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## COMMONWEALTH OF MASSACHUSETTS

Essex, ss Superior Court Department  
Civil Action No.  
ESCV2006-02328D

WILLIAM M. LONERGAN, ET AL.,  
Plaintiffs,

vs.

JAMES W. FOLEY, ET AL.,  
FEOFFEEES of the GRAMMAR SCHOOL  
in the TOWN OF IPSWICH,  
Defendants,

vs.

DISTRICT ATTORNEY for the  
ESSEX DISTRICT, ET AL.,  
Additional Defendants  
in Counterclaim.  
\*\*\*\*\*

DEPOSITION of ANN J. DOHERTY, called as a  
witness by counsel for the Defendants, pursuant to  
the applicable provisions of the Massachusetts Rules  
of Civil Procedure, before Denise M. Rizzari,  
Professional Court Reporter and Notary Public in and  
for the Commonwealth of Massachusetts, taken at the  
offices of MacLean Holloway Doherty Ardiff & Morse,  
P.C., 8 Essex Center Drive, Peabody Massachusetts,  
on Tuesday, July 24, 2007, commencing at 12:52 p.m.

\*\*\*\*\*  
BRENDA M. NADEAU, PCR  
P.O. Box 916  
Georgetown, Massachusetts 01833  
(978) 352-3314  
\*\*\*\*\*

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Testimony of: Direct Cross Redirect Recross  
ANN J. DOHERTY

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by Ms. Rapko 60

## EXHIBITS

Exhibit No.	Description	For I.D.
1	Copy of notice of deposition	6
2	Copy of bill of sale	7
3	Copy of plan	8
A	Copy of letter	16

\*\*\*\*EXHIBITS RETAINED BY ATTORNEY SHEEHAN\*\*\*\*

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## APPEARANCES:

MASTERMAN, CULBERT &amp; TULLEY LLP

BY: Ms. Angela L. Rapko, Esq.  
One Lewis Wharf  
Boston, Massachusetts 02110  
for the Plaintiffs.

MACLEAN HOLLOWAY DOHERTY ARDIFF &amp; MORSE, P.C.

BY: William Sheehan, Esq.  
8 Essex Green Drive  
Peabody, Massachusetts 01960  
for the Defendants.

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## PROCEEDINGS

MR. SHEEHAN: We'll continue to work under  
the same stipulations we've been working under.

ANN J. DOHERTY, having been  
satisfactorily identified and duly sworn by the  
Notary Public, as examined and testified as follows:

## DIRECT EXAMINATION

BY MR. SHEEHAN:

Q. Would you please state your full name and  
spell your last name for the record.

A. My name is Ann, middle initial J, Doherty,  
D-O-H-E-R-T-Y.

Q. Where do you live?

A. In the summer, 31 Middle Road, Ipswich.

Q. What times of the year do you live there?

A. I'm there for the summer this year.

Q. Is that different from years past?

A. Well, this is the first summer I've been  
off most of the time. Most of the time we're there  
in the summer. We commute lots of times.

Q. And when you say "the summer," what do you  
mean?

A. I mean we open up in April, and we're there



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1 every weekend from April until, probably until  
 2 October 12th.  
 3 We try to commute there and live there in  
 4 the summertime, from June 1st to Labor Day.  
 5 Q. And where do you live when you're not in  
 6 Ipswich?  
 7 A. At 3 Garden Lane, Wakefield, Mass.  
 8 Q. Where do you vote?  
 9 A. Ipswich.  
 10 Q. How long have you voted in Ipswich?  
 11 A. Two years.  
 12 Q. How long have you lived in Wakefield?  
 13 A. For 39 years.  
 14 Q. And you voted for 37 years in Wakefield,  
 15 correct?  
 16 A. Correct.  
 17 Q. And why did you change where you voted?  
 18 A. We changed when all of this impact happened  
 19 on Little Neck.  
 20 Q. Is that the notice of deposition that  
 21 brings you here today?  
 22 A. Well, April 3rd originally, then it was  
 23 rescheduled. Yes.  
 24 MR. SHEEHAN: Could we have that

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1 A. It's our bill of sale.  
 2 Q. Bill of sale to what?  
 3 A. To No. 49 Middle Road, Little Neck,  
 4 Ipswich.  
 5 Q. Is that a bill of sale for your cottage at  
 6 31 Middle Road?  
 7 A. That is correct.  
 8 MR. SHEEHAN: Can we have that  
 9 marked, please, as No. 2.  
 10 (Exhibit No. 2 marked for  
 11 identification.)  
 12 Q. Let me show you that document. Miss  
 13 Doherty, do you recognize that as a plan showing the  
 14 lots at Little Neck in Ipswich?  
 15 A. I do.  
 16 Q. Do you see where your lot is located at  
 17 31 Middle Road?  
 18 A. Is that the vacant lot next to it?  
 19 Q. Well, my question to you is this: Do you  
 20 recognize what lot is the lot on which your cottage  
 21 is located?  
 22 A. That's the paper street that it would go  
 23 on. The road would be the -- other cottage. The  
 24 Johnson's cottage. Yes, I don't recognize the

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1 marked, please, as Exhibit No. 1.  
 2 (Exhibit No. 1 marked for  
 3 identification.)  
 4 Q. Exhibit No. 1 instructs you to bring  
 5 certain documents with you today, correct?  
 6 A. That is correct.  
 7 Q. And did you make a diligent search for all  
 8 the documents described in the notice of deposition?  
 9 A. What happened is, my husband was scheduled  
 10 to be here this morning, and he had to reschedule  
 11 for work reasons; and I thought he had all the  
 12 documents, so I just brought the bill of sale. When  
 13 my husband comes, he will bring all the documents.  
 14 Q. So there are documents that are responsive  
 15 to the notice of deposition, and you have brought  
 16 just one today, correct?  
 17 A. That's correct.  
 18 Q. The other documents will be brought by your  
 19 husband when he is deposed?  
 20 A. That is correct.  
 21 Q. Is that the one document that you brought  
 22 today?  
 23 A. Yes.  
 24 Q. And what is that, please?

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1 numbers. No. 25 doesn't mean anything to me.  
 2 Q. You know only that you reside in a cottage  
 3 which has an address of 31 Middle Road?  
 4 A. Correct.  
 5 Q. Now, you rent the land on which that  
 6 cottage is located, correct?  
 7 A. Correct.  
 8 Q. You rent the land from the Feoffees of the  
 9 Grammar School in the Town of Ipswich?  
 10 A. Correct.  
 11 Q. And you understood that when you purchased  
 12 the cottage on December 1, 1986, correct?  
 13 A. Yes. I understood that we owned the  
 14 building, and they owned -- the trust owned the  
 15 land.  
 16 MR. SHEEHAN: Could we have the  
 17 plan marked as Exhibit No. 3. And for the record, I  
 18 have marked on what is going be Exhibit No. 3 in red  
 19 Lot 25, which the witness does not recognize as the  
 20 lot on which her cottage is located.  
 21 MS. RAPKO: Objection.  
 22 (Exhibit No. 3 marked for  
 23 identification.)  
 24 MS. RAPKO: I'm objecting to the

<p style="text-align: right;">Page 9</p> <p>1 statement of the testimony of the witness with 2 respect to whether her cottage sits on that lot. 3 <b>A. I believe my cottage does sit on that lot.</b> 4 Q. All right. I misunderstood your testimony. 5 So do you recognize Lot 25 on Exhibit 3 as the lot 6 on which your cottage rests? 7 <b>A. Yes, I do.</b> 8 Q. Now, do you rent any other lots at Little 9 Neck? 10 <b>A. No.</b> 11 Q. Do you use any other lots? 12 <b>A. No.</b> 13 Q. Do you use Lot 25-A? 14 <b>A. No.</b> 15 Q. Is there a cottage on Lot 25-A? 16 <b>A. No. That was my question.</b> 17 Q. Who uses, if anyone, who uses Lot 25-A? 18 <b>A. Nobody. People just walk through it. My</b> 19 <b>husband cuts the bushes.</b> 20 Q. The bushes on Lot 25-A? 21 <b>A. Yes, he does. And we have it mowed.</b> 22 Q. You have Lot 25-A mowed? 23 <b>A. Yes.</b> 24 Q. Why do you do that?</p>	<p style="text-align: right;">Page 11</p> <p>1 <b>we discovered Little Neck.</b> 2 Q. Now, before you bought the cottage that's 3 located at 31 Middle Road, did you have any 4 discussions with any Feoffees? 5 <b>A. It's my understanding -- now this is 20</b> 6 <b>years ago -- that we -- I remember we had to write a</b> 7 <b>letter to the Feoffees stating who we were, how many</b> 8 <b>children we had. And then that letter was given to</b> 9 <b>the Feoffees, and they would determine whether we</b> 10 <b>were accepted into the community. Once we were</b> 11 <b>accepted into the community, then we could purchase</b> 12 <b>the cottage.</b> 13 Q. And did you send such letter to the 14 Feoffees? 15 <b>A. Yes, we did.</b> 16 Q. Did you hear back from the Feoffees? 17 <b>A. I don't recall, but I think we did. But I</b> 18 <b>don't have the letter. It was 20 years ago.</b> 19 Q. And did you have any conversations with any 20 of the Feoffees before you bought your cottage? 21 <b>A. I did not.</b> 22 Q. Did your -- are you married? 23 <b>A. I am married.</b> 24 Q. Your husband's name?</p>
<p style="text-align: right;">Page 10</p> <p>1 <b>A. We just always have.</b> 2 Q. Now, how did you learn of the availability 3 for sale of the cottage which you ultimately 4 purchased? 5 <b>A. My sister-in-law, who purchased a year</b> 6 <b>before I did, was at Mass up there and heard that</b> 7 <b>the cottage was going to be for sale.</b> 8 Q. And who is your sister-in-law? 9 <b>A. Carol Lonergan.</b> 10 Q. To whom is she married? 11 <b>A. William Lonergan.</b> 12 Q. Are you the sister of William Lonergan? 13 <b>A. No.</b> 14 Q. How are you related? 15 <b>A. My husband is the brother of Carol</b> 16 <b>Lonergan.</b> 17 Q. Where do the Lonergans have a cottage? 18 <b>A. Right here (indicating).</b> 19 Q. What lot number? 20 <b>A. It's 130.</b> 21 Q. Were you familiar with Little Neck before 22 Carol Lonergan and her husband bought their cottage? 23 <b>A. My sister-in-law lived on Great Neck many</b> 24 <b>years, still does live on Great Neck, and that's how</b></p>	<p style="text-align: right;">Page 12</p> <p>1 <b>A. Richard Doherty.</b> 2 Q. Did Richard Doherty have any conversations 3 with any of the Feoffees before you bought your 4 cottage? 5 <b>A. I don't know. When we purchased our</b> 6 <b>cottage, my mother was very ill and had just moved</b> 7 <b>in with us in Wakefield; and I was very consumed by</b> 8 <b>that. So I don't know. I can't honestly say that I</b> 9 <b>know what he did.</b> 10 Q. Did you have any conversations with any 11 representatives of the Feoffees prior to your buying 12 the cottage on December 1, 1986? 13 <b>A. No, I did not.</b> 14 Q. Do you know whether your husband had any 15 conversations with any representatives of the 16 Feoffees before you bought your cottage on 17 December 1, 1986? 18 <b>A. I do not know that.</b> 19 Q. Now, when you purchased the cottage on 20 December 1, 1986, you understood that the land was 21 owned by a trust. That was your word? 22 <b>A. That is correct.</b> 23 Q. How did you know that? 24 <b>A. Well, we were interested in buying the</b></p>

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1 cottage. We asked -- we did some research on that.  
 2 We knew that it was a trust.  
 3 Q. Who did the research?  
 4 A. I didn't. My husband must have.  
 5 Q. What did the research consist of?  
 6 A. I don't know.  
 7 Q. How do you know research was done?  
 8 A. I don't really know for sure that there was  
 9 research was done. I know that my sister-in-law had  
 10 purchased it, and I talked to her about it. She  
 11 said it was a trust.  
 12 And friends of ours the year before that,  
 13 the Spinellis, had purchased two years before us.  
 14 They said it was the oldest trust. That's what I  
 15 recall about it.  
 16 Q. And did you understand that you would be  
 17 renting the land?  
 18 A. I understood we didn't own the land.  
 19 Q. Did you understand you'd be renting the  
 20 land?  
 21 A. I understood we'd be paying rent.  
 22 Q. Paying rent to the Feoffees?  
 23 A. Correct.  
 24 Q. You understood that the rent could go up

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1 from time to time?  
 2 A. It could go up.  
 3 Q. You understood that, didn't you?  
 4 A. Yes.  
 5 Q. And did you understand that if you didn't  
 6 pay the rent that was set by the Feoffees you would  
 7 be evicted?  
 8 A. I don't recall the word "evicted." I knew  
 9 that when we got the rules and regulations after we  
 10 were accepted into the community, that as long as  
 11 you paid your bills and didn't have loud parties and  
 12 obeyed by the rules and regulations, everything was  
 13 fine. And everything had been fine on Little Neck  
 14 for many, many years.  
 15 Q. When you say "paid your bills," do you mean  
 16 paid your rent?  
 17 A. Paid your rent.  
 18 Q. Did you understand you had to pay taxes?  
 19 A. On the building, yes.  
 20 Q. Did you understand that you had to pay  
 21 taxes on the land?  
 22 A. No. I didn't understand I would have to  
 23 pay taxes on the land. I thought that the owner  
 24 would pay taxes on the land.

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1 Q. Did you get any bills from the Feoffees  
 2 starting in 1986?  
 3 A. My husband got the bills.  
 4 Q. Did you ever see any of the bills?  
 5 A. I don't recall. He paid the bills.  
 6 Q. So your answer is: You never saw the bills?  
 7 A. I never saw the bills.  
 8 Q. Now, when you acquired your cottage, did  
 9 you send a notice to the Feoffees of the transfer?  
 10 A. I just recall -- and I'm not sure on  
 11 this -- that Donald -- I think it was Donald Paige  
 12 that we purchased it from, said you should register  
 13 this at the Town Hall.  
 14 And I do remember going down and  
 15 registering -- well, my husband going down and  
 16 registering the bill of sale at the Town Hall.  
 17 Q. Well, let me show you that document. That's  
 18 been blacked out so it is in a generic form. Do you  
 19 recall signing a document similar to that at or  
 20 about the time you bought your cottage?  
 21 A. "We agree to pay for the ground rent and  
 22 taxes which may be imposed on the cottage building  
 23 and said lot." Does that mean pay taxes on the lot?  
 24 Q. My only question to you is: Did you sign a

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1 document in a form substantially like that document  
 2 I've just handed to you?  
 3 A. I don't recall.  
 4 MR. SHEEHAN: We'll have that  
 5 marked for identification, please, as Letter A.  
 6 (Exhibit No. A marked for  
 7 identification.)  
 8 Q. And before you bought your cottage in 1986,  
 9 have you ever rented property?  
 10 A. Yes.  
 11 Q. Where?  
 12 A. We rented once on Lake Merrymeeting in New  
 13 Hampshire.  
 14 Q. For how long a period?  
 15 A. A week.  
 16 Q. I take it you own a home in Wakefield?  
 17 A. Yes, we do.  
 18 Q. Before you and your husband purchased a  
 19 home in Wakefield, did you rent?  
 20 A. Yes, we did.  
 21 Q. For how long?  
 22 A. I think a year and a half.  
 23 Q. And where did you live?  
 24 A. At 700 Main Street, Wakefield, Mass.

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<p>1 Q. Did you have a lease?</p> <p>2 <b>A. No.</b></p> <p>3 Q. Were you a tenant at will?</p> <p>4 <b>A. At that time when I first got married, I</b></p> <p>5 <b>didn't know what a tenant at will was. I was a</b></p> <p>6 <b>tenant. I didn't sign a lease; and I was told by my</b></p> <p>7 <b>landlord, you know, pay the rent, and you have to</b></p> <p>8 <b>give us 30 days notice if you want to leave.</b></p> <p>9 Q. You rented in that fashion for about a year</p> <p>10 and a half?</p> <p>11 <b>A. That's correct.</b></p> <p>12 Q. And who set the rent, you or your landlord?</p> <p>13 <b>A. The landlord set the rent. He was actually</b></p> <p>14 <b>very kind. My husband was in college at the time,</b></p> <p>15 <b>and he didn't raise our rent until my husband</b></p> <p>16 <b>graduated.</b></p> <p>17 Q. And you understood, didn't you, when you</p> <p>18 bought your cottage that it would be the Feoffees,</p> <p>19 and the Feoffees alone who would set the rent that</p> <p>20 you would have to pay, correct?</p> <p>21 <b>A. I don't know.</b></p> <p>22 Q. Well, you've never heard of a tenant</p> <p>23 deciding what the rent would be, have you?</p> <p>24 <b>A. No, I can honestly say I never have. But</b></p>	<p>1 <b>A. I mean, I remember talking to him at the</b></p> <p>2 <b>closing.</b></p> <p>3 Q. Was there a broker involved in the sale?</p> <p>4 <b>A. No.</b></p> <p>5 Q. Where was the sale consummated?</p> <p>6 <b>A. At his office in Boston.</b></p> <p>7 Q. At whose office?</p> <p>8 <b>A. Paige's.</b></p> <p>9 Q. Who prepared the bill of sale?</p> <p>10 <b>A. I really don't know.</b></p> <p>11 Q. Who is Ellen Kelleher whose name appears at</p> <p>12 the bottom of Exhibit No. 2?</p> <p>13 <b>A. I don't know.</b></p> <p>14 Q. Did you leave to your husband the details</p> <p>15 of arranging for the closing?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Other than as a mother and as a homemaker,</p> <p>18 have you been employed?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Where?</p> <p>21 <b>A. Christopher J. Barrett Realtors in</b></p> <p>22 <b>Wakefield.</b></p> <p>23 Q. What was your position there?</p> <p>24 <b>A. Broker.</b></p>
Page 18	Page 20
<p>1 <b>this is a very unique situation. It's not your</b></p> <p>2 <b>everyday tenancy. We own the cottage. I never gave</b></p> <p>3 <b>it much thought, but I don't think I considered</b></p> <p>4 <b>myself a tenant.</b></p> <p>5 Q. And you don't recall saying anything that</p> <p>6 would -- that set forth you were a tenant?</p> <p>7 <b>A. Say anything to who?</b></p> <p>8 Q. To the Feoffees.</p> <p>9 <b>A. I've never talked to the Feoffees. They</b></p> <p>10 <b>wouldn't know me if they fell over me.</b></p> <p>11 Q. You don't recall signing any documents at</p> <p>12 or about the time you bought your cottage on</p> <p>13 December 1, 1986?</p> <p>14 <b>A. I don't recall. That was 20 years ago.</b></p> <p>15 <b>Like I said, I had my own problems then with my</b></p> <p>16 <b>children and my mother.</b></p> <p>17 Q. Were you represented by an attorney in</p> <p>18 connection with the purchase of the cottage?</p> <p>19 <b>A. I don't believe we were. I think it was</b></p> <p>20 <b>just the three of us.</b></p> <p>21 Q. And I take it you had conversations with</p> <p>22 the seller, Donald Paige, P-A-I-G-E?</p> <p>23 <b>A. That's my understanding?</b></p> <p>24 Q. Do you remember talking to Mr. Paige?</p>	<p>1 Q. Are you a licensed broker?</p> <p>2 <b>A. Yes, I am.</b></p> <p>3 Q. You're licensed in the Commonwealth of</p> <p>4 Massachusetts?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. When did you receive your broker's license?</p> <p>7 <b>A. I received my license in 1978, but I didn't</b></p> <p>8 <b>really use it until a few years later.</b></p> <p>9 Q. Have you been licensed continuously since</p> <p>10 1978?</p> <p>11 <b>A. Yes, I have.</b></p> <p>12 Q. And you had to take an exam to become a</p> <p>13 licensed real estate broker?</p> <p>14 <b>A. Correct.</b></p> <p>15 Q. Did you take a course to prepare for the</p> <p>16 exam?</p> <p>17 <b>A. I did.</b></p> <p>18 Q. And you learned about tenancies, didn't</p> <p>19 you?</p> <p>20 <b>A. Well, 28 years ago, yeah, I did.</b></p> <p>21 Q. Have you worked as a broker since 1978?</p> <p>22 <b>A. Yes, I have.</b></p> <p>23 Q. So it's not as though you have not used the</p> <p>24 things you learned since 1978, correct?</p>

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<p>1 <b>A. Right. I sell mostly single-family</b>  2 <b>dwellings.</b>  3 Q. But you understand that there is such a  4 thing as a tenant, correct?  5 <b>A. Yes.</b>  6 Q. And a tenant pays rent to the landlord;  7 isn't that right?  8 <b>A. That is correct.</b>  9 Q. And some tenants have a written lease?  10 <b>A. Correct.</b>  11 Q. You're familiar with the concept "lease"?  12 <b>A. Yes.</b>  13 Q. And you knew you that you did not have a  14 lease in connection with the lot on which your  15 cottage rests, didn't you?  16 <b>A. I don't know. My bill of sale says "lease"</b>  17 <b>on it.</b>  18 Q. Did you ever see a lease for your lot?  19 <b>A. No.</b>  20 Q. Did you ever inquire about a lease for your  21 lot?  22 <b>A. I don't know.</b>  23 Q. Well, were you confused when you saw the  24 bill of sale; and the bill of sale said "together</p>	<p>1 that there was no lease to which Mr. Paige was a  2 party?  3 <b>A. I did not understand that. I don't know.</b>  4 Q. Miss Doherty, do you want to leave your  5 testimony that you've been a licensed real estate  6 broker for eight years. And on December 1, 1986,  7 when you bought your cottage, you did not know  8 whether or not Mr. Paige held a lease. Is that is  9 your testimony?  10 <b>A. I don't recall, to be honest with you. I</b>  11 <b>don't recall. I don't recall thinking about it. I</b>  12 <b>don't recall saying, you know, where's the lease. I</b>  13 <b>just don't recall.</b>  14 Q. Well, you've never seen a lease to which  15 Mr. Paige was a party?  16 <b>A. That is correct.</b>  17 Q. And for 20-years plus, you had no lease  18 with the Feoffees, correct?  19 <b>A. That is correct.</b>  20 Q. Now, did you learn as a licensed real  21 estate broker that if a tenant didn't have a lease,  22 then the tenant was considered to be a tenant at  23 will?  24 <b>A. Did I learn that in real estate, are you</b></p>
Page 22	Page 24
<p>1 with all furniture and fixtures therein and all my  2 right title and interest into the lease on Lots 25  3 and 24"?  4 <b>A. Was I confused?</b>  5 Q. Yes.  6 <b>A. No.</b>  7 Q. Did you ask to see the lease?  8 <b>A. I don't recall. It was 20 years ago.</b>  9 Q. Well, were you present at the closing?  10 <b>A. I was present at the closing.</b>  11 Q. Did you read the bill of sale at the  12 closing?  13 <b>A. I would assume I did.</b>  14 Q. By that time you'd been a licensed real  15 estate broker for eight years, right?  16 <b>A. Yes.</b>  17 Q. You knew what a lease was?  18 <b>A. Right.</b>  19 Q. And if you thought you were going to be  20 involved in a lease, you would've received a copy of  21 it, wouldn't you?  22 <b>A. I did not feel I was involved in a lease.</b>  23 <b>I felt I was involved in a trust.</b>  24 Q. Did you understand on December 1, 1986,</p>	<p>1 <b>asking me, or in this?</b>  2 Q. Well, let's start with your education as a  3 licensed real estate broker.  4 <b>A. As a licensed real estate broker, I really</b>  5 <b>had very little to do with tenant at will or leases</b>  6 <b>at that time in my life.</b>  7 Q. But you knew what a tenant at will was,  8 didn't you?  9 <b>A. I know a tenant. I knew what a tenant was.</b>  10 Q. What's a tenant?  11 <b>A. A tenant is somebody who rents somebody</b>  12 <b>else's property.</b>  13 Q. And that person may or may not have a  14 lease?  15 <b>A. Correct.</b>  16 Q. What do you call the tenant who doesn't  17 have a lease?  18 <b>A. Today, I know you call it -- it would</b>  19 <b>probably be a tenant at will. I don't know what</b>  20 <b>you're getting at.</b>  21 Q. I'm not trying to get at anything. I'm  22 simply asking questions.  23 Your understanding of the term "tenant at  24 will," when did you gain that understanding?</p>

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1 **A. Probably when -- I don't know. I don't**  
 2 **never gave it any thought.**  
 3 Q. Well, you've given some thought over the  
 4 last year or two, haven't you?  
 5 **A. Oh, the last year. That's the first time.**  
 6 **Tenancy at will has come up on Little Neck, as far**  
 7 **as I'm concerned, in the past three years. Prior to**  
 8 **that, we were never called tenants at will as far as**  
 9 **I knew.**  
 10 Q. Have you attended meetings with William  
 11 Gottlieb?  
 12 **A. I have attended meeting at the community**  
 13 **center. I don't go to all of them, but I have**  
 14 **attended some.**  
 15 Q. And Mr. Gottlieb has addressed the group,  
 16 correct?  
 17 **A. Correct.**  
 18 Q. And Mr. Gottlieb is on your Legal Action  
 19 Committee?  
 20 **A. Yes.**  
 21 Q. And you've authorized Mr. Gottlieb to act  
 22 on your behalf, haven't you?  
 23 **A. Yes, we have.**  
 24 Q. And did you ever get a copy of a letter

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1 **A. I don't want to use it? I wouldn't say I**  
 2 **don't want to use it.**  
 3 Q. Well, are you a tenant at will?  
 4 **A. Do I consider myself a tenant at will?**  
 5 Q. Yes.  
 6 **A. On Little Neck?**  
 7 Q. Yes.  
 8 **A. No, I do not.**  
 9 Q. Why not?  
 10 **A. I don't consider myself a tenant at will. I**  
 11 **consider myself -- I own the building, and I bought**  
 12 **into a trust.**  
 13 Q. You think you are a -- I'm sorry. You  
 14 think you bought into a trust?  
 15 **A. I bought the building, and the land was**  
 16 **owned through a trust.**  
 17 Q. Yes. And do you think you have an  
 18 ownership interest in the trust?  
 19 **A. I don't know about that.**  
 20 Q. Do you think you're beneficiary of the  
 21 trust?  
 22 **A. No. It's my understanding that the Grammar**  
 23 **School is the beneficiary.**  
 24 Q. And you know you're not a trustee of the

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1 that Mr. Gottlieb sent to Mr. Whiston dated  
 2 August 5, 2004?  
 3 **A. I don't recall. My husband reads all of**  
 4 **that. Honestly, I do not read them.**  
 5 Q. Are you familiar with the fact that  
 6 Mr. Gottlieb on August 5, 2004, wrote to Mr. Whiston  
 7 purportedly on behalf of you and others  
 8 acknowledging you were tenants at will with no  
 9 written lease. Are you familiar with that?  
 10 **A. I am not.**  
 11 Q. Does that come as a surprise to you, what I  
 12 just said to you?  
 13 **A. It doesn't come as a surprise. It's just**  
 14 **that I haven't read it. My husband does enough work**  
 15 **for both of us.**  
 16 Q. And at the meeting or meetings that you've  
 17 been to at which Mr. Gottlieb was present, you are  
 18 aware, are you not, that Mr. Gottlieb and others  
 19 have acknowledged that you are tenants at will with  
 20 no written lease?  
 21 **A. I acknowledge that we don't have a written**  
 22 **lease.**  
 23 Q. You don't want to use the phrase tenant at  
 24 will, correct?

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1 trust, don't you?  
 2 **A. That is correct.**  
 3 Q. So you would acknowledge at least for today  
 4 that you're neither a trustee nor beneficiary of the  
 5 trust, correct?  
 6 THE WITNESS: Can I take a break?  
 7 MS. RAPKO: She'd like to take a  
 8 break. But if you can answer the question, you can  
 9 do so.  
 10 MR. SHEEHAN: If you want to take  
 11 a break, Miss Doherty, that's fine. Any time you  
 12 want to take a break, feel free to do so.  
 13 **A. I don't think I understand what you're**  
 14 **asking me, Attorney Sheehan.**  
 15 Q. Do you want to take a break, or do you want  
 16 me to continue?  
 17 MS. RAPKO: Let's take a break.  
 18 (Short break taken.)  
 19 Q. Miss Doherty, do you claim an ownership  
 20 interest in the trust?  
 21 **A. No.**  
 22 Q. You understand that all you own is the  
 23 cottage, correct?  
 24 **A. Correct.**



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1 Q. Now, would you describe the cottage for me,  
2 please?

3 **A. When we first bought it or now?**

4 Q. When you first bought it.

5 **A. When we first bought it, my understanding**  
6 **was it was the haunted house on the Neck. I don't**  
7 **think anything had been done to it for many, many**  
8 **years, but I bought the view.**

9 Q. What did the cottage consist of at the  
10 time you bought it?

11 **A. The cottage consisted of four bedrooms, a**  
12 **living room, a dining room, a not really workable**  
13 **kitchen, but a kitchen and two baths.**

14 Q. How many stories?

15 **A. Two stories.**

16 Q. Wood frame?

17 **A. Yes.**

18 Q. Was it on a foundation?

19 **A. Yes. Half of it is on a foundation.**

20 Q. What kind of foundation?

21 **A. Way in the back. I had never gone really**  
22 **back. It was all dirt. I don't know if it's brick**  
23 **-- it would be brick -- it's not fieldstone, but I**  
24 **don't think it's poured cement. I've never really**

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1 **gone back there. I can't see. It's mostly a dirt**  
2 **cellar.**

3 Q. Is it capable of being lifted from the  
4 ground and put on the back of a flatbed truck?

5 **A. I would have no idea.**

6 Q. You paid \$93,000 for the cottage?

7 **A. That is correct.**

8 Q. How did you finance that purchase price?

9 **A. We had an equity line of credit on our home**  
10 **on Fox Road.**

11 Q. Now, have you made improvements to the  
12 cottage?

13 **A. Oh, yes.**

14 Q. What have you done?

15 **A. We put in 30 new windows.**

16 Q. When was that done?

17 **A. We used to do a couple of windows a year.**  
18 **We had children in college.**

19 Q. How much did the 30 new windows cost?

20 **A. I'd have to look it up.**

21 Q. Do you have records --

22 **A. I do have records of that.**

23 Q. And did you install them yourselves or --

24 **A. No, we had --**

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1 Q. Let me finish my question. Or did you have  
2 a contractor install them?

3 **A. We have had a contractor install them.**

4 Q. When did begin installing new windows?

5 **A. The first year we did the -- we jacked it**  
6 **up to make it safe, the house safe, and we put in a**  
7 **block to protect the house. We did electrical to**  
8 **make it liveable.**

9 Q. When did you begin working on the windows?

10 **A. I'm trying to think of the first windows**  
11 **that we did. Probably four or five years after we**  
12 **moved in.**

13 Q. Was that a process that was ongoing for  
14 some 10 to 15 years?

15 **A. Yes.**

16 Q. And you have records that would show us how  
17 much money you paid for the windows and  
18 installation?

19 **A. Yes, I do have records of everything. I**  
20 **was very good about keeping that.**

21 Q. And those are records that your husband  
22 will be bringing in with him?

23 **A. I can make sure he does.**

24 Q. And you say you jacked up the cottage?

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1 **A. We had to jack up the main beam, to put a**  
2 **steel -- a beam across it when we first purchased**  
3 **the cottage.**

4 Q. Do you have records as to the cost of that?

5 **A. I believe we do.**

6 Q. And you said you did some electrical work?

7 **A. Yes.**

8 Q. And that was done early on in your  
9 ownership?

10 **A. Early on.**

11 Q. And you have records for the cost of the  
12 electrical work that you did?

13 **A. I kept a little book, and I have everything**  
14 **in it. I don't know if I kept the slips from the**  
15 **electrician. But anything that we did that required**  
16 **a permit, we pulled a permit, so that should be on**  
17 **record in Ipswich.**

18 Q. And did the permit application recite the  
19 estimated cost of the improvement?

20 **A. My husband did the permit. I don't know**  
21 **that.**

22 Q. Is your husband employed or self-employed?

23 **A. My husband is employed.**

24 Q. By whom is he employed?

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1 **A. He's employed by Hancock Associates.**  
 2 Q. What does he do for Hancock Associates?  
 3 **A. He's an engineer.**  
 4 Q. What kind of an engineer?  
 5 **A. He's a civil project manager.**  
 6 Q. How long has your husband been a civil  
 7 engineer?  
 8 **A. We've been married 39 years ago.**  
 9 Q. And how long has he worked for Hancock  
 10 Associates?  
 11 **A. Probably nine years. You'd have to ask**  
 12 **him, you know, the starting date.**  
 13 Q. And what other work -- strike that.  
 14 What other improvements have you made to  
 15 the cottage?  
 16 **A. Well, we had to put in \$7,000 last year as**  
 17 **required by the -- let me get this straight. I**  
 18 **don't know if it was required by the Feoffees. But**  
 19 **when we did the sewer and they came in, all our**  
 20 **piping, they said, was not up to code. So we had to**  
 21 **have all new piping put in. That was, I believe,**  
 22 **\$6,000 to \$7,000. I don't have the exact amount,**  
 23 **but I have the bill on that.**  
 24 Q. And that would be in the notebook that you

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1 Q. And how much did it cost you to reenforce  
 2 the deck?  
 3 **A. I'd have to get the bill.**  
 4 Q. Do you have bills for that?  
 5 **A. I believe we do.**  
 6 Q. And you'll have your husband bring those  
 7 with him?  
 8 **A. Yes.**  
 9 Q. What other improvements have you made?  
 10 **A. That's all I can think of off the top of my**  
 11 **head. I'll be happy to research it and give you a**  
 12 **list if you'd like a list.**  
 13 Q. Now, the rent increased from time to time  
 14 from 1986 to 2006, correct?  
 15 **A. Correct.**  
 16 Q. And you paid the increased rent?  
 17 **A. Correct.**  
 18 Q. And you paid it without protest, correct?  
 19 **A. My husband took care of the bills. I don't**  
 20 **believe -- we paid what the rent was.**  
 21 Q. You never protested the rent amount, did  
 22 you?  
 23 **A. Recently I have.**  
 24 Q. Up to 2006 you did not do so, did you?

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1 kept?  
 2 **A. That would in the notebook -- no, I have a**  
 3 **bill on that. That was required by the Town, I**  
 4 **believe.**  
 5 Q. Now, what other improvements have you made?  
 6 **A. We put hardwood floors in the dining room,**  
 7 **a very large dining room. We had floors sanded. We**  
 8 **put in a new kitchen -- kitchen cabinets. When we**  
 9 **first moved in, it wasn't livable.**  
 10 Q. And those expenses associated with the  
 11 floors and the kitchen cabinets, are those contained  
 12 in your notebook?  
 13 **A. Yes. I have bills on them, I believe.**  
 14 Q. And your husband is going to bring in your  
 15 notebook?  
 16 **A. Yes.**  
 17 Q. What other improvements have you made to  
 18 the cottage?  
 19 **A. Painted. Put on a new deck. We had an**  
 20 **original deck, but we have since reenforced it and**  
 21 **put up new railings.**  
 22 Q. And is that included in your notebook?  
 23 **A. No. I only did the notebook for, like, ten**  
 24 **years.**

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1 **A. I don't believe we did.**  
 2 Q. And your husband didn't protest the rent,  
 3 did he?  
 4 **A. I don't believe he did, but you'd have to**  
 5 **ask my husband that question.**  
 6 Q. And you paid the taxes as you were billed  
 7 from year to year from 1986 to 2006?  
 8 **A. I believe he did. My husband paid the**  
 9 **bills.**  
 10 Q. And those taxes were paid without protest,  
 11 correct?  
 12 **A. I believe they were.**  
 13 Q. You never quarreled with the right of the  
 14 Feoffees to increase the rent, did you?  
 15 **A. Me personally, no. I don't think I've ever**  
 16 **talked to the Feoffees.**  
 17 Q. And did your husband ever quarrel with the  
 18 right of the Feoffees to increase the rent?  
 19 **A. I don't know that. I don't recall.**  
 20 Q. Do you know that in 1998 at a public  
 21 meeting, the Feoffees announced they were going to  
 22 increase the rent so as to get to fair market rent?  
 23 **A. I remember Don Whiston coming to meetings**  
 24 **and talking about, Well, I hope we don't have to**

<p style="text-align: right;">Page 37</p> <p>1 increase the rent much, but we'll probably have to.</p> <p>2 You know, we are going to keep the rent as low as we</p> <p>3 can and take care of you. That's what recall.</p> <p>4 That's the only thing I recall about the meetings at</p> <p>5 the community center.</p> <p>6 Are you talking about our annual meetings?</p> <p>7 Q. Talking about the annual meeting of the</p> <p>8 Feoffees in 1998?</p> <p>9 A. My husband used to come to the meetings. I</p> <p>10 didn't always go. I was home with my children.</p> <p>11 Q. So you were not in attendance at the annual</p> <p>12 meeting of the Feoffees in 1998?</p> <p>13 A. In 1998?</p> <p>14 Q. Yes.</p> <p>15 A. How many years? Nine years ago. I have no</p> <p>16 idea.</p> <p>17 Q. Did you attend an annual meeting of the</p> <p>18 Feoffees?</p> <p>19 A. I attended meetings. I don't recall which</p> <p>20 ones they were.</p> <p>21 Q. Okay. The Feoffees never said anything to</p> <p>22 you on which you relied in making improvements to</p> <p>23 your cottage, correct?</p> <p>24 A. To me?</p>	<p style="text-align: right;">Page 39</p> <p>1 A. I haven't, no.</p> <p>2 Q. Has your husband?</p> <p>3 A. I think at one time when they first said</p> <p>4 that you could get bank loans, I thought at a point</p> <p>5 that you could get loans on the cottages. I don't</p> <p>6 know that he -- I can't remember him talking to</p> <p>7 Ipswich Bank.</p> <p>8 Q. Did you ever seek to have a loan secured by</p> <p>9 your cottage on Little Neck?</p> <p>10 A. Not that I know of.</p> <p>11 Q. Have you ever paid any monies to the</p> <p>12 Feoffees other than rent and taxes?</p> <p>13 A. Not that I know of. I don't know. My</p> <p>14 husband pays the bills on that.</p> <p>15 Q. Do you have a checkbook at home?</p> <p>16 A. Yes.</p> <p>17 Q. And your testimony is that it's your</p> <p>18 husband who maintains that checkbook?</p> <p>19 A. He does.</p> <p>20 Q. He writes out the checks and pays the</p> <p>21 bills?</p> <p>22 A. He writes out the checks and pays the</p> <p>23 bills, that's correct.</p> <p>24 Q. Now, are you familiar with an order of the</p>
<p style="text-align: right;">Page 38</p> <p>1 Q. Yes.</p> <p>2 A. Personally, no.</p> <p>3 Q. Did the Feoffees make any representations</p> <p>4 to anyone on which you relied in making improvements</p> <p>5 to your cottage?</p> <p>6 A. I recall my husband, like, when we were</p> <p>7 going to do an improvement that -- I thought when we</p> <p>8 pulled a permit that the Feoffees had to sign off on</p> <p>9 the permit before we were allowed to start the work.</p> <p>10 Q. Did the Feoffees ever say to you or your</p> <p>11 husband anything about the amount of rent on which</p> <p>12 you relied before making improvements?</p> <p>13 A. They never said anything to me. You'd have</p> <p>14 to ask my husband what they said to him.</p> <p>15 Q. And you never borrowed money on the cottage</p> <p>16 on Little Neck, have you?</p> <p>17 A. Never.</p> <p>18 Q. You've never had any discussions with any</p> <p>19 bank officials about your cottage?</p> <p>20 A. No. We never borrowed money on the</p> <p>21 cottage.</p> <p>22 Q. Now, I've asked a different question. Have</p> <p>23 you ever had any conversations with any bank</p> <p>24 officials about your cottage on Little Neck?</p>	<p style="text-align: right;">Page 40</p> <p>1 Department of Environmental Protection involving the</p> <p>2 cottages on Little Neck?</p> <p>3 A. I know that the DEP required that we do</p> <p>4 something about the septic systems.</p> <p>5 Q. Now, prior to the DEP order, you had a</p> <p>6 septic system that serviced your cottage, correct?</p> <p>7 A. Correct.</p> <p>8 Q. Did you ever make any improvements to that</p> <p>9 septic system?</p> <p>10 A. Other than to have it pumped, no.</p> <p>11 Q. And when you had it pumped, at whose</p> <p>12 expense was it pumped?</p> <p>13 A. I believe we paid, but I don't know. You'd</p> <p>14 have to ask my husband.</p> <p>15 Q. Well, you do know, don't you, that all of</p> <p>16 the expenses associated with the septic system which</p> <p>17 serviced your cottage were paid by you and not the</p> <p>18 Feoffees. You know that, don't you?</p> <p>19 A. We had a cesspool that was very -- we were</p> <p>20 up on the hill. We didn't even have to have it</p> <p>21 pumped that often because of our location, so...</p> <p>22 Q. Do you know the difference between a</p> <p>23 cesspool and a septic system?</p> <p>24 A. You'd have to ask my husband that. He</p>

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1 knows all the differences on that. I know what a  
 2 cesspool is. I know what it looks like.  
 3 Q. And that's what you had was a cesspool?  
 4 **A. We had a cesspool.**  
 5 Q. And you had a cesspool pumped from time to  
 6 time?  
 7 **A. I don't know how many times. Very few. I**  
 8 **don't remember them coming --**  
 9 Q. And who made the arrangements to have the  
 10 cesspool pumped, you or the Feoffees?  
 11 **A. You'd have to ask my husband. I would**  
 12 **believe it was him, but I don't know for sure.**  
 13 Q. And did you understand that there was an  
 14 attempt by certain people in the Town of Ipswich to  
 15 have the public sewer extended to Little Neck?  
 16 **A. I know we wanted that, yes.**  
 17 Q. And the Town voted it down, correct?  
 18 **A. Yes, they did unfortunately.**  
 19 Q. As a result of the Town's voting down the  
 20 extension of the municipal sewer to Little Neck,  
 21 various alternatives were studied by the Feoffees  
 22 and the tenants, isn't that so?  
 23 **A. That is correct.**  
 24 Q. And your husband was involved in that,

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1 **A. Yes.**  
 2 Q. And when it was full, you'd have to have a  
 3 truck come out and pump out the tight tank?  
 4 **A. Correct.**  
 5 Q. And the tenants didn't want 167 cottages  
 6 having tight tanks that had to be pumped out in that  
 7 fashion, did they?  
 8 **A. That's my recollection.**  
 9 Q. And the tenants went so far as to hire an  
 10 engineering firm to assist them in looking into the  
 11 issue that was caused by the DEP order, isn't that  
 12 right?  
 13 **A. I don't know that.**  
 14 Q. You know the name Weston and Sampson?  
 15 **A. I don't recognize that name.**  
 16 Q. What do you know that name to be?  
 17 **A. I don't know. My husband took care of all**  
 18 **of that, and I honestly did not get involved.**  
 19 Q. In any event, you know, don't you, that the  
 20 tenants through counsel requested of the Feoffees  
 21 that they not install 167 tight tanks, but instead  
 22 create a common septic system, isn't that so?  
 23 **A. My recollection was that the DEP required**  
 24 **that we do something. And I thought the Feoffees**

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1 wasn't he?  
 2 **A. Yes, he was.**  
 3 Q. Because he was a civil engineer?  
 4 **A. Correct.**  
 5 Q. And the tenants did not want to have 167  
 6 individual tight tanks, did they?  
 7 **A. I recall we didn't. I didn't want 167**  
 8 **tight tanks.**  
 9 Q. And your husband didn't want them?  
 10 **A. Because I thought they would look terrible**  
 11 **on Little Neck.**  
 12 Q. Sure. In addition to them being unsightly,  
 13 they would require a truck pumping 167 tight tanks  
 14 at different times, correct?  
 15 **A. I would imagine that's how it would work.**  
 16 Q. You know what a tight tank is.  
 17 **A. Right, I do.**  
 18 Q. What's a "tight tank" ?  
 19 **A. My recollection of the tight tanks is a**  
 20 **well. They'd have to come and pump it out.**  
 21 **Everybody would be responsible to pump out their own**  
 22 **tight tank.**  
 23 Q. And so the tight tank would have a certain  
 24 volume, wouldn't it?

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1 **and us looked into all kinds of alternatives and**  
 2 **what they were going to do.**  
 3 Q. Do you remember the tenants requesting the  
 4 alternative of a common septic system?  
 5 **A. I remember thinking that would be a good**  
 6 **route to go.**  
 7 Q. And, in fact, that's what happened, isn't  
 8 it?  
 9 **A. Yes. We do have one system now.**  
 10 Q. And your cottage is hooked up to that  
 11 common septic system?  
 12 **A. Correct. Yes, it is.**  
 13 Q. And you've not paid any money towards the  
 14 construction and installation of that system, have  
 15 you?  
 16 **A. I don't know that we've paid. I know that**  
 17 **we don't know how much it cost. We never saw a**  
 18 **bill. I know that we requested a bill for it. I**  
 19 **know that it went from whatever \$2 million to \$7**  
 20 **million, and we requested to see what the bill is.**  
 21 **I don't think anybody wants to pay a bill that they**  
 22 **haven't seen.**  
 23 Q. My question was a little different. You  
 24 have not paid for any portion of the construction or

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1 installation of that system, have you? Yes or no.  
 2 **A. I don't know if my husband did. I would**  
 3 **say no, but I don't know. You'd have to ask --**  
 4 Q. If you don't know, that's a fair answer.  
 5 **A. I don't know honestly.**  
 6 Q. But you know you are using the system.  
 7 **A. I know we're using the system. I know**  
 8 **there's a discrepancy in the system.**  
 9 Q. What do you mean there's a "discrepancy in  
 10 the system"?  
 11 **A. There's a discrepancy -- we want to know --**  
 12 **I know that we want to know why it cost \$7,000**  
 13 **instead of \$2,000. And I know we haven't been**  
 14 **presented with that. As far as I know we haven't**  
 15 **been presented with a bill broken down, this is why**  
 16 **this cost this much.**  
 17 I know people are having a lot of problems  
 18 with it. I know it's leaking. From hearsay. This  
 19 is just from hearsay that it's leaking, and it's not  
 20 working properly. And that's what I know about it.  
 21 Q. What's leaking?  
 22 **A. What is leaking? I just know that when it**  
 23 **rains, they are always continuously pumping. I**  
 24 **don't know the logistics of it. I'm not involved in**

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1 it. That's just hearsay. I don't know for a fact.  
 2 I haven't investigated it myself. But I know -- my  
 3 understanding of it, it wasn't managed properly when  
 4 it was installed. That's my take on it.  
 5 Q. Why do you say that?  
 6 **A. Because why did it go from \$2,000 --**  
 7 **\$2 million to \$7 million?**  
 8 Q. Any other reason?  
 9 **A. It's not working properly.**  
 10 Q. In what way is it not working properly?  
 11 **A. Why are they continuously pumping it out**  
 12 **when it rains?**  
 13 Q. What else?  
 14 **A. That's all that I know.**  
 15 Q. You say they're always pumping out when  
 16 rains. How do you know that?  
 17 **A. Hearsay.**  
 18 Q. Do you have any firsthand knowledge of any  
 19 mismanagement of the installation of the system?  
 20 **A. I have no firsthand knowledge. I don't**  
 21 **know anything on it. I don't think that we do. I**  
 22 **don't think that the Little Neck people do know --**  
 23 Q. Do you have any firsthand knowledge of any  
 24 problems with the system?

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1 **A. I don't know. Hearsay.**  
 2 Q. Do you have any firsthand knowledge of any  
 3 problems?  
 4 **A. Me personally?**  
 5 Q. Yes.  
 6 **A. No.**  
 7 Q. Have you heard your husband discussing the  
 8 common septic system with other people? Not with  
 9 you, but with others.  
 10 **A. Have I heard him discuss it?**  
 11 Q. Yes. That's my question.  
 12 **A. Are you talking at meetings or...**  
 13 Q. I'm talking about any conversations in  
 14 which you were present.  
 15 **A. I'm not present at the meetings.**  
 16 Q. I'm talking about any conversations at  
 17 which you were present when your husband discussed  
 18 with someone other than you the common septic system  
 19 either at a meeting or just in your cottage.  
 20 **A. In my cottage, we've discussed the septic**  
 21 **system.**  
 22 MS. RAPKO: Objection. Only  
 23 conversations where other people were present. Do  
 24 you understand that?

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1 **A. No, I don't understand.**  
 2 Q. Let me put this question to you --  
 3 **A. I don't understand the question.**  
 4 Q. Let me put this question, and I'll put a  
 5 caveat with the question. I'm not asking you about  
 6 conversations that you've had with your husband when  
 7 the only persons present were you and your husband.  
 8 I'm not permitted to inquire into those  
 9 conversations, and I'm not seeking to inquire into  
 10 those conversations. That's why I have been careful  
 11 in my phraseology.  
 12 My question to you is have you heard your  
 13 husband discuss the common septic system with  
 14 someone other than you?  
 15 **A. Yes.**  
 16 Q. With whom has he discussed it?  
 17 **A. In general conversation it has come up.**  
 18 Q. With whom?  
 19 **A. With my sister-in-law, Carol and Bill,**  
 20 **with -- it's just come up in conversation. It's a**  
 21 **topic on the Neck.**  
 22 Q. What has your husband said?  
 23 **A. I have no idea what he said. You'd have to**  
 24 **ask my husband what he said.**

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1 Q. I'm not asking your husband, because your  
2 husband is not here. I'm asking you.  
3 **A. Well, I can't answer for my husband.**  
4 Q. Please listen to my question. You've just  
5 told me that you recall conversations that your  
6 husband has had with others, people other than you.  
7 **A. I do.**  
8 Q. About the common septic system.  
9 **A. I agree with that.**  
10 Q. All right. What has he said?  
11 **A. I don't know. I wasn't listening. I was**  
12 **listening, but I wasn't involved in the**  
13 **conversation.**  
14 Q. You can't tell me anything that he has  
15 said?  
16 **A. I know he's not happy with the cost of it.**  
17 Q. How do you know that?  
18 **A. We've talked about the cost of it. We**  
19 **talked that we haven't got a bill to know what it**  
20 **has cost.**  
21 Q. What else has he said, other than he's not  
22 happy with the cost?  
23 **A. I don't know. I don't recall.**  
24 Q. Are you aware that your lawyers in your

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1 consultation with counsel not to sign it?  
2 **A. Yes, we did.**  
3 Q. You understand that comes with a risk?  
4 **A. Yes, I do.**  
5 Q. And you understand that if a court  
6 determines that you're are a tenant at will, that  
7 could result in your no longer being a tenant at  
8 Little Neck, correct?  
9 **A. I understand that it could go to court, and**  
10 **it would be in the hands of the court.**  
11 Q. You understand that there's no guarantee  
12 that if it goes to the Court, that a lease will be  
13 offered to you again, correct?  
14 **A. I don't know that.**  
15 Q. So is it your expectation that if the court  
16 case goes against you that you'll be offered a lease  
17 by the Feoffees?  
18 **A. No. I'm hoping that it will go in our**  
19 **favor.**  
20 Q. Do you understand the risk associated with  
21 it?  
22 **A. I understand there's a risk. There's a**  
23 **risk in everything that we do.**  
24 Q. Now, have you heard of a topic of

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1 complaint have suggested that the tenants are  
2 willing to pay a portion of the cost of that system?  
3 **A. Yes.**  
4 Q. What percentage are you willing to pay?  
5 **A. I don't know what the bill is.**  
6 Q. I didn't ask you how much. I said what  
7 percentage are you willing to pay?  
8 **A. I believe that I should pay a portion of**  
9 **the bill.**  
10 Q. How much?  
11 **A. I have no idea, because I don't know what**  
12 **the bill is.**  
13 Q. Why would the amount of the bill affect the  
14 percentage that you will be willing to pay?  
15 **A. I have no idea what the percentage is. I'm**  
16 **willing to pay a fair share, our fair share, but**  
17 **until I see the bill, I don't know.**  
18 Q. Now, you've received a proposed lease from  
19 the Feoffees?  
20 **A. We did.**  
21 Q. And you had the opportunity to sign it,  
22 didn't you?  
23 **A. Yes, we did.**  
24 Q. And you made the voluntary decision after

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1 conversation called the Uniform Procurement Act?  
2 **A. No.**  
3 Q. You don't know anything about that?  
4 **A. I have no idea. What is it?**  
5 Q. Has anyone told you that there is an issue  
6 about whether the Feoffees are a governmental body?  
7 **A. The only thing I know about the Feoffees**  
8 **and the governmental body is that we tried to get**  
9 **the minutes of their meeting. Right now -- well,**  
10 **you can go into executive session, but right now**  
11 **they're not revealing to us what their meetings are.**  
12 **They never had to reveal.**  
13 Q. Are you aware that certain tenants went to  
14 the district attorney's office and asked the  
15 district attorney to order all the meetings of the  
16 Feoffees be open?  
17 **A. I am aware of that.**  
18 Q. Who was it of the tenants who went to the  
19 district attorney?  
20 **A. I don't know.**  
21 Q. Was it Mr. Gottlieb?  
22 **A. I really don't know that answer. I know**  
23 **that we did request that.**  
24 Q. And do you know that the tenant requested

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1 and the district attorney determined that the  
 2 Feoffees are a governmental body?  
 3 **A. I thought that was still open. I don't**  
 4 **know the results of that.**  
 5 Q. And no one has told you that if the  
 6 Feoffees are a governmental body, that they maybe  
 7 subject to the Uniform Procurement Act, correct?  
 8 **A. I don't know that.**  
 9 Q. So you don't know that the Uniform  
 10 Procurement Act, if applicable to the Feoffees, would  
 11 require the Feoffees to offer all of the lots on  
 12 Little Neck to the public in general by way of an  
 13 auction; is that correct?  
 14 **A. I do not know that.**  
 15 Q. Is that what you want to happen?  
 16 **A. Would I want that to happen?**  
 17 Q. Yes. That's my question.  
 18 **A. No. Why would I want that to happen?**  
 19 Q. Do you understand that there is an issue  
 20 called classification of lots?  
 21 **A. I heard talk of that.**  
 22 Q. What does that mean to you?  
 23 **A. To me it means I thought they wanted to**  
 24 **charge more for people who had a view or where you**

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1 **were located on Little Neck and your -- and the rent**  
 2 **would be according to your view. That's my**  
 3 **understanding.**  
 4 Q. Are you in favor of such a proposal?  
 5 **A. No.**  
 6 Q. You want all of the rent to be the same for  
 7 the all the tenants?  
 8 **A. I would like all the rent be the same for**  
 9 **all the tenants, because I believe we're taxed on**  
 10 **cottages by the view.**  
 11 Q. And do you have an understanding of  
 12 discussions that are ongoing now between the tenants  
 13 and Feoffees?  
 14 **A. I don't understand your question.**  
 15 Q. Do you understand -- strike that.  
 16 You've complained in your complaint that  
 17 the Feoffees have failed to engage in good faith  
 18 negotiations, haven't you?  
 19 **A. Yes, I feel that they have.**  
 20 Q. Do you know what negotiations are going on?  
 21 **A. I know we're negotiating the assessed**  
 22 **value.**  
 23 Q. Do you know what has been proposed by the  
 24 Feoffees?

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1 **A. No.**  
 2 Q. No one has told you --  
 3 **A. What do mean "what has been proposed"?**  
 4 Q. You have just said that you filed -- in  
 5 your complaint you complained that the Feoffees are  
 6 not engaged in good faith negotiations, correct?  
 7 **A. Right. Correct.**  
 8 Q. Are there negotiations ongoing?  
 9 **A. We are negotiating. I thought --**  
 10 Q. Are the Feoffees acting in good faith?  
 11 **A. I think they're a little slow.**  
 12 Q. On what do you base that?  
 13 **A. We're trying to get information -- just on**  
 14 **the sewer system. How come we don't know everything**  
 15 **that happens there?**  
 16 Q. What does the sewer system have to do with  
 17 negotiating a lease?  
 18 **A. It's going to be part of a lease, the**  
 19 **expense. It was \$7 million**  
 20 Q. Did you read the lease that was proposed to  
 21 you about a year or so ago?  
 22 **A. The one we got on July 4th on our vacation?**  
 23 Q. Yes.  
 24 **A. I read that.**

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1 Q. Did the lease require you to pay any  
 2 portion of the cost of the installation of the  
 3 system?  
 4 **A. I don't recall that now. I don't recall.**  
 5 **I read it. I haven't -- I didn't read it recently,**  
 6 **and I didn't read it for this, so I don't know.**  
 7 Q. Hasn't the issue foremost in your mind been  
 8 the cost of the system?  
 9 **A. The issue foremost in mind has been the**  
 10 **cost of the system. And foremost in my mind is the**  
 11 **rent.**  
 12 Q. So when you had in your mind the forefront  
 13 of your mind the cost of the system, didn't you look  
 14 to see if in the lease you were being charged for  
 15 the system?  
 16 **A. Did I personally, no.**  
 17 Q. Did you read the lease?  
 18 **A. Briefly.**  
 19 Q. Did you understand it?  
 20 **A. It's in layman's terms.**  
 21 Q. What did it say?  
 22 **A. I don't recall. I don't remember.**  
 23 **Honestly, I read it a year ago and I don't -- I'd be**  
 24 **happy to read it and report back to you.**

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1 Q. Have you ever been threatened by the  
2 Feoffees?  
3 **A. Have I, no.**  
4 Q. Have you ever been intimidated by the  
5 Feoffees?  
6 **A. If you mean intimidated, I was intimidated**  
7 **when we got the notice last year on the 4th of July.**  
8 Q. Well, you understand in order to terminate,  
9 a notice -- strike that.  
10 In order to terminate a tenancy at will,  
11 you have to send a notice to quit. You understand  
12 that, don't you?  
13 **A. I do understand that. Their timing was a**  
14 **little off. The 4th of July I thought was a little**  
15 **inappropriate.**  
16 Q. Other than receiving the notice to quit,  
17 have you ever been intimidated by the Feoffees?  
18 **A. No, myself personally, no.**  
19 Q. Have you ever been coerced into doing  
20 anything by the Feoffees?  
21 **A. I have not.**  
22 Q. Have you ever been prevented from doing  
23 something that you wanted to do by the Feoffees?  
24 **A. I have not.**

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1 Q. Have the Feoffees interfered in any way  
2 with your use of the cottage?  
3 **A. The Feoffees, no. But when they did the**  
4 **sewer system, as a result our stairs flooded. I**  
5 **don't know if that's inferring.**  
6 Q. And when did your stairs begin to flood?  
7 **A. After they did the construction.**  
8 Q. Does it continue to flood?  
9 **A. Yes, it does.**  
10 Q. And which stairs are those?  
11 **A. The stairs leading into our cottage.**  
12 **They're cement stairs. We're at the top of the hill**  
13 **and, as you go down, those stairs, as soon as it**  
14 **rains, they just all flood.**  
15 **I don't know if they got them out of line**  
16 **when they were digging up the road, but they haven't**  
17 **been the same.**  
18 Q. Have you complained to the Feoffees about  
19 that?  
20 **A. I have not.**  
21 Q. Has your husband?  
22 **A. I don't know if he mentioned it to them. I**  
23 **have not.**  
24 Q. Other than the flooding problem that you

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1 just alluded to, have the Feoffees ever interfered  
2 with your use of the cottage?  
3 **A. No, they haven't.**  
4 Q. Have the Feoffees ever interfered with your  
5 use of the lot which you rent?  
6 **A. No, they haven't.**  
7 MR. SHEEHAN: Well, Miss Doherty,  
8 I have no further questions at this time. I want to  
9 thank you for coming in. I am going to reserve the  
10 right to bring you back and ask you questions about  
11 the documents, which we may not have to do so long  
12 as your husband brings them in, and I can get my  
13 answers from him.  
14 THE WITNESS: So the documents you  
15 are talking about from me that you want are the  
16 bills for our work on the cottage?  
17 MR. SHEEHAN: Yes. Everything  
18 that was requested in the notice, and that would  
19 include your notebook and any bills or improvements  
20 on the cottage.  
21 As I say, if you have your husband bring  
22 all those with him and he can explain them  
23 satisfactorily, then we'll not need you to come  
24 back.

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1 So with that we'll suspend this deposition,  
2 although your attorney has the opportunity to  
3 inquire of you this time.  
4 THE WITNESS: Thank you.  
5 CROSS-EXAMINATION  
6 BY MS. RAPKO:  
7 Q. I have one question. What is your date of  
8 birth?  
9 **A. It's 12/6/43.**  
10 MS. RAPKO: Thank you.  
11 (Whereupon, the deposition was  
12 suspended at 2:00 p.m.)  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24



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1 I, ANN J. DOHERTY, do hereby	1
2 certify that I have read the foregoing transcript of	2 Page Line Correction
3 my testimony, and further certify that said	3
4 transcript is a true and accurate record of said	4
5 testimony.	5
6 DATED AT _____,	6
7 this _____ day of _____, 2007.	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15 _____	15
16	16
17 SIGNED UNDER THE PAINS AND	17
18 PENALTIES OF PERJURY.	18
19	19
20	20
21	21
22	22
23	23
24	24

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1 COMMONWEALTH OF MASSACHUSETTS	1 BRENDA M. NADEAU, PCR
2 Middlesex, ss.	2 P.O. Box 916
3	3 Georgetown, Massachusetts 01833
4 I, Denise M. Rizzari, Notary Public duly	4 (978) 352-3314
5 commissioned and qualified in and for the	5
6 Commonwealth of Massachusetts, do hereby certify	5 Date: August 3, 2007
7 that there came before me on the 24th day of July	6 To: A. Rapko, Esq.
8 2007 the person hereinbefore named, who was by me	6 From: Denise M. Rizzari
9 duly sworn to testify to the truth and nothing but	7 Case Name: Loneragan vs. Foley
10 the truth of their knowledge touching and concerning	7 Name of Deponent: Ann J. Doherty
11 the matters in controversy in this cause; that they	7 Date Taken: July 24, 2007
12 were thereupon examined upon their oath, and their	8
13 examination reduced to typewriting under my	8 Enclosed Please Find:
14 direction and that the deposition is a true record	9 Copy of transcript
15 of the testimony given by the deponent.	10 Signature Requirements:
16 I further certify that I am neither	11 Original transcript (or merely original
17 attorney nor counsel for, nor related to or employed	12 signature page) is enclosed for deponent's
18 by, any of the parties to the action in which this	13 signature. If the deponent wishes to make any
19 deposition is taken, and further that I am not a	14 corrections, a separate sheet of paper should
20 relative or employee of any attorney or counsel	15 be used listing the page number, the line
21 employed by the parties hereto or financially	16 of the correction to be made, and the reason
22 interested in this action.	17 for the correction.
23 In Witness Whereof, I have hereunto set my	18 DO NOT mark up the transcript.
24 hand and affixed my seal this 3rd day of August	19 Please forward the signed transcript and/or
2007.	20 signature page with errata sheet, if any, to:
21	21
22	22
23	23
24	24

BRENDA M. NADEAU PCR

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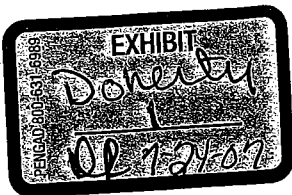
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COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO. ESCV2006-02328

WILLIAM M. LONERGAN, et al, )  
)  
Plaintiffs, )  
v. )  
)  
JAMES W. FOLEY, et al., )  
)  
FEOFFEEES OF THE GRAMMAR )  
SCHOOL IN THE TOWN OF IPSWICH, )  
)  
Defendants, )  
v. )  
)  
DISTRICT ATTORNEY FOR THE )  
ESSEX DISTRICT, et al., )  
)  
Additional Defendants )  
in Counterclaim. )

NOTICE OF DEPOSITION

To: All counsel and parties

Please take notice that at offices of MacLean Holloway Doherty Ardiff & Morse, P.C., 8 Essex Center Drive, Peabody, Massachusetts, Pursuant to Mass. R. Civ. P. 30, William H. Sheehan III will take the deposition of each Defendant-in-Counterclaim before a notary public or other officer authorized by law to administer oaths or take depositions as follows:

Name	Date	Time
Aiello, Robert	March 12, 2007	9:30 am
Anthony, Michael J.	March 12, 2007	11:30 am
Anthony, Michelle M.	March 12, 2007	2:00 pm
Attridge, Margaret	March 13, 2007	9:30 am
Bagnell, Walter	March 13, 2007	11:30 am
Bagnell, Mary	March 13, 2007	2:00 pm
Benjamin, Roy	March 14, 2007	9:30 am
Benjamin, Sally	March 14, 2007	11:30 am
Berman, Jeffrey A	March 14, 2007	2:00 pm

Luchner, Beth C.	March 19, 2007	9:30 am
Bouley, Patricia	March 19, 2007	11:30 am
Brown, Cynthia	March 19, 2007	2:00 pm
Cairns, Albert H.	March 20, 2007	9:30am
Cairns, Pamela H.	March 20, 2007	11:30 am
Casey, Michael S.	March 20, 2007	2:00 pm
Casey, Kathleen A.	March 21, 2007	9:30am
Ciolek, Theodore	March 21, 2007	11:30 am
Cole, Robert F. Jr.	March 21, 2007	2:00 pm
Connor, John	March 26, 2007	9:30 am
Connor, Janet	March 26, 2007	11:30 am
Cowdry, Marcia	March 26, 2007	2:00 pm
Cowdry, Richard	March 27, 2007	9:30 am
Wilkery, Nadine	March 27, 2007	11:30 am
Currie, Norma J	March 27, 2007	2:00 pm
Beeman, Yvette A.	March 28, 2007	9:30 am
Cutler, Garrett	March 28, 2007	11:30 am
Cutler, Bruce	March 28, 2007	2:00 pm
Thompson, Joyce	April 2, 2007	9:30 am
Dieringer, Mary	April 2, 2007	11:30 am
Dieringer, Douglas	April 2, 2007	2:00 pm
Dody, Deborah, Trustee of the Buckley Family Trust	April 3, 2007	9:30 am
Doherty, Richard	April 3, 2007	11:30 am
Doherty, Ann	April 3, 2007	2:00 pm
Donaldson, Nancy	April 4, 2007	9:30 am
Donaldson, Malcolm	April 4, 2007	11:30 am
Donohoe, Anne B.	April 4, 2007	2:00 pm
Donovan, Gerald J.	April 9, 2007	9:30 am
Dowling, Joseph	April 9, 2007	11:30 am
Duran, John F., Jr., Trustee of the Duran Realty Trust	April 9, 2007	2:00 pm
Duran, Ruth M., Trustee of the Duran Realty Trust	April 11, 2007	9:30 am
Duran, John F., III, Trustee of the KSJ Realty Trust	April 11, 2007	11:30 am
Ferrino, Joseph	April 11, 2007	2:00 pm
Ferrino, Marie	April 23, 2007	9:30 am
Fogarty, John	April 23, 2007	11:30 am
Fogarty, Nancy	April 23, 2007	2:00 pm
Goodwin, Edward	April 24, 2007	9:30 am
Gorman, Mary	April 24, 2007	11:30 am
Gresek, Donald	April 24, 2007	2:00 pm
Hamlin, Ross	April 30, 2007	9:30 am
Hardy, William	April 30, 2007	11:30 am

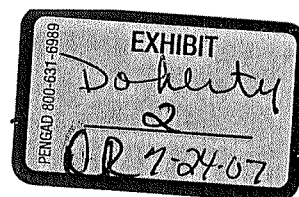
Hardy, Marion D.	April 30, 2007	2:00 pm
Siebert, Paula	May 1, 2007	9:30 am
Siebert, Richard	May 1, 2007	11:30 am
Harris, Cornelia	May 1, 2007	2:00 pm
Holden, Peter	May 2, 2007	9:30 am
Hough, Sarah D.	May 2, 2007	11:30 am
Hough, Willis S.	May 7, 2007	9:30 am
Huntley, Charles	May 7, 2007	11:30 am
Huntley, Alberta	May 7, 2007	2:00 pm
Ingalls, Dorothy Gorhaws	May 8, 2007	9:30 am
Johnson, Mary	May 8, 2007	11:30 am
Kaine, Edwin	May 8, 2007	2:00 pm
Kaine, Diane	May 9, 2007	9:30 am
Koris, Francine Amore	May 9, 2007	11:30 am
Lichoulas, Catherine D'Amico	May 9, 2007	2:00 pm
Lonergan, William	May 14, 2007	9:30 am
Lonergan, Carol	May 14, 2007	11:30 am
Lowden, Arthur	May 14, 2007	2:00 pm
Lowden, Diane	May 15, 2007	9:30 am
Snyder, Gary A.	May 15, 2007	11:30 am
MacRae, Robert	May 15, 2007	2:00 pm
MacRae, Mary	May 16, 2007	9:30 am
Maloney, Janet	May 16, 2007	11:30 am
Maloney, Jason	May 16, 2007	2:00 pm
Mattson, Paul	May 21, 2007	9:30 am
Mattson, Patricia	May 21, 2007	11:30 am
O'Flahavan, Mildred K.	May 21, 2007	2:00 pm
O'Keefe, Timothy	May 22, 2007	9:30 am
Pulsford, Barbara A.	May 22, 2007	11:30 am
Robinson, Cecily	May 22, 2007	2:00 pm
Rodman, Scot	May 23, 2007	9:30 am
Rogal, Peter	May 23, 2007	11:30 am
Rogal, Pamela	May 23, 2007	2:00 pm
Rowell, Barbara	May 29, 2007	9:30 am
Ruta, Stephen	May 29, 2007	11:30 am
Ruta, Dolores	May 29, 2007	2:00 pm
Sandberg, Martha	May 30, 2007	9:30 am
Santoro, Barbara Carbone, Trustee of the Barbara K. Carbone Trust	May 30, 2007	11:30 am
Saunders, Richard	May 30, 2007	2:00 pm
Seger, Robert	June 4, 2007	9:30 am
Loth, Renee	June 4, 2007	11:30 am
Simkins, Sandra	June 4, 2007	2:00 pm
Spatz, Bruce H.	June 6, 2007	9:30 am
Stocker, Richard W.	June 6, 2007	11:30 am

Stocker, Myrone	June 6, 2007	2:00 pm
Story, Charles	June 11, 2007	9:30 am
Story, Douglas	June 11, 2007	11:30 am
Sullivan, Mark	June 11, 2007	2:00 pm
Sullivan, Kara	June 12, 2007	9:30 am
Sullivan, Christopher	June 12, 2007	11:30 am
Stover, Kathryn A, individually and as trustee of 158 Little Neck Trust	June 12, 2007	2:00 pm
Survillas, Joseph	June 18, 2007	9:30 am
Survillas, Nancy	June 18, 2007	11:30 am
Todd, Deborah O.	June 18, 2007	2:00 pm
Torrissi, Elizabeth S.	June 19, 2007	9:30 am
Veno, Arthur	June 19, 2007	11:30 am
Walker, Diane	June 19, 2007	2:00 pm
Walker, Michael	June 20, 2007	9:30 am
Whitney-Wallace, Diane	June 20, 2007	11:30 am

The deposition will continue from day to day until completed. You are invited to attend and cross-examine.

**Each deponent is requested to bring to the deposition:**

- (1) All communications, pictures and/or documents in the deponent's possession, custody or control which pertain in any way to the Feoffees or the use and occupancy of land on Little Neck, Ipswich by the deponent and
- (2) All documents evidencing, concerning or relating in any way to any representations the deponent claims were made by the Feoffees to the deponent or to any prior occupant of the lot occupied by the deponent.



# Know all men by these presents

that Donald G. Paige

in consideration of \$93,000.00

paid by Richard F. Doherty and Ann J. Doherty of Wakefield, MA.

the receipt whereof is hereby acknowledged, do hereby grant, sell, transfer and deliver unto the said Richard F. Doherty and Ann J. Doherty the following goods and chattels, namely:

the building known as and numbered 49 Middle Road, Little Neck Estates, Ipswich, Essex County, MA., together with all furniture and fixtures therein, and all my right, title, and interest in and to the lease on Lots 25 and 24.

To have and to hold all and singular the said goods and chattels to the said Richard F. Doherty and Ann J. Doherty

and their

executors, administrators, and assigns, to their own use and behoof forever.

And I hereby covenant with the grantee that I am the lawful owner of the said goods and chattels; that they are free from all incumbrances,

that I have good right to sell the same as aforesaid; and that I will Warrant and defend the same against the lawful claims and demands of all persons.

In witness whereof the said Donald G. Paige

hereunto sets his hand and seal this 1st day of December in the year one thousand nine hundred and eighty-six.

Signed and sealed in presence of

*Allen M. Kelleher*

*Donald G. Paige*

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

December 1, 1986

Then personally appeared the aboved named, Donald G. Paige and made oath that this is his free act and deed, before me.

*Book 25, Page 100 Allen M. Kelleher*

*From* \_\_\_\_\_

*To* \_\_\_\_\_

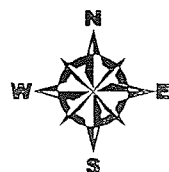
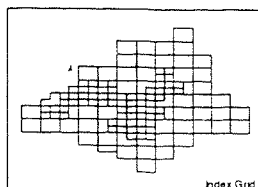
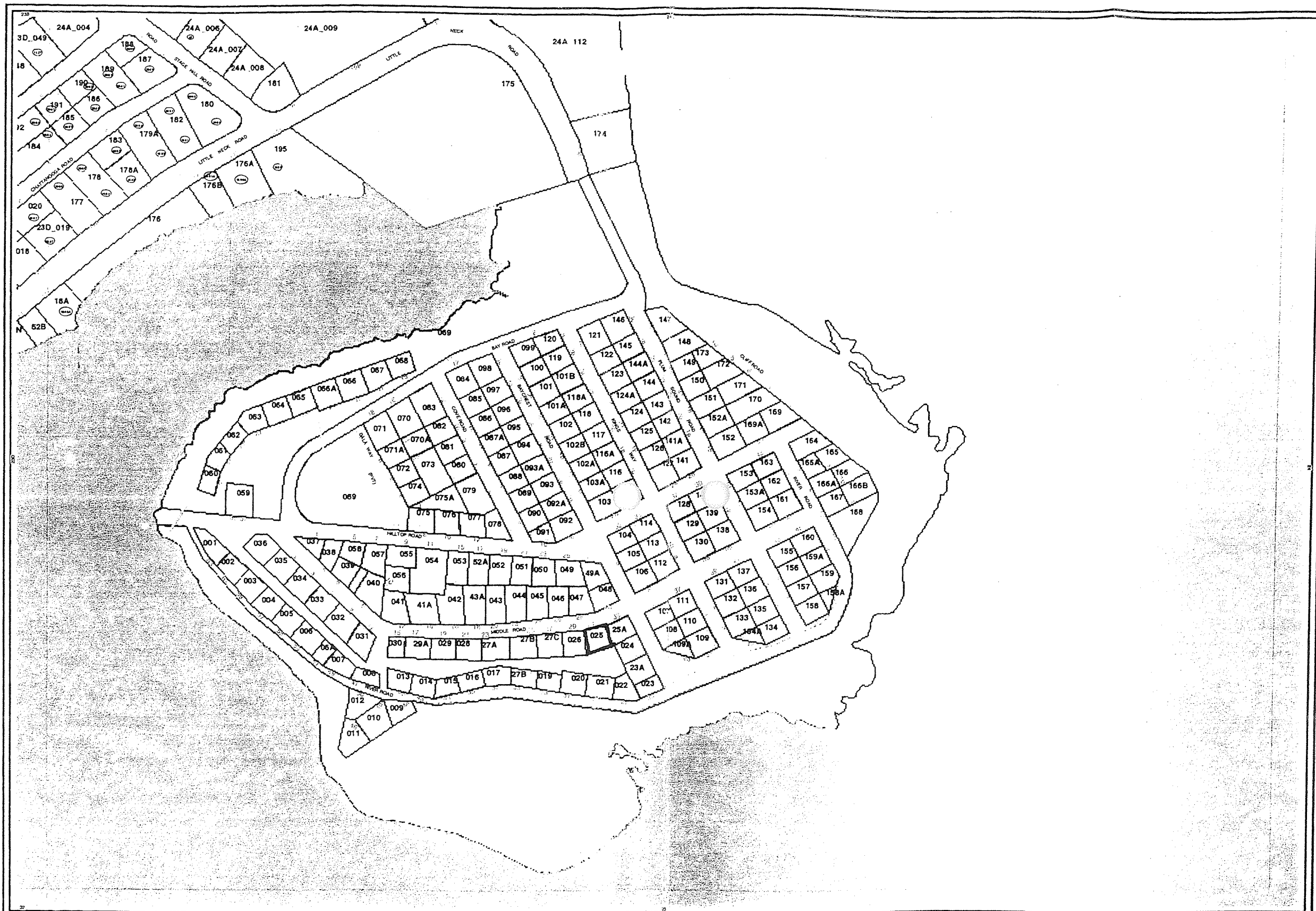
*Date* \_\_\_\_\_ 19 \_\_\_\_\_

**Bill of Sale**  
**of**  
**Personal Property**

*From the office of*

PUBLISHED BY  
LAWYERS STATIONERY CO.  
BOSTON, MASS.

FORM 112



0 100 200  
Feet

## Town of Ipswich Massachusetts

### Legend

- Easements
- Lot Lines
- Hooks
- Map Grid



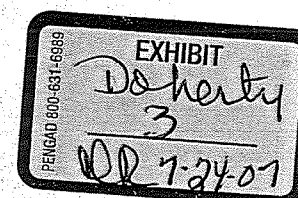
For Assessment Purposes Only  
Not For Property Conveyance

The Town of Ipswich makes no claim, representations  
or warranties, expressed or implied, concerning the validity,  
reliability, or accuracy of the GIS data / products as they  
relate to the configuration of the parcels on this map.

Revised 2003

Map Number

**24C**



TO THE FEOFFEEES OF THE GRAMMAR SCHOOL IN IPSWICH:

This is to notify you that we have this day purchased from [REDACTED] and [REDACTED], the cottage building located upon Lot [REDACTED], (Ipswich Assessess' Map 24C, Parcel [REDACTED]) at Little Neck. As a part of the transfer, [REDACTED] and [REDACTED] have assigned their rights and privileges in said Lot to us.

In consideration of your recognizing us as tenants to said Lot, we agree to pay the ground rent and taxes which may be imposed against the cottage building and said Lot for the year 1994, and for such subsequent years as we may own the cottage building, and have rights and privileges in said Lot.

We also agree to abide by such rules and regulations as may be adopted from time to time by the Feoffees of the Grammar School in Ipswich, and applicable to persons having an interest in land at Little Neck.

We hereby surrender and cancel  
any right and privileges we may have  
in Lot [REDACTED] (Ipswich Assessors' Map 24C, Parcel [REDACTED]).

