

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

Superior Court Department  
Civil Action No. 08-04641

\_\_\_\_\_)  
JOHNSON GOLF MANAGEMENT, INC., )  
Plaintiff, )  
v. )  
CALM GOLF, INC. and CHARLES LANZETTA, )  
Defendants, )  
and )  
TOWN OF DUXBURY, and NORTH HILL )  
ADVISORY COMMITTEE, consisting of )  
SCOTT WHITCOMB, )  
ROBERT M. MUSTARD, JR., MICHAEL )  
MARLBOROUGH, ANTHONY FLOREANO, )  
MICHAEL T. RUFO, THOMAS K. GARRITY, )  
RICHARD MANNING, W. JAMES FORD, )  
and GORDON CUSHING (EX OFFICIO), )  
Defendants/Third-Party Plaintiffs, )  
v. )  
ROBERT S. TROY, )  
Third-Party Defendant. )  
PILGRIM GOLF, LLC, )  
Intervenor. )  
\_\_\_\_\_)

**AFFIDAVIT OF COMPLIANCE**

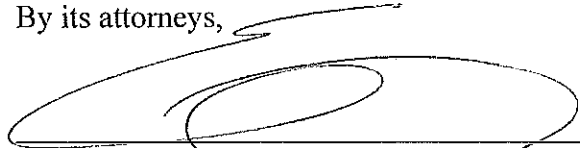
I, Evan C. Ouellette, depose under oath and state the following of my own personal knowledge:

1. I am the attorney of record for the defendant, Town of Duxbury, in the above action.
2. On September 17, 2012, I forwarded to all counsel of record the enclosed "Defendant Town of Duxbury's Motion to Reconsider Denial of its Assented to Motion to Implead Robert Troy".
3. To date, I have received no response.

4. I believe that I have complied with all the requirements set forth in the Massachusetts Rules of Civil Procedure and Superior Court Rules for the service and filing of the above-reference Motion.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 3rd  
DAY OF October, 2012.

Respectfully submitted,  
Defendant,  
TOWN OF DUXBURY,  
By its attorneys,



Leonard H. Kesten, BBO# 542042  
Evan C. Ouellette, BBO# 655934  
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DATED: October 3, 2012

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of  
the above document was served  
upon the attorney of record for each  
other party by mail-hand on 10/3/12  
*Evan C. Ouellette*