

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

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

**WRIGHT-PIERCE’S OBJECTION TO THE TOWN OF WOLFEBORO’S
MOTION IN *LIMINE* TO PRECLUDE CERTAIN EXPERT OPINIONS**

NOW COMES the defendant, Wright-Pierce, by and through counsel, Donovan Hatem LLP, and hereby objects to the plaintiff, the Town of Wolfeboro’s Motion in *Limine* to Preclude Certain Expert Opinions. Wright-Pierce agrees that all expert reports, expert opinions, and new expert opinions raised for the first time in deposition not properly disclosed should be precluded at trial. However, the reports submitted by Wright-Pierce’s expert, Haley & Aldrich (“H&A”), and the opinions contained in the depositions of John Kastrinos and John DiGenova are proper supplementation of the Haley & Aldrich Initial Report.

Alternatively, if the court precludes any opinions by Wright-Pierce’s experts, any opinions provided on behalf of the Town in reports or depositions disclosed after February 8, 2013 should also be precluded. In the event the Town’s untimely opinions are admitted into evidence, all of the opinions contained in the H&A Reports, the Field Report, and depositions of Wright-Pierce’s experts should be admissible to refute the Town’s late opinions.

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

- A. Deny the Town of Wolfeboro's Motion In *Limine* To Preclude Certain Expert Opinion Evidence Not Timely Disclosed; and,
- B. Grant any other such relief as is fair and just.

Respectfully submitted,

WRIGHT-PIERCE,
By its attorneys,

Kelly Martin Malone N.H. Bar #18093
John W. Dennehy N.H. Bar #16490
Patricia B. Gary N.H. Bar #8163
DONOVAN HATEM LLP
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Dated: March 27, 2014

CERTIFICATE OF SERVICE

In accordance with Local Rule 5.4(b), I hereby certify that this document filed through the ECF system on March 27, 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/ _____