

STATE OF MAINE

YORK, ss.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-06-426

PAF -YOR- 4/16/2010

DANA J. WILLIS, TRUSTEE OF THE
DANA J. WILLIS TRUST,

Plaintiff

v.

ORDER ON PENDING MOTIONS

TOWN OF YORK,

Defendant

After a review of the written arguments, oral argument and based on *Fichter v. Board of Environmental Protection*, 604 A.2d 433, 436-8 (Me. 1992), the Clerk shall make the following entries:

Plaintiff's motion *in limine* to exclude defendant's expert Nicholas Strater, and all expert testimony unrelated to obstruction to navigation is granted.

Defendant's motion for summary judgment is granted in part. Judgment for the defendant on Count II of the complaint.

Dated: April 16, 2010

ATTORNEYS FOR PLAINTIFF:

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Paul A. Fritzsche
Justice, Superior Court

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