

STATE OF NEW HAMPSHIRE

STRAFFORD COUNTY

SUPERIOR COURT
CASE NO.: 219-2022-CV-00350

David and Judd Schofield-Savo

Alex and Steph Barthram

Dana Basken

Mike Brooks

Erwan and Sarah Camus

Josh and Cassy Cantin

Jason and Pauline Cheeseman

Robyn and Jerry Collett

Chris and Kristin Croteau

v.

Lauren and Ryan Despins

Shane and Birtany Garcia

Bill Gervase

Katie and Brent Graham

Lisa and Evan Mousseau

Tyler Parkhurt & Amanda Petruzilli

Chris and Ester Sawyer

Yuting Ho & Todd Schaffner

and

Marlene and Robin Zychowski

Ian James, LLC

1062 Parker Mountain Road
Strafford, New Hampshire, 03884

Better Built Homes Construction
Management, LLC

3 Tech Circle
Amherst, New Hampshire 03031

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3 Tech Circle
Amherst, New Hampshire 03031

Dubois & King, Inc.
28 N Main Street
Randolph, Vermont 05060

Town of Barrington, New Hampshire
333 Calef Highway
Barrington, New Hampshire 03825

Hoyle, Tanner & Associates, Inc.
150 Dow Street
Manchester, New Hampshire 03110

GMI Asphalt, LLC
288 Laconia Road
Belmont, New Hampshire 03220

ASSENTED TO MOTION TO SCHEDULE REMOTE PRELIMINARY HEARING

NOW COME the Petitioners, David Schofield-Savo, et al, by and through their attorneys, Hastings Law Office, P.A., and hereby respectfully move as follows:

1. Homeowners are seeking preliminary injunctive relief as against Ian James, LLC (the “Developer”) and Town of Barrington (the “Town”) only.

2. Undersigned counsel has spoken with counsel for the Developer, R. James Steiner, Esquire and counsel for the Town, Laura Spector-Morgan, Esquire. As of the date of this

motion the Town has indicated its position that it cannot lawfully plow the road in question, and the Developer has not provided a final answer as to snow plowing this winter (2022-23).

3. Attorney Spector-Morgan has indicated that she will accept service of the Homeowners' pleading on behalf of the Town.

4. Attorney Spector-Morgan is unavailable for a temporary hearing the week of December 12, 2022.

5. Attorney Steiner has indicated that he will accept service of the Homeowners' pleading on behalf of the Developer.

6. The undersigned has prior Court obligations or other commitments and is, therefore, unavailable on December 1, December 2, December 19, January 2-6, January 9, and January 19.

7. Because the matter at hand involves safe access to their homes (and safe access for essential services and emergency services), the Homeowners are requesting the earliest possible hearing date.

8. Homeowners are willing that the hearing be held remotely.

9. Counsel for the Town assents to the hearing being held remotely

10. Counsel for the Developer assents to the hearing being held remotely.

WHEREFORE, Homeowners respectfully request that this Honorable Court:

A. Schedule a remote temporary hearing as soon as the Court's docket permits; and

B. Grant such other and further relief as is deemed just and appropriate.

Respectfully submitted,
Homeowners
By their Counsel,

Date: December 1, 2022

By: /s/ Jason B. Dennis

Jason B. Dennis, Esquire | NH Bar ID No.: 19865
Hastings Law Office, P.A.
PO Box 290
Fryeburg, ME 04037
(207) 935-2061
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CERTIFICATE OF SERVICE

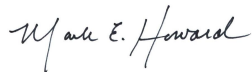
I, Jason B. Dennis, Esquire hereby certify that a copy of the forgoing has, this date, been served upon counsel for the Town, Laura Spector-Morgan, Esquire and counsel for the Developer, R. James Steiner, Esquire via e-mail to laura@mitchellmunigroup.com and jim@jimsteinerlaw.com.

Dated: December 1, 2022

/s/ Jason B. Dennis

Jason B. Dennis, Esq.

Order: The request for a remote hearing is granted. The Clerk is requested to schedule the temporary hearing as soon as possible in light of the issues involved in the case.



Honorable Mark E. Howard
December 2, 2022

Clerk's Notice of Decision
Document Sent to Parties
on 12/08/2022