

STATE OF MAINE
WALDO, SS.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. BELSC-RE-2021-007

JEFFREY R. MABEE, et al.,)	
)	
Plaintiffs/Petitioners,)	PLAINTIFFS' MOTION TO
)	EXCEED PAGE LIMIT
v.)	WITH INCORPORATED
CITY OF BELFAST, MAINE, et al.,)	MEMORANDUM OF LAW
)	
Defendants/Respondents.)	(Title to Real Estate Involved)

Plaintiffs/Petitioners, Jeffrey R. Mabee and Judith B. Grace (“Mabee/Grace”), Friends of the Harriet L. Hartley Conservation Area (“Friends”), and Upstream Watch (“Upstream”) (hereinafter “Plaintiffs”), by and through their respective counsel, move the Court pursuant to Rule 7(f) of the Maine Rules of Civil Procedure for leave to file Plaintiffs’ Rule 7(e) reply memorandum o Defendant City of Belfast’s opposing memorandum (2021) to Plaintiff’s Motion For Preliminary Injunction (*) in excess of seven (7) pages. The reply brief is ten (10) pages in length. In support of this motion, Plaintiffs state:

The Plaintiffs’ reply memorandum exceeds the 7-page limit. Plaintiffs’ memorandum exceeds the page limit in order to adequately argue and support their reply to the City’s various arguments in opposition to Plaintiffs’ request for preliminary injunctive relief, asserted as a result of the City’s actions in voting to use eminent domain to take Plaintiffs Mabee/Grace’s intertidal land on which Belfast Tax Map 29, Lot 36 fronts, as well as taking Plaintiff Friends’ property rights under a conservation easement in this same intertidal land and taking the property right to enforce the 1946 “residential purposes only” language in the 1946 Hartley-to-Poor deed (Waldo County Registry of Deeds Book 452, Page 205).

Given the complexity of this case, Plaintiffs' respectfully request the Court grant this motion.

The City of Belfast's attorney, Sigmond D. Schultz, Esq. has consented to this Motion being granted.

WHEREFORE, Plaintiffs respectfully request the Court grant them leave to file their reply memorandum to the City's opposing memorandum to Plaintiffs' Motion For Preliminary Injunction Law with the reply being 10 pages in length.

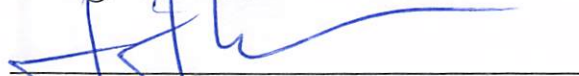
Dated: September 28, 2021

 (by David J. Perkins)

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NOTICE

Pursuant to Rule 7 of the Maine Rules of Civil Procedure, opposition to this Motion must be filed not later than 21 days after the filing of the Motion, unless another time is provided by the Rules of Court. Failure to file a timely objection will be deemed a waiver of all objections to this Motion which may be granted without further notice or hearing.