

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT
C.A. NO. 2006-0790

<p>COMMONWEALTH OF MASSACHUSETTS</p> <p>Plaintiff,</p> <p>v.</p> <p>NEW VENTURES ASSOCIATES, LLC</p> <p>Defendant.</p>

JOINT STIPULATION OF DISMISSAL OF DEFENDANT'S CROSS CLAIM AND COUNTERCLAIMS

43009
JANUET
Lynch De Simone

Now comes the Defendant, New Ventures Associates, LLC (the "Defendant") and the

In hand
4-30-09
m.s.
m.w.d.
mess. atty.
Hen's off
L.A.N.
L.V. De Simone

City of Newburyport (the "Third-Party Defendant") pursuant to MRCP 41(a)(1)(ii) and hereby

stipulate jointly to the dismissal of the claims asserted by Defendant against Third-Party Defendant and the counterclaims filed by Third-Party Defendant against Defendant in 2008 without prejudice and without costs.

notice sent
4-30-09
m.w.
m.w.d.
mess. atty.
Hen's off

Respectfully submitted,

City of Newburyport
By Its Attorney,

Mark R. Reich by RMR

Mark R. Reich, Esq.
(BBO# _____)
Kopelman & Paige, PC
101 Arch Street
Boston, MA 02110
(617) 556-0007

New Ventures Associates, LLC
By Its Attorney,

Richard A. Nylan, Jr.
Richard A. Nylan, Jr., Esq.
(BBO# 375280)

Lynch, DeSimone & Nylan, LLP
12 Post Office Square, Suite 600
Boston, MA 02109
(617) 348-4500

L.A.N.
L.V. De Simone
RB
m.w.d.
K.P.R.
RB

Dated: April 30, 2009

JUDGEMENT ENTERED ON DOCKET 4-30-09
PURSUANT TO THE PROVISIONS OF MASS.R.CIV.P.58(a) *as amended*
AND NOTICE BEING GIVEN PURSUANT TO THE PROVISIONS OF MASS.R.CIV.P.77(d) AS FOLLOWS

COMMONWEALTH OF MASSACHUSETTS

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COMMONWEALTH OF MASSACHUSETTS,
Plaintiff,

v.

NEW VENTURES ASSOCIATES, LLC
Defendant.

CERTIFICATE OF SERVICE

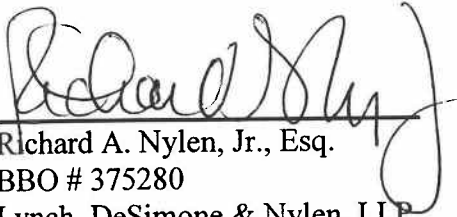
I, Richard A. Nylen, Jr., Esq., hereby certify that I have served a copy of the foregoing
Joint Stipulation of Dismissal of Defendant's Cross Claim and Counterclaims upon the following:

Matthew C. Ireland, Esq.
Assistant Attorney General
Environmental Protection Division
Attorney General's Office
100 Cambridge Street, 10th Floor
Boston, MA 02114

and

Mark R. Reich, Esq.
Kopelman & Paige, PC
101 Arch Street
Boston, MA 02110

Signed under the penalties of perjury this 30th day of April, 2009.


Richard A. Nylen, Jr., Esq.
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