

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH NORTH, SS.

SUPERIOR COURT

Docket # 218-2020-CV-00008

PAMELA D. KELLY, et al.


v.

TOWN OF NOTTINGHAM

**ASSENTED TO MOTION TO EXTEND DEADLINE TO FILE NOTICE OF INTENT  
TO FILE A REPLY TO PLAINTIFFS' OBJECTION TO MOTION TO STRIKE CLASS  
ACTION AND TO SET DEADLINE FOR REPLY**

NOW COMES the Defendant, Town of Nottingham, by and through counsel, Upton & Hatfield, LLP, and hereby submits this Assented to Motion to Extend Deadline to File Notice of Intent to Reply and to Set Deadline for the Reply, stating in support as follows:

1. The Town filed a Motion to Strike Class Action on August 24, 2020. The Plaintiffs filed their Objection on September 3, 2020.
2. At the time the Plaintiffs' Objection was filed, undersigned attorney was out of state due to a family emergency and returned yesterday, and other counsel was also unexpectedly out of the office.
3. Because of this, the Town requests that the Court extend the deadline for the Town to file its Notice of Intent to File a Reply under NH Super. Ct. R. 13A and accept this as the Town's Notice of Intent.
4. Further, the Town requests that the deadline to file the Reply be extended to Friday September 18, 2020 to address limited points raised in the Objection.
5. Attorney Jim Soucy was contacted for his position, and he assents to the requested relief.

**Granted**  
  
Honorable Diane M. Nicolosi  
September 14, 2020

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Clerk's Notice of Decision  
Document Sent to Parties  
on 09/14/2020

WHEREFORE, the Town respectfully requests that this Honorable Court:

- a) Extend the deadline for the Town to file its Notice of Intent to Reply; and
- b) Accept this Motion as the Town's Notice of Intent to Reply; and
- c) Set the deadline for the Town's Reply to Friday September 18, 2020; and
- d) Grant any such further relief as is just and equitable.

Respectfully submitted,

**Town of Nottingham,**

By its Counsel,

**UPTON & HATFIELD, LLP**

Date: September 10, 2020

/s/ Susan Aileen Lowry  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that on this day I forwarded a copy of the within document via the Court's electronic filing system to James L. Soucy, Esq., opposing counsel of record, and all other counsel of record.

/s/ Susan Aileen Lowry  
Susan Aileen Lowry