

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

_____)	
TOWN OF WOLFEBORO,)	
)	
Plaintiff,)	
)	Civil Action No. 1:12-cv-00130-JD
v.)	
)	
WRIGHT-PIERCE,)	
)	
Defendant.)	
_____)	

**WRIGHT-PIERCE’S OBJECTION TO THE TOWN OF WOLFEBORO’S MOTION
IN LIMINE TO PRECLUDE RICHARD MOORE’S TESTIMONY**

NOW COMES the defendant, Wright-Pierce (“Wright-Pierce”), by and through counsel, Donovan Hatem LLP, and respectfully submits this Objection to the Town of Wolfeboro’s (“Town”) Motion in *Limine* to Preclude Defendant’s Expert, Richard Moore, from Testifying that the Site can be Remediated (hereinafter, “Motion”). As discussed more fully in Wright-Pierce’s Memorandum of Law, and **Exhibits 1-6**, filed herewith, the opinions of Wright-Pierce’s expert, Richard E. Moore, P.E of City Point Partners (“Mr. Moore”), including that the Town’s Rapid Infiltration Basin (“RIB”) site can be remediated, are admissible because they meet all of the requirements of Fed. R. Evid. 702 and *Daubert*.

WHEREFORE, the defendant, Wright-Pierce, respectfully requests that this Honorable Court:

- A. DENY the Town of Wolfeboro’s Motion To Preclude Richard Moore From Testifying That The Site Can Be Remediated; and
- B. GRANT such other relief as is just and equitable.

Respectfully Submitted by,

WRIGHT-PIERCE

By its attorneys,

Dated: March 26, 2014

/s/Kelly Martin Malone
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CERTIFICATE OF SERVICE

In accordance with Local Rule 5.4(b), I hereby certify that this document filed through the ECF system on March 26, 2014, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non registered participants.

/s/Kelly Martin Malone
Kelly Martin Malone

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