

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 HALEY & ALDRICH EXPERT 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 Exclude the Haley & Aldrich (“H&A”) Experts or in the Alternative Limit Their Testimony (hereinafter, “Motion”). As discussed more fully in Wright-Pierce’s Memorandum of Law, and **Exhibits 1-8**, filed herewith, the H&A experts are well qualified to offer expert opinions on the professional standard of care, and H&A’s opinion that the Town’s Rapid Infiltration Basin (“RIB”) site can be remediated is admissible because it meets all of the requirements of Fed. R. Evid. 702.

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

- A. DENY the Town of Wolfeboro’s Motion to Exclude the Haley & Aldrich Experts Or Limit Their Testimony in its entirety; 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  
Kelly Martin Malone NH Bar # 18093  
John W. Dennehy NH Bar # 16166  
Patricia Gary NH Bar # 8163  
DONOVAN HATEM LLP  
53 State Street, 8<sup>th</sup> Floor  
Boston, MA 02109  
(617) 406-450

**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