

CAIN HIBBARD

Cain Hibbard & Myers PC | Counselors at Law

309 Main Street, Great Barrington, Massachusetts 01230, 413-528-4771 Fax 413-528-5553
Direct Extension: 413-629-1346 email: dmlarochelle@cainhibbard.com

Dennis M. LaRochelle

January 6, 2021

Deborah S. Capeless, Clerk
Berkshire Superior Court
76 East Street
Pittsfield, Massachusetts 01201

Re: Stockbridge Bowl Association v. Town of Stockbridge Conservation Commission,
Berkshire Superior Court No. 1976cv00032 AND

Stockbridge Bowl Association v. Town of Stockbridge Conservation Commission,
Berkshire Superior Court No. 2076cv00140

Dear Ms. Capeless:

I am pleased to report that the parties have settled the disputes that are the subjects of the two referenced actions.

Accordingly, enclosed herein, please find a Stipulation of Dismissal of the first referenced action and a Notice of Voluntary Dismissal with Prejudice of the second referenced action.

If you have any questions concerning this filing, please do not hesitate to call.

Very truly yours,

A handwritten signature in dark ink, appearing to be 'DML', with a long horizontal line extending to the right.

Dennis M. LaRochelle

Enclosures

cc: Donna Brewer, Esq.

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, ss.

SUPERIOR COURT
C.A. No. 1976CV00032

STOCKBRIDGE BOWL
ASSOCIATION, INC.

Plaintiff,

v.

TOWN OF STOCKBRIDGE
CONSERVATION COMMISSION, et al.,
Defendants.

STIPULATION OF DISMISSAL

Pursuant to Mass. R. Civ. P. 41(a)(1)(ii), the parties in the above-captioned action hereby stipulate to the dismissal of all claims, with prejudice, all rights of appeal being waived, and each party to bear its own attorneys' fees and costs.

Dated: January 6, 2021

PLAINTIFF,
Stockbridge Bowl Association, Inc.

By its attorneys,


Elisabeth C. Goodman (BBO #543069)
Dennis M. LaRochelle (BBO #600924)
Kaitlin E. O'Brien (BBO #703768)
Cain Hibbard & Myers, P.C.
66 West Street
Pittsfield, MA 01201
(413) 443-4771
egoodman@cainhibbard.com
dlarochelle@cainhibbard.com
kobrien@cainhibbard.com

DEFENDANTS,
Town of Stockbridge Conservation
Commission and its Members
By their attorneys,


Donna M. Brewer (BBO #545254)
Rebekah Lacey (BBO #673908)
Miyares and Harrington LLP
40 Grove St., Suite 190
Wellesley, MA 02482
(617) 489-1600
dbrewer@miyares-harrington.com
rlacey@miyares-harrington.com

**COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT OF THE COMMONWEALTH**

BERKSHIRE, ss.

**SUPERIOR COURT
CIVIL ACTION NO. 2076cv00140**

**STOCKBRIDGE BOWL
ASSOCIATION, INC.
Plaintiff,**

v.

**TOWN OF STOCKBRIDGE
CONSERVATION COMMISSION,
and ITS MEMBERS RON BROUKER,
JOSEPH H. DEGIORGIS, JOHN
HART, PATRICK WHITE, JAY
RHIND, CHARLOTTE
UNDERWOOD-MILLER, AND
JAMIE MINACCI,
Defendants.**

NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE

Pursuant to Mass. R. Civ. Proc. 41(a)(1), plaintiff Stockbridge Bowl Association, Inc.
hereby voluntarily dismisses its complaint.

Dated: January 6, 2021

Respectfully submitted,

Plaintiff,
STOCKBRIDGE BOWL ASSOCIATION, INC.,
By its attorneys,



Stephen C. Goodman, Esq. (BBO# 543069)
Dennis M. LaRochelle, Esq. (BBO# 600924)
Kaitlin E. O'Brien, Esq. (BBO# 703768)
CAIN HIBBARD & MYERS PC
66 West Street
Pittsfield, Massachusetts 01201
(413) 443-4771

CERTIFICATE OF SERVICE

I, Dennis M. LaRochelle, hereby certify that on the Eleventh Sixth Day of January, 2021, a copy of the foregoing document was served by first-class mail, postage prepaid and properly addressed to counsel for the defendants as follows:

Donna Brewer, Esq.
Miyares and Harrington LLP
40 Grove Street – Suite 190
Wellesley, Massachusetts 02482



Dennis M. LaRochelle, Esq.