

DOCKET NO. LLI-CV-58-0015459-S	:	SUPERIOR COURT
	:	
ANN ADAMS, ET AL.	:	JUDICIAL DISTRICT OF LITCHFIELD
	:	
V.	:	AT LITCHFIELD
	:	
B. FRANKLIN VAILL, ET AL.	:	OCTOBER 26, 2015

LIME ROCK’S OBJECTION TO THE CITIZENS COUNCIL’S MOTION TO STRIKE

Lime Rock Park LLC (“Lime Rock”), the owner and operator of Lime Rock Park, has filed this motion to modify the injunction entered in 1988 in the above-captioned nuisance action. This action was originally commenced in 1958, and an injunction was entered in 1959 that has been modified several times over the years as circumstances have changed. Lime Rock Citizens Council, LLC (“Council”) is not a party to the action, but, instead of attempting to commence its own nuisance action, has instead moved to intervene as a plaintiff in this one. The Council’s inability to intervene in this matter is discussed in Lime Rock’s separate objection to that motion. In this motion, the Council seeks to strike Lime Rock’s motion to modify the injunction entered in this action on the basis of alleged failure “to identify, notify and join necessary and indispensable parties.”

The Council’s meritless motion should be denied for four reasons. First, the Council treats Lime Rock’s motion to modify as if it were an original complaint. It is not. Rather, to the extent the defense of failure to join necessary and indispensable parties exists post-judgment, it would only mean that the *Plaintiff’s* complaint against Lime Rock’s predecessor, et al., should be dismissed. Second, to the extent that the Council complains about notice to the original *parties* to the action, this Court already ruled that notice by publication was sufficient for most of the parties and Lime Rock has properly served all other parties with in-hand service. Third, to the extent that the Council complains about inadequate service to non-parties, no service is necessary

as a matter of law. The Council's attempts to define a nebulous and arbitrary set of non-parties, who the Council believes should have been given notice, is as frivolous as it is unsupported by any law cited by the Council. Fourth, Lime Rock's notice by publication was sufficient. Thus, the Council's motion to strike is properly denied.

FACTS

Lime Rock Corporation, a prior owner and operator of Lime Rock Park, was sued in 1958 for nuisance and noise abatement by various neighboring property owners. In 1959, the Court entered an injunction that, among other things, specified days and hours of operation for Lime Rock's racetrack. That injunction has been modified based on changed circumstances several times, most recently in 1988 when Lime Rock Associates had been substituted as a defendant. Lime Rock now seeks to modify the 1988 injunction based on changed legal and factual circumstances. However, the whereabouts of many of the original plaintiffs are unknown. Lime Rock, therefore, filed its motion to modify the injunction along with a motion for the Court to allow service by publication. Lime Rock proposed to publish notice of its motion in the Waterbury Republican American in four issues over the course of two weeks and in the Lakeville Journal for two consecutive weekly issues. This Court granted Lime Rock's motion for notice by publication after consideration. Therefore, Lime Rock, relying on the Court's order, arranged for and performed the publication, and it has also given in-hand service to the two plaintiffs that Lime Rock was able to locate.

The Council has now moved to intervene. Upon information and belief, the Council is made up of people interested in maintaining the 1988 injunction, none of whom were parties to the original nuisance action.

LEGAL STANDARDS

“Parties are considered indispensable when they not only have an interest in the controversy, but an interest of such a nature that a final decree cannot be made without either affecting that interest, or leaving the controversy in such condition that its final disposition may be inconsistent with equity and good conscience. Indispensable parties must be joined....

Necessary parties, in contrast, are those persons having an interest in the controversy, and who ought to be made parties, in order that the court may act on that rule which requires it to decide on, and finally determine the entire controversy, and do complete justice, by adjusting all the rights involved in it. But if their interests are separable from those of the parties before the court, so that the court can proceed to a decree, and do complete and final justice, without affecting other persons not before the court, the latter are not indispensable parties.” *Kosiorek v. Smigelski*, 138 Conn. App. 695, 705-06 (2012).

ARGUMENT

I. The Council Cannot Strike a Motion for Failing to Join Necessary and Indispensable Parties

Practice Book § 11-3 states that “[a]s set forth in Section 10-39, the exclusive remedy for nonjoinder of parties is by motion to strike.” Under Practice Book § 10-39, “[a] motion to strike shall be used whenever any party wishes to contest ... the legal sufficiency of any such complaint, counterclaim or cross complaint, or any count thereof, because of the absence of any necessary party or, pursuant to Section 17-56(b), the failure to join or give notice to any interested person.” (emphasis added). Practice Book § 17-56 deals with declaratory judgment action complaints.

In this case, the Council’s motion to strike should be denied for the simple reason that Lime Rock’s motion to modify the judgment is not a complaint, counterclaim, cross-complaint,

or a declaratory judgment action. Rather, it is a **motion** to modify a judgment, based on the courts' "inherent power to change or modify their own injunctions where circumstances or pertinent law have so changes as to make it equitable to do so." *Adams v. Vaill*, 158 Conn. 478, 482 (1969). Since the exclusive remedy for nonjoinder of parties is by motion to strike under Section 10-39 and since Section 10-39 deals exclusively with striking complaints, counterclaims, and cross complaints, the striking of a motion to modify an injunction is not a remedy for nonjoinder of necessary or indispensable parties. The only allowable remedy would be for the Court to strike the plaintiff's complaint in this action for failure to join necessary and indispensable parties, and therefore undo the judgment of injunction in its entirety (thereby mooted Lime Rock's motion to modify). *See Gaudio v. Gaudio*, 23 Conn. App. 287, 305 (1990) (failure to join indispensable party can result in dismissal of action even after entry of judgment).

In any event, the Council has cited no precedent or authority allowing the Court to strike a **motion** in an existing case on the basis of nonjoinder of necessary or indispensable parties. The Council's failure to do so is unsurprising given the plain language of the Practice Book. A motion cannot be stricken on the grounds of failure to join necessary and indispensable parties.

II. Notice to the Existing Plaintiffs by Publication Was Proper

The argument section of the Council's brief does not appear to take issue with the notice given to the actual parties to this lawsuit. This is because this Court already considered and granted Lime Rock's request to give notice to some plaintiffs through publication in the Waterbury Republican American and the Lakeville Journal. "Underlying the law of the case doctrine is the view that a judge should hesitate to change his own rulings in a case and should be even more reluctant to overrule those of another judge. The doctrine provides that where a matter has previously been ruled upon interlocutorily, the court in a subsequent proceeding in the

case may treat that decision as the law of the case, if it is of the opinion that the issue was correctly decided, in the absence of some new or overriding circumstance.” *Detar v. Coast Venture XXVX, Inc.*, 91 Conn. App. 263, 267 (2005). Thus, since this court has already ruled that notice by publication to parties that Lime Rock could not find was proper, the Court should adhere to that ruling, especially since the Council has failed to argue any new or overriding circumstance. Lime Rock’s notice to the parties to this action was sufficient. (A copy of the notice and a communication from the newspaper is attached.)

III. Lime Rock is not Required to Give Notice of Its Motion to Non-Parties

The Council’s motion makes the remarkable, unprecedented argument that non-parties to this action and non-parties to the injunction issued in this action are entitled to notice of Lime Rock’s motion to modify the injunction. In this regard, the Council first makes the argument that this Court’s injunction was legislative in that it was issued for the improvement “of the community as a whole” and not just to remedy the controversy between the parties to the lawsuit. (Council Mem. 7). However, it is fundamental that “courts are established to resolve actual controversies.” *Office of Governor v. Select Committee of Inquiry*, 271 Conn. 540, 568 (2004). Our constitution reflects this foundational separation of powers. *See* Conn. Constitution Article Second (“The powers of government shall be divided into three distinct departments, and each of them confided to a separate magistracy...”); *see also In re Appeal of Norwalk St. Ry. Co.*, 69 Conn. 576 (1897) (“The incapacity ... of the judiciary to execute a power which is essentially and merely a legislative power ... is fundamental to the very existence of constitutional government.”). When this Court entered the injunction in this case, it was adjudicating a controversy between the parties to the lawsuit. It could not issue an injunction to legislate for the betterment of the community as a whole. As such, the “community as a whole” is not entitled to

notice of Lime Rock's motion to modify the judgment. Even if the injunction may have affected them in an ancillary way, the injunction was not issued for them and they have no interest in it. If Lime Rock's other neighbors believe they have a controversy with Lime Rock, then it is incumbent on them to bring a suit so that their rights can be adjudicated under this court's *judicial* powers.

Further to this point, the present injunction was issued to remedy the plaintiffs' claim of common law nuisance. In determining the existence of a nuisance, the Court had to necessarily consider the "interests of the person harmed" as well as the interests of the "community as a whole." *Pestey v. Cushman*, 259 Conn. 345, 352 (2002). Thus, the Court's consideration of the plaintiffs' specific interests makes the Court's finding of nuisance and the remedial actions it took personal to the plaintiffs. This is true even if the Court also gave *some* weight to the interests of the community as a whole. In any event, the Court's adjudication of the plaintiffs' claims represented the personal resolution of a controversy between particular citizens, not legislation in favor of the community as a whole as it exists *now*, decades after the fact.

Second, the Council argues that the modifications Lime Rock seeks to the Court's nuisance injunction "are essentially judicially imposed zoning regulations." (Council Mem. 7). Based on this absurd premise, the Council argues that Lime Rock must comply with Town of Salisbury zoning procedures in giving notice to all property owners "within 500 feet in all directions." *Id.* The Council cites no authority to support this remarkable argument. This Court does not exercise zoning powers when adjudicating common law nuisance actions. Nuisance law is not co-extensive with planning and zoning regulations. *See Reichenbach v. Kraska Enterprises, LLC*, 105 Conn. App. 461, 467-68 (2008).

Third, the Council argues that Lime Rock's motion to modify the injunction is a "*de facto* request for a declaratory judgment, and, arguably, the notice requirements of Practice Book § 17-56(b) are suitable." (Council Mem. 7). This argument is similarly meritless and devoid of cited authority. Lime Rock is seeking to modify an injunction issued in a specific case. It is not seeking declaratory relief against other parties. A motion to modify a nuisance injunction was specifically authorized in *Adams*, 158 Conn. at 482, as part of the Court's inherent authority and does not require use of this Court's declaratory judgment jurisdiction.

For these reasons, the only necessary parties to this motion are the original parties to the injunction.

IV. Lime Rock's Notice by Publication Was Proper

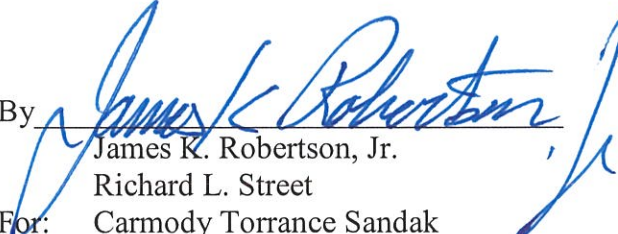
The Council gives a nebulous and vague list of potential people who it contends should have been given specific notice of Lime Rock's motion to modify the injunction. (Council Mem. 8). This list includes undefined categories such as "[a]ll property owners who live close enough to the racetrack to be potentially affected by the noise nuisance." It also includes employees of the National Park system. The Council cites no authority for requiring notice to the arbitrary and undefined entities on its list. However, even if the Court were to believe that its injunction was legislative and meant for the betterment of the community, and even if the Court were to believe that Lime Rock must give notice those potentially affected by noise produced by Lime Rock's racetrack, then Lime Rock's notice by publication already satisfied whatever obligation Lime Rock could possibly have. As discussed above, Lime Rock published notice of its motion in the Waterbury Republican American and the Lakeville Journal for two consecutive weeks, thus appearing in a total of six newspaper issues. To require Lime Rock to give in hand service to the number of persons and entities listed in the Council's motion would be unduly burdensome.

CONCLUSION

For the foregoing reasons, the Council's motion to strike Lime Rock's motion must be denied.

LIME ROCK PARK, LLC

By



James K. Robertson, Jr.

Richard L. Street

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Telephone: 203-573-1200

Juris No. 08512

Its Attorneys

CERTIFICATION

This is to certify that a copy of the foregoing has been mailed, postage prepaid, and/or electronically mailed on the above date, to:

Steven E. Byrne
Byrne & Byrne, PC
790 Farmington Avenue, Suite 2B
Farmington, CT 06032

Timothy S. Hollister
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103-1919

Martha A. Miller
462 Lime Rock Road
Lakeville, CT 06039



James K. Robertson, Jr.

John L. Cordani Jr.

From: Auto-Receipt <noreply@mail.authorize.net>
Sent: Wednesday, September 16, 2015 8:13 AM
To: John L. Cordani Jr.
Subject: Transaction Receipt from lakeville journal company llc for 396.92 (USD)

Order Information

Description: ADV.
Invoice 7645-AR
Number:

Billing Information

Chryspa Pulmmer
06702
jcordanijr@carmodylaw.com

Shipping Information

Total: 396.92 (USD)

Payment Information

Date/Time: 16-Sep-2015 8:13:00 EDT
Transaction ID: 7530470802
Payment Method: American Express xxxx4222
Transaction Type: Purchase
Auth Code: 288699

Merchant Contact Information

lakeville journal company llc
Lakeville, CT 06039
US
accounting@lakevillejournal.com

**LEGAL NOTICE
NOTICE OF MOTION TO
MODIFY INJUNCTION
AND STIPULATION BY
LIME ROCK PARK, LLC**

By: James K. Robertson, Jr.,
LIME ROCK PARK, LLC
09-17-15
09-24-15

By order of the Superior Court for the Judicial District of Litchfield at Litchfield, notice is hereby given that Lime Rock Park, LLC has filed a Motion to Modify Stipulation and Injunction in Ann Adams, et al. v. B. Franklin Vaill et al. Docket No. 15,549.

lines 70
inches 11.11
paper LJ
confirm # 1025

The Motion to Modify seeks to modify the terms of a permanent injunction entered into concerning Lime Rock Park in Salisbury, Connecticut. The injunction was first entered into by judgment in 1959 and was subsequently modified by the Superior Court in 1966, 1969 and 1988. The Plaintiffs to the action are: Ann Adams, Annie W. Fenker, Herbert Oscar Bergdahl, Earl W. Hubbard, Edgar Fry, Joseph W. Mallach, Agatha Mallach, Ralph McLellan, Florence McLellan, Jack Olsen, Annie M. Olsen, Grace Bergdahl, Herbert O. Bergdahl, Jr., Amy Fry, Edith Stone, Irma Varady, Elizabeth Hetherington, Lillian H. Roberts, Moritz Wallach, Walter Verrier, Ida Belle Thomas, Benjamin S. Arnstein, Grace Dunbar, all of Salisbury, Connecticut, Eleanor Lake of Sharon, Connecticut, Mary Lambert of Canaan, Connecticut, Helen Heffner of Suffern, New York, The Lime Rock Cemetery Improvement Association, Trinity Episcopal Church of Lime Rock and The Lime Rock Protection Committee, Inc. The defendant seeking to modify the injunction is Lime Rock Park, LLC.

Any persons who may claim to be a party to such action may appear and be heard at a hearing to be held at the Superior Court for the Judicial District of Litchfield at Litchfield, 15 West Street, Litchfield, Connecticut 06759 on October 26, 2015 at 9:30 a.m. The purpose of said hearing will be to consider and act upon Lime Rock Park LLC's Motion to Modify Stipulation and Injunction. The Motion is on file at the clerk's office for the Superior Court for the Judicial District of Litchfield at Litchfield under Docket Number 15,549.

**LEGAL NOTICE
NOTICE OF MOTION TO
MODIFY INJUNCTION
AND STIPULATION BY
LIME ROCK PARK, LLC**

By order of the Superior Court for the Judicial District of Litchfield at Litchfield, notice is hereby given that Lime Rock Park, LLC has filed a Motion to Modify Stipulation and Judgment in Lime Rock Foundation, Inc. v. Zoning Board of Appeals of the Town of Salisbury, Docket No. 16,404 6 and Lime Rock Protection Committee v. Lime Rock Foundation Inc., Docket No. 16,416 D.

The Motion to Modify seeks to modify the terms of a permanent injunction entered into concerning Lime Rock Park in Salisbury, Connecticut. The injunction was entered into by judgment in 1979. The Parties to the action are: Zoning Board of Appeals of the Town of Salisbury, Herbert O. Bergdahl, Joan C. Bergdahl and The Lime Rock Protection Committee, Inc. The defendant seeking to modify the injunction is Lime Rock Park, LLC.

Any persons who may claim to be a party to such action may appear and be heard at a hearing to be held at the Superior Court for the Judicial District of Litchfield at Litchfield, 15 West Street, Litchfield, Connecticut 06759 on October 26, 2015 at 9:30 a.m. The purpose of said hearing will be to consider and act upon Lime Rock Park LLC's Motion to Modify Stipulation and Judgment. The Motion is on file at the clerk's office for the Superior Court for the Judicial District of Litchfield at Litchfield under Docket Number 16,404 6 and 16,416 D.

By: James K. Robertson, Jr.,
LIME ROCK PARK, LLC
09-17-15
09-24-15

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confirm # 1026

NO. 16,404 6	:	SUPERIOR COURT
LIME ROCK FOUNDATION, INC.	:	J.D. OF LITCHFIELD
V.	:	AT LITCHFIELD
ZONING BOARD OF APPEALS OF THE TOWN OF SALISBURY	:	

NO. 16,416 D	:	SUPERIOR COURT
LIME ROCK PROTECTION COMMITTEE	:	J.D. OF LITCHFIELD
	:	AT LITCHFIELD
V.	:	
LIME ROCK FOUNDATION, INC., ET AL.	:	

NO. 16,920 D	:	SUPERIOR COURT
LIME ROCK PROTECTION COMMITTEE	:	J.D. OF LITCHFIELD
	:	AT LITCHFIELD
V.	:	
LIME ROCK FOUNDATION, INC., ET AL.	:	

ORDER OF NOTICE

Upon consideration of the foregoing Motion for Order of Notice and the Motion to Modify Injunction in the above-entitled matter, setting forth that the defendant seeks to modify the Stipulated Injunction entered into by this Court on September 19, 1979, it is hereby

ORDERED, that a hearing on the foregoing Motion to Modify Stipulation and Judgment be held before the Superior Court, Judicial District of Litchfield, 15 West Street, Litchfield, Connecticut 06759 in ~~Courtroom~~ Jury Room on the 26 day of OCTOBER, 2015 at 9:30 a.m.; and it is further

ORDERED, that notice of the pendency of said Motion to Modify Stipulation and Judgment and the time and place of such hearing be given to the Town of Salisbury Zoning Board of Appeals and Peter Wolf, Agent for Service of the "Lime Rock Citizens Council" by some proper officer making service upon, in the manner provided for service of process in civil actions of a true and attested copy of said Motion and of this Order at least ten (10) days prior to said date; and that return of such service be made to the above-named court at or before the time fixed for said hearing.

Notice of the Motion and the date and time of the Hearing shall also be published by the attached Legal Notice in the Lakeville Journal for two consecutive weeks and the Waterbury Republican-American on two consecutive Tuesdays and Saturdays.

Dated at Litchfield, Connecticut, this 4 day of SEPTEMBER, 2015

DAWAHER, J

Mark Sheen

Judge/Clerk

Deputy Chief Clerk

NO. 15,149 : SUPERIOR COURT
ANN ADAMS, ET AL. : J.D. OF LITCHFIELD
V. : AT LITCHFIELD
B. FRANKLIN VAILL, ET AL. :

ORDER OF NOTICE

Upon consideration of the foregoing Motion for Order of Notice and the Motion to Modify Injunction in the above-entitled matter, setting forth that defendant seeks to modify the Stipulated Injunction entered into by this Court on January 14, 1988, it is hereby

ORDERED, that a hearing on the foregoing Motion to Modify Injunction be held before the Superior Court, Judicial District of Litchfield, 15 West Street, Litchfield, Connecticut 06759 in ^{Sunny} Courtroom ~~Courtroom~~ ROOM on the 26 day of OCTOBER, 2015 at 9:30 a.m.; and it is further

ORDERED, that notice of the pendency of said Motion to Modify Injunction and the time and place of such hearing be given to the Trinity Episcopal Church, The Lime Rock Cemetery Improvement Association and Peter Wolf, Agent for Service of the "Lime Rock Citizens Council" by some proper officer making service upon, in the manner provided for service of process in civil actions of a true and attested copy of said Motion and of this Order at least ten (10) days prior to said date; and that return of such service be made to the above-named court at or before the time fixed for said hearing.

Notice of the Motion and the date and time of the Hearing shall also be published by the attached Legal Notice in the Lakeville Journal for two consecutive weeks and the Waterbury Republican-American on two consecutive Tuesdays and Saturdays.

Dated at Litchfield, Connecticut, this 4 day of September, 2015

DANAHOR, J.

Mark Shea

Judge/Clerk

Deputy Chief Clerk

{NS116708}

Customer	A/C #	Billing Period
CARMODY & TORRANCE LLP	32509	09/01/15-09/30/15

RepublicanAmerican

389 Meadow Street, Waterbury, CT 06722
Phone: 203-574-3636 Fax: 203-573-0090 Toll Free: 800-992-3232
E-mail: adsbilling@rep-am.com

PAYMENT TERMS	30 DAYS
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TOTAL AMOUNT DUE	\$ 1,299.20
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Fed EIN 06-0581760

* Please See Reverse Side for Pub Index

DATE	AD # / INV #	CUST ORDER #	PUB*	DESCRIPTION	SIZE	BILLED UNITS	TIMES RUN	RATE	BILLED AMOUNT
				PREVIOUS BALANCE					\$0.00
09/15/15-09/26/15	RA0689576 / INV001049711		RA	LEGAL NOTICE NOTICE OF MOTION TO MODIFY	1x	62.000	4	\$2.3200	\$575.36
09/15/15-09/26/15	RA0689569 / INV001049719		RA	LEGAL NOTICE NOTICE OF MOTION TO MODIFY	1x	78.000	4	\$2.3200	\$723.84
				CURRENT AMOUNT DUE					\$1,299.20
				TOTAL AMOUNT DUE					\$1,299.20

LEGAL NOTICE NOTICE OF MOTION TO MODIFY INUNCTION AND STIPULATION BY LINE ROCK PARK, LLC

By order of the Superior Court for the Judicial District of Litchfield at Litchfield, notice is hereby given that Line Rock Park, LLC has filed a Motion to Modify Stipulation and Injunction in Line Rock Park, LLC v. Zoning Board of Appeals of the Town of Salisbury, Connecticut, at No. 15-4046 and Line Rock Protection Committee v. Line Rock Foundation, Inc., Docket No. 15-4161.

The Motion to Modify seeks to modify the terms of a permanent injunction entered into concerning Line Rock Park in Salisbury, Connecticut. The Injunction was entered into by judgment in 1978. The Parties to the action are: Zoning Board of Appeals of the Town of Salisbury, Herbert O. Bernthal, Joan C. Bernthal and The Line Rock Protection Committee, Inc. The defendant seeking to modify the injunction is Line Rock Park, LLC.

Any persons who may claim to be a party to such action may appear and be heard at a hearing to be held at the Superior Court for the Judicial District of Litchfield at Litchfield, 15 West Street, Litchfield, Connecticut 06759 on October 26, 2015 at 9:30 a.m. The purpose of said hearing will be to consider and act upon Line Rock Park, LLC's Motion to Modify Stipulation and Injunction. The Motion is on file at the clerk's office for the Superior Court for the Judicial District of Litchfield at Litchfield under Docket Number 15-4046 and 15-4161.

LINE ROCK PARK, LLC
By: James K. Robertson, Jr.
15-4 September 15, 15, 22 & 26, 2015

LEGAL NOTICE NOTICE OF MOTION TO MODIFY INUNCTION AND STIPULATION BY LINE ROCK PARK, LLC

By order of the Superior Court for the Judicial District of Litchfield at Litchfield, notice is hereby given that Line Rock Park, LLC has filed a Motion to Modify Stipulation and Injunction in Line Rock Park, LLC v. Zoning Board of Appeals of the Town of Salisbury, Connecticut, at No. 15-4046 and Line Rock Protection Committee v. Line Rock Foundation, Inc., Docket No. 15-4161.

The Motion to Modify seeks to modify the terms of a permanent injunction entered into concerning Line Rock Park in Salisbury, Connecticut. The Injunction was entered into by judgment in 1978 and was subsequently modified by the Superior Court in 1986, 1989 and 1988. The Parties to the action are: Ann Adams, Annie W. Feller, Herbert Oscar Bradburn, Earl W. Hubbard, Edgar Fy, Joseph W. McLean, Augusta McLean, Ralph McLean, Mrs. Florence McLean, Jack Olsen, Annie M. Olsen, Grace Bradburn, Herbert O. Bradburn, Jr., Amy Fy, Edith Stone, Irma Verady, Elizabeth Hetherington, Lillian H. Roberts, Moritz Walach, Walter Verter, Ida Belle Thomas, Benjamin S. Amstein, Grace Dumber, all of Salisbury, Connecticut, Eleanor Lake of Sharon, Connecticut, Mrs. Lambert of Olean, Conn., Robert, Helen Hefner of Suffolk, New York, The Line Rock Cemetery Improvement Association, Frinky Episcopal Church of Line Rock and The Line Rock Protection Committee, Inc. The defendant seeking to modify the injunction is Line Rock Park, LLC.

Any persons who may claim to be a party to such action may appear and be heard at a hearing to be held at the Superior Court for the Judicial District of Litchfield at Litchfield, 15 West Street, Litchfield, Connecticut 06759 on October 26, 2015 at 9:30 a.m. The purpose of said hearing will be to consider and act upon Line Rock Park, LLC's Motion to Modify Stipulation and Injunction. The Motion is on file at the clerk's office for the Superior Court for the Judicial District of Litchfield at Litchfield under Docket Number 15-4046 and 15-4161.

LINE ROCK PARK, LLC
By: James K. Robertson, Jr.
15-4 September 15, 19, 22 & 26, 2015

Past due balance accrues finance charge of 1.5% per month

All charges include any applicable Connecticut State sales tax

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	REPUBLICAN AMERICAN PO BOX 2090 WATERBURY, CT 06722-2090

CUSTOMER	A/C #	BILLING PERIOD	TOTAL AMOUNT DUE	AMOUNT REMITTED
CARMODY & TORRANCE LLP	32509	09/01/15-09/30/15	\$ 1,299.20	

CREDIT CARD #	
EXPIRATION DATE	
SIGNATURE	

CARMODY & TORRANCE LLP
PO BOX 1950
NEW HAVEN CT 06509

CHECK #

TRANSMISSION VERIFICATION REPORT

TIME : 10/27/2015 09:49
NAME : CARMODY TORRANCE SAN
FAX : 2035752600
TEL : 2035752600
SER.# : BROK9J987037

DATE, TIME	10/27 09:46
FAX NO./NAME	18605674779
DURATION	00:02:36
PAGE(S)	17
RESULT	OK
MODE	STANDARD ECM