

**Commonwealth of Massachusetts  
The Trial Court  
Probate and Family Court Department**

**Essex Division**

**Docket No. 09E0094QC**

**Alexander B.C. Mulholland, Jr., et al.  
as they are the Feoffees of the  
Grammar School in the Town  
of Ipswich,**

**Plaintiffs**

**v.**

**Attorney General of the  
Commonwealth of Massachusetts,  
Ipswich School Committee and  
Richard Korb, as he is Superintendent  
of Schools in the Town of Ipswich,**

**Defendants**

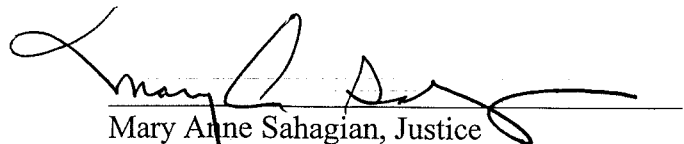
**ORDER**

Pending a hearing on the merits or until further Order of the Court, it is hereby ORDERED that:

1. All discovery in this matter shall be completed on or before November 01, 2011.
2. This matter shall be tried on December 7, 12, 14, 19, 20 and 21, 2011 at 10:00 a.m in Salem.

June 27, 2011

Date

  
Mary Anne Sahagian, Justice  
Probate and Family Court

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

PROBATE & FAMILY COURT  
DOCKET NO. ES09E0094QC

ALEXANDER B.C. MULHOLLAND, JR., et al.  
AS THEY ARE THE FEOFFEEES OF THE  
GRAMMAR SCHOOL IN THE TOWN  
OF IPSWICH

Plaintiffs,

v.

ATTORNEY GENERAL OF THE  
COMMONWEALTH OF MASSACHUSETTS,  
IPSWICH SCHOOL COMMITTEE, and  
RICHARD KORB, as he is Superintendent of  
Schools in the Town of Ipswich,

Defendants.

FILED JUN 09 2011

ESSEX, ss. PROBATE & FAMILY COURT

*June 27* 2011

~~allowed~~  
The within action is hereby denied -

*[Signature]*  
Justice of Probate & Family Court

**PLAINTIFFS' MOTION FOR SEPARATE TRIALS ON PLAINTIFFS' AMENDED  
COMPLAINT FOR DEVIATION AND DEFENDANTS' COUNTERCLAIM FOR  
REVISION TO GOVERNANCE AND ADMINISTRATIVE STRUCTURE OF THE  
FEOFFEEES, ORDER LIMITING DISCOVERY, AND SETTING OF TRIAL DATE**

NOW come the Plaintiffs and move this Honorable Court, pursuant to Mass.R.Civ.P. 42(b), to order separate trials on the Plaintiffs' complaint and the Defendants' counterclaim. In addition, the Plaintiffs move for orders limiting discovery to the issues raised in the Plaintiffs' complaint pending a judgment on the complaint and setting a trial date on the Plaintiffs' complaint.

As grounds for this motion, the Plaintiffs say that separate trials will likely save substantial economic resources of the parties, an especially significant factor here because the attorneys' fees and costs incurred by all parties other than the Attorney General ultimately reduce the monies which would otherwise be available for the benefit of the Ipswich Public Schools; such a separation and the requested concomitant orders will expedite the discovery process and a

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COMMONWEALTH OF MASSACHUSETTS

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Plaintiffs )

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ATTORNEY GENERAL OF THE )  
COMMONWEALTH OF MASSACHUSETTS, )  
IPSWICH SCHOOL COMMITTEE, and )  
RICHARD KORB, as he is Superintendent of )  
Schools in the Town of Ipswich, )  
Defendants )

FILED  
ESSEX, ss. PROBATE & FAMILY COURT

June 27 2011  
allowed

The within action is hereby denied -

Justice of Probate & Family Court

**PLAINTIFFS' MOTION FOR PROTECTIVE ORDER REGARDING PROPOSED  
DEPOSITIONS OF JAMES E. MONAHAN, WILLIAM LaCHANCE AND KEEPERS OF  
RECORDS OF COMPANIES WITH WHICH MR. MONAHAN AND MR. LaCHANCE  
ARE AFFILIATED**

Pursuant to Mass.R.Civ.P. 26(b)(4) and 26(c), Plaintiffs Alexander B.C. Mulholland, Jr., et als., as they are The Feoffees of the Grammar School in the Town of Ipswich ("Feoffees"), move this Court for a protective order prohibiting Defendant Ipswich School Committee from taking the depositions of (1) James E. Monahan, real estate appraiser employed by LandVest, Inc. ("LandVest"); (2) the Keeper of Records of LandVest; (3) William LaChance, real estate appraiser of the firm of Petersen LaChance Realty Advisors; (4) the Keeper of Records of Petersen LaChance Realty Advisors; and (5) the Keeper of Records of Petersen LaChance Regan Pino, LLC. As grounds for this motion, the Feoffees state that Mr. Monahan and Mr. LaChance have been designated as trial experts in this Action. The three keeper depositions are of companies with which Mr. Monahan and Mr. LaChance are affiliated. Rule 26(b)(4) is clear with regard to the ability of a party to discover facts known and opinions held by experts retained

COMMONWEALTH OF MASSACHUSETTS

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Defendants.

ESSEX, ss

PROBATE & FAMILY COURT

June 27, 2011

The within action is hereby denied

Justice of Probate & Family Court

**MOTION TO QUASH AND FOR PROTECTIVE ORDER REGARDING SUBPOENA  
OF EXPERT**

The Little Neck Legal Action Committee ("LNLAC"), a non-party to this action, hereby moves pursuant to Mass. R. Civ. P. 45(b)(1) to quash the subpoenas which Defendants served on the Keeper of Records of Peterson LaChance Regan Pino, LLC and the Keeper of Records of Petersen LaChance Realty Advisors (collectively, "Peterson LaChance"), and on Mr. William LaChance ("Mr. LaChance"). LNLAC also moves pursuant to Mass. R. Civ. P. 26(b)(1) that the discovery which Defendants are seeking to take of Peterson LaChance and Mr. LaChance not be had. LNLAC is filing this motion on behalf of itself and on behalf of Peterson LaChance and Mr. LaChance.