

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS (BOSTON)

C.A. NO. 1:12-cv-11047-JLT

_____)
BROCKTON POWER &)
BROCKTON POWER COMPANY, LLC,)
Plaintiffs,)
)
VS.)
)
CITY OF BROCKTON, PLANNING BOARD)
OF THE CITY OF BROCKTON, BROCKTON)
CITY COUNCIL, LINDA M. BALZOTTI,)
THOMAS BROPHY, MICHELLE DUBOIS,)
JASS STEWART, JAMES HARRINGTON,)
WAYNE MCALLISTER & SUSAN NICASTRO,)
Defendants.)
_____)

STIPULATION OF DISMISSAL

The parties stipulate, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, that all claims asserted in plaintiffs’ First Amended Complaint as against the Brockton City Council, the Planning Board of the City of Brockton, former Mayor Linda M. Balzotti (individually and in her official capacity), former City Councilor Thomas Brophy (individually and in his official capacity), City Councilor Michelle Dubois (individually and in her official capacity), City Councilor Jass Stewart (individually and in his official capacity), former Mayor James Harrington (individually and in his official capacity), Planning Board Member Wayne McAllister (individually and in his official capacity), and former Planning Board Member Susan NiCastro (individually and in her official capacity), are hereby dismissed with prejudice, without interest or costs, and waiving all rights of appeal. This Stipulation of Dismissal shall have no effect upon any claims asserted in plaintiffs’ First Amended Complaint as against the remaining defendant, the City of Brockton, which claims shall remain intact.

Respectfully Submitted,

The Plaintiffs,

BROCKTON POWER LLC, and
BROCKTON POWER COMPANY LLC,

By their Attorneys,

MORGAN LEWIS & BOCKIUS LLP

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&

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DATED: January 22, 2016

CERTIFICATE OF SERVICE

I, Julie Silva Palmer, hereby certify that the foregoing, filed through the Electronic Case Filing System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that a paper copy shall be served upon those indicated as non-registered participants on January 22, 2016.

/s/ Julie Silva Palmer

Julie Silva Palmer