet to an iron pipe driven into the ground and point of beginning.

Containing 7262 square feet. The above bearings refer to 1960 magnetic meridian.

Being the same premises conveyed by the said Campbell De Mallie to William W. De Mallie, a/k/a William D. De Mallie, by deed dated May 25, 1976 and recorded in the York County Registry of Deeds, Book 2132, Page 750. Said William W. De Mallie died intestate in the State of Florida on November 25, 1980 without children and under Maine law, the Louise S. De Mallie inherited all of his interest in the parcel herein conveyed as his surviving spouse.

The above Parcel 3 being the same premises conveyed to Louise S. De Mallie, Trustee of The Louise S. De Mallie Revocable Trust, u/a dated November 12, 2002, by deed of Louise S. De Mallie, f/k/a Louise S. Robinson, dated December 3, 2005 and recorded in the York County Registry of Deeds in Book 14675, Page 862.

**END OF DOCUMENT**

# DrummondWoodsum

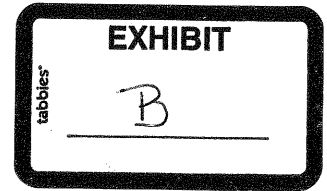
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Jessica M. Emmons\*  
Peter C. Feltnly\*  
Anthony T. Fratianno\*  
Sara S. Hellstedt\*  
Eric R. Herlan\*\*  
Melissa A. Hewey\*†  
Michael E. High\*  
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Edward J. Kelleher\*  
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Elek A. Miller\*  
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Daina J. Nathanson\*\*†  
Mark A. Paige†  
Jeffrey T. Piampiano\*  
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Donald A. Kopp\*  
Hugh G. E. MacMahon\*  
Harold E. Woodsum, Jr.\*

\* Admitted in Maine  
† Admitted in New Hampshire

November 10, 2011

### VIA HAND DELIVERY

Sidney St. F. Thaxter, Esq.  
Curtis Thaxter Stevens Broder & Micoleau  
One Canal Plaza, Suite 1000  
P.O. Box 7320  
Portland, ME 04112-7320

**RE: Almeder, et al. v. Town of Kennebunkport, et al.  
Docket No. RE-09-111**

Dear Pete:

I am writing to supplement the Town's discovery responses and in response to your November 3, 2011 correspondence pursuant to Rule 26(g).

First, enclosed is the remainder of the file of Robert Yarumian and Maine Boundary Consultants, along with an Xpress Copy bill in the amount of \$1,165.37. Plaintiffs are responsible for one third of the copying costs, which amounts to \$388.46, and we have now billed \$1,072.39 for the production of the documents in this case, but we have received no payment to date. I note that when your office sent us a bill on December 9, 2010 in the amount of \$1,362.97 for photocopying costs, the bill was paid.

Second, I believe it makes sense to schedule a discovery conference with the Court in this case, and so I am hereby requesting that you do so. In addition, I am hereby requesting that you attach a copy of this correspondence with your correspondence to the Court so that Justice Brennan will be fully informed of the status of discovery in this case.

At this point, I believe that the Town has produced all documents that are responsive to Plaintiffs' discovery requests with the limited exception of the police records requested pursuant to your recent Freedom of Access Act requests. I anticipate that we will be able to provide you with copies of the requested police records next week, and I will try to provide you with the Town's interrogatory answers at that time.<sup>1</sup> Thus, as of next week, we will have fully complied with all outstanding discovery requests.

<sup>1</sup> I understand that you were seeking the interrogatory answers in conjunction with the partial motion for summary judgment that Plaintiffs filed on October 28, 2011. When we spoke last month, I indicated that I needed additional time to gather and copy the requested documents and also wanted to prepare the interrogatory answers after I had had a chance to review the documents that were being produced. I specifically offered to consent to an enlargement

III MERITAS

Sidney St. F. Thaxter, Esq.  
Curtis Thaxter Stevens Broder & Micoleau  
November 10, 2011  
Page 3

In contrast to the Town, Plaintiffs are in violation of numerous discovery rules in this case, and so it is incredible to me that you would seek a discovery conference with the Court. Nevertheless, as discussed above, I believe that such a conference would provide an excellent opportunity to rectify Plaintiffs' failure to produce numerous documents and records requested by the Town in this case, as well as Plaintiffs' refusal to allow the Town and TMF Defendants to take depositions.

As discussed at length by the Town in its September 26, 2011 Motion to Strike Plaintiffs' Consolidated Objection to Notice to Take Depositions and its October 31, 2011 Motion to Enlarge, Plaintiffs have refused in this case to schedule the depositions of J. Liener Temerlin, Charles Nickerson, Mark Paley and Paley Family Homes, LLC, Carolyn Sherman, Joan Leahy, Priscilla Coughlin, Heather Vincenzi, David Eaton, Robert and Virginia Almeder, W. Parker Dwelley, III and John H. Dwelley, Barbara Rencurrel, Mark E. Celi and William E. Brennan, Jr., William D. Forrest and Nancy M. Julian, Eleanor A. Scribner and Robert H. Scribner and Susan Flynn. Louise S. De Mallie.<sup>2</sup> Plaintiffs' refusal to permit depositions is also discussed in Attorney Duchette's September 23, 2011 correspondence to the Court.

What is even more incredible to me than Plaintiffs' refusal to permit depositions or allow discovery in this case is the latest assertion by Plaintiffs that no more discovery will be permitted because the discovery period has elapsed. In other words, Plaintiffs refused to allow the Town and TMF Defendants to conduct discovery in this case during the discovery period, and now claims that no more discovery is permitted because the discovery period has expired. Please note that the Town has filed a motion to extend the discovery deadline and other subsequent deadlines based in large part on the refusal of Plaintiffs to permit discovery as aforesaid.<sup>3</sup>

Regarding Plaintiffs' failure to provide documents and information in response to the Town's discovery requests, please note that the Town's Request for Production of Documents was served on February 16, 2010, but the Town still has not received "documents and reports received from, provided to, in the possession of, or generated by, any expert witnesses retained by Plaintiffs, including without limitation all documents discoverable under Me.R.Civ.P. 26(b)(4)" as requested. Plaintiffs designated experts on April 29, 2011 and have had over 6 months to produce the requested documents and information, but have failed to do so.

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of time to allow Plaintiffs to file a motion after we served the interrogatory answers. Regardless, Plaintiffs decided to go ahead and file the motion for partial summary judgment, and so time is apparently no longer of the essence.

<sup>2</sup> Copies of counsel's February 11, 2011 e-mail to Plaintiffs' counsel, and subsequent correspondence to Plaintiffs' counsel seeking to schedule depositions, are attached as Exhibits A, B and C to the Town's September 26, 2011 Motion to Strike Plaintiffs' Consolidated Objection to Notice to Take Depositions and Rule 30(b)(5) Document Requests.

<sup>3</sup> The Town also notes that Plaintiffs filed a motion to stay discovery in this case on June 9, 2011, and specifically requested to the Town's undersigned counsel in June 2011 that all expert discovery be stayed, but Plaintiffs are now mysteriously asserting that the discovery period has expired and no more discovery is permitted.

Sidney St. F. Thaxter, Esq.  
Curtis Thaxter Stevens Broder & Micoleau  
November 10, 2011  
Page 3

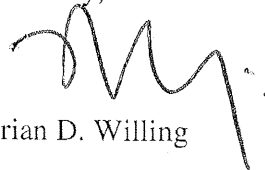
In addition to the failure to provide requested documents and information from their experts, Plaintiffs have also failed to produce the following documents and information despite repeated requests from the Town, including correspondence sent by the Town's undersigned counsel pursuant to Rule 26(g) on October 8, 2010. For example:

- Louise S. DeMallie, David Eaton and Jennifer Scully-Eaton, Goose Rocks Beach Holdings, Steven Wilson and Shawn McCarthy, William Forrest and Nancy Julian, and Mark Celi and William Brennan have produced only their deeds to date in response to the Town's Request for Production of Documents, and they have produced no photographs of the beach or sea wall, no other title information, plans or surveys, no correspondence or communications with other plaintiffs, and no other information in support of their claims in this case as requested by the Town;
- Kristen Raines and Richard and Lawrence Vandervoorn have produced their deeds and a few other title documents to date, but no other information in support of their claims in this case as requested by the Town;
- Susan Flynn, Deborah Kinney, Michael and Alice Sandifer, and Beth Zagoren have produced a copy of their deeds and some photographs, but no other information in support of their claims in this case as requested by the Town; and
- Barbara Rencurrel, who has resided adjacent to Goose Rocks Beach for many years, has produced just a few photographs of the beach.

The Town also has concerns that the document production of many the other plaintiffs and parties-in-interest is incomplete. Of course, Plaintiffs and their counsel have refused to permit the Town and TMF Defendants to take depositions in this case as aforesaid, and so the Town's undersigned counsel has not been able to inquire at deposition from the individual plaintiffs and parties-in-interest whether they may have additional documents to be produced in their possession, custody or control. Thus, the Town has no way of knowing at this point whether there may be additional documents to be produced in response to the Town's February 16, 2010 Request for Production of Documents.

I greatly appreciate your attention to this matter.

Sincerely,



Brian D. Willing

Sidney St. F. Thaxter, Esq.  
Curtis Thaxter Stevens Broder & Micoleau  
November 10, 2011  
Page 3

BDW/al

Enclosures

cc: Christopher E. Pazar, Esq.  
Gregg R. Frame, Esq.  
André G. Duchette, Esq.

# DrummondWoodsum

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October 8, 2010

Sidney St. F. Thaxter, Esq.  
Curtis Thaxter Stevens Broder & Micoleau  
One Canal Plaza, Suite 1000  
P.O. Box 7320  
Portland, ME 04112-7320

**RE: Almeder, et al. v. Town of Kennebunkport, et al.**

Dear Pete:

I write regarding the failure of Plaintiffs to fully respond to the Request for Production of Documents of the Town of Kennebunkport in this matter. The Town's Request for Production of Documents was served on February 16, 2010, but we have received absolutely no documents responsive to the Request for Production of Documents from the following plaintiffs:

John and Priscilla Coughlin, Trustees of P.M.C. Realty Trust;  
Louise S. DeMallie, Trustee of the DeMallie Revocable Trust;  
Janice Fleming;  
John and Sharon Gallant;  
Jule Gerrish;  
Edwina Hastings, Trustee of the Edwina D. Hastings Revocable Trust;  
Charles Nickerson, Successor Trustee of the Albert Palmer Trust;  
Paley Family Homes, LLC  
Linda Rice

Catherine D. Alexander\*  
Daniel Amory\*  
David J. Backer\*  
S. Campbell Badger\*  
Melissa L. Cilley†  
Jerrol A. Crouter\*  
George T. Dilworth\*  
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Richard A. Spencer\*  
Christopher G. Stevenson\*  
E. William Stockmeyer\*  
Amy K. Tchiaio\*†  
Joanna B. Tourangeau\*†  
M. Thomas Tronholm\*  
Matthew H. Upton†  
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Brian D. Willing\*  
Gerald M. Zelint

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Conflict Management

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Michael J. Opuda Ph.D.  
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#### Of Counsel

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Robert L. Gips\*  
Donald A. Kopp\*  
Hugh G. E. MacMahon\*  
Harold E. Woodsum, Jr.\*

\* Admitted in Maine  
† Admitted in New Hampshire

 MERITAS

October 8, 2010  
Page 2

Eleanor and Robert Scribner, Trustees of the Eleanor A. Scribner Qualified Personal Residence Trust;

Steven Wilson & Shawn McCarthy, Trustees of the Twombly Family Trust;

Richard and Lawrence Vandervoorn and Robert Clemens, Trustees of the Cornelius J. Vandervoorn Qualified Personal Residence Trust; and

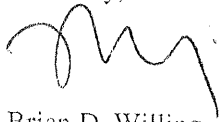
Beth Zagoren

In addition, we have received very few responsive documents from the following plaintiffs: Christopher Asplundh (title information only), Deborah Kinney (title information and photos only), Kristen Raines (site plan only), Michael and Alice Sandifer, Trustees of the Alice B. Sandifer Trust (photos only) and Carolyn Sherman (photos and correspondence regarding the piping plovers only). In addition, we were surprised to see so few photographs from the various plaintiffs, including for example Barbara Rencurrel, who I understand has lived at Goose Rocks Beach for years and years.

Please consider this the Town's good faith effort in accordance with Rule 26(g) to resolve a discovery dispute concerning the failure to respond to the Town's Request for Production of Documents. If we have not received complete responses by November 5, 2010, we will be forced to contact the court to schedule a telephonic conference with Justice Brennan to resolve this discovery dispute.

I appreciate your attention to this matter.

Sincerely,



Brian D. Willing

BDW/al

cc: Larry Mead, Town Manager



**XPRESS Copy**  
 100 Fore Street  
 P.O. Box 7524  
 Portland, Maine 04112  
 Phone: (207) 775-2444  
 Fax: (207) 775-5953  
 pcfile@xcopy.com

# INVOICE

No. **33041**

Date **11/8/2011**

Customer P.O. No.  
**4586-565**

**Ann**  
**Drummond, Woodsum et al**  
**84 Marginal Way, Suite 600**  
**Portland ME 04101**  
**Phone: 253-0517**

3	Color, 8.5 x 11 White 28# Navigator Laser, 92 sheets, Color Copied on 1 side	82.54
3	B&W, 8.5 x 11 White 20# Xerox Text White, 2846 sheets, B&W Copy on 1 side	856.30
3	Large Format, 36 x 24 White 20# Cleanprint 36", Large Format B&W on 1 side	9.80
1	Any Plan make 1 11x17, 11 x 17 White 20# Cleanprint 11", 12 sheets, Reduce/Enlarge on 1 side	23.34
1	Large Format, Arch D White 24# Large Format Coated Bond, Large Format Color on 1 side	66.10
	Charges Only	
	2,950 Drilling 3-hole ***1 Copy Only***	34.50
1	Large Format, 36 x 24 White 20# Cleanprint 36", Large Format B&W on 1 side	10.00
	Charges Only	
	1 Deliver- Local Portland(1st Package Only)	10.82
	3 Deliver - Additional Packages	17.84
<b>**Special Color Copy Rate: .29 cents for 8.5x11's**</b> Taken by: Christine Account Type: Charge Account Serving Southern Maine since 1978 OPEN MONDAY - FRIDAY 7AM TO 5 PM		
Ship Via: Deliver via Portland Courier Wanted: Wed 11/9 3:00 PM		
Sign Here _____		<b>SUB</b> 1,111.24
		<b>TAX</b> 54.13
		<b>SHIPPING</b>
		<b>TOTAL</b> 1,165.37