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COMMONWEALTH OF MASSACHUSETTS  
THE TRIAL COURT

MIDDLESEX, ss.

39

SUPERIOR COURT DEPARTMENT  
DOCKET NO. 2011MICV-04095

TWENTY WAYLAND, LLC,

Plaintiff,

v.

TOWN OF WAYLAND and WAYLAND  
WASTEWATER MANAGEMENT DISTRICT  
COMMISSION,

Defendants.

RULING

Judgment has entered, but the defendants are free to file any materials on why the judgment should be amended, motion for change shall be August 2, 2013.

FILED  
IN THE OFFICE OF THE  
CLERK OF COURT  
FOR THE COUNTY OF  
MIDDLESEX  
JUN 24 2013  
CLERK

6/26/13

DEFENDANTS' MOTION TO ENLARGE TIME FOR FILING OPPOSITION TO  
PLAINTIFF'S MOTION FOR ENTRY OF PROPOSED JUDGMENT

The Town of Wayland (the "Town") and the Wayland Wastewater Management District Commission (the "WWMDC"), Defendants in the above-captioned action, hereby move to extend the time for the Town and the WWMDC to file and serve their opposition to Plaintiff's Motion for Entry of Proposed Judgment to and including July 8, 2013 on the grounds that:

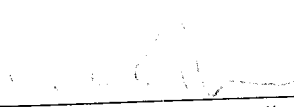
(1) said motion was served on the undersigned counsel for the Town and the WWMDC, via electronic mail, on June 14, 2013, and then missing information about the amount of requested costs was so served on June 20, 2013;

(2) the undersigned counsel for the Town and the WWMDC will be away on vacation all of the week of June 24, 2013,

returning on July 1, 2013; and

(3) more time is needed to respond to Plaintiff's motion.


Respectfully submitted,  
the Town and the WWMDC,  
by their attorney,

  
\_\_\_\_\_  
Mark J. Lanza BBO #549994  
Town Counsel, Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778  
(508) 358-3624/(978) 369-9100  
e-mail: mjlanza@comcast.net

DATED: June 21, 2013

**CERTIFICATE OF SERVICE**

I, Mark J. Lanza, hereby certify that on June 21, 2013, I served the foregoing document upon the Plaintiff by sending a copy thereof, via USPS first class mail, postage prepaid, to its counsel of record.

  
\_\_\_\_\_  
Mark J. Lanza



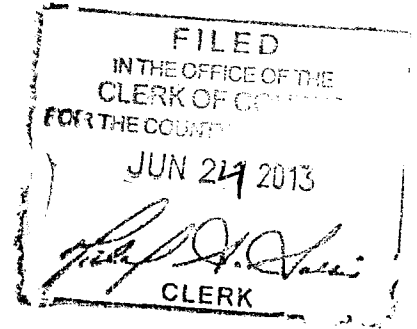
TOWN OF WAYLAND  
MASSACHUSETTS  
01778

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-7701  
FAX: (508) 358-3627

June 21, 2013

VIA USPS PRIORITY MAIL

Clerk's Office - Civil Business  
Middlesex Superior Court  
200 TradeCenter  
Woburn, MA 01801




RE: Twenty Wayland, LLC v. Town of Wayland, et al;  
Civil Action No. MICV2011-04095

Dear Madam/Sir:

Enclosed with respect to the above-referenced action please find the Defendants' Motion to Enlarge Time for Filing Opposition to Plaintiff's Motion for Entry of Proposed Judgment. Kindly docket and file this document and bring to Judge Curran's attention.

Thank you for your attention to this matter.

Sincerely yours,

  
Mark J. Lanza  
Town Counsel

MJL/ms

Enclosure

cc Daniel P. Dain, Esq. (via 1<sup>st</sup> Class Mail, w/ encl.)

Frederic E. Turkington, Jr.  
Town Administrator (via 1<sup>st</sup> Class Mail, w/ encl.)

WWMDC (via 1<sup>st</sup> Class Mail, w/ encl.)

2011-4095

Zimbra

martha.fulham@jud.state.ma.us

Re: Twenty Wayland

Re: # 39

From : mjlanza@comcast.net

Wed, Jun 26, 2013 03:26 PM

Subject : Re: Twenty Wayland

To : Martha Fulham  
<martha.fulham@jud.state.ma.us>

Judge, Please Help!

Hi Martha - yes, that is helpful. To be clear, does that mean that the time for serving a motion for new trial is also extended to 8/2 and the 30 day appeal period for appealing any unsatisfactory judgment does begin to run until after a ruling on any motion to amend and/or clarify judgment or motion for new trial? Thanks. Mark

PS. Dan Dain should be cc'd on your response

Connected by DROID on Verizon Wireless

Yes  
12:00

-----Original message-----

**From:** Martha Fulham <martha.fulham@jud.state.ma.us>  
**To:** mjlanza@comcast.net  
**Sent:** Wed, Jun 26, 2013 18:59:19 GMT+00:00  
**Subject:** Re: Twenty Wayland

Hi Mark. We have docketed your motion to enlarge time for filing opposition to plaintiff's motion for entry of proposed judgment. The Judge has endorsed it as follows: "Ruling: Judgment has entered but the defendants are free to file any materials on why the judgment should be amended. Deadline for doing so shall be August 2, 2013." Hope this helps. Hope you have a great vacation. Martha.

**From:** mjlanza@comcast.net  
**To:** "Martha Fulham" <martha.fulham@jud.state.ma.us>  
**Sent:** Wednesday, June 26, 2013 2:53:13 PM  
**Subject:** Re: Twenty Wayland

OK. Thanks. Mark

Connected by DROID on Verizon Wireless

-----Original message-----

**From:** Martha Fulham <martha.fulham@jud.state.ma.us>  
**To:** mjlanza@comcast.net  
**Sent:** Wed, Jun 26, 2013 12:52:51 GMT+00:00  
**Subject:** Re: Twenty Wayland

Judge Curran signed the motion and the judgment. You can still file your opposition and if you want a motion for reconsideration.  
Martha

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**From:** mjlanza@comcast.net  
**To:** "Martha Fulham" <martha.fulham@jud.state.ma.us>  
**Cc:** mmcdermott@bdlwtg.com  
**Sent:** Tuesday, June 25, 2013 4:32:29 PM  
**Subject:** Re: Twenty Wayland

Hi Martha,

I'm on vacation out of state all of this week. I was just informed that Judge Curran entered a judgment dated June 23, 2013 and entered on June 24. I just checked the docket on line which indicates this is true. I was not even afforded 10 days to respond to the motion. My motion to extend the time to file opposition to 7/8/13 is not even docketed. Can someone please tell me what happened ?

Thanks.

Mark

----- Original Message -----

**From:** Martha Fulham  
**To:** mjlanza@comcast.net, mmcdermott@bdlwtg.com  
**Sent:** Mon, 24 Jun 2013 13:38:19 -0000 (UTC)  
**Subject:** Twenty Wayland

Mark, I received your voice mail. When do plan on filing your opposition to Twenty Wayland's motion for entry of proposed judgment with the Court?

Daniel and Michael, I have received your proposed Judgment.

Please call with any questions, 781-939-2769

Martha

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