

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GRAFTON & UPTON RAILROAD)
COMPANY, JON DELLI PRISCOLI AND)
MICHAEL R. MILANOSKI, AS TRUSTEES)
OF ONE HUNDRED FORTY REALTY)
TRUST,)
 Plaintiffs,)
 v.)
TOWN OF HOPEDALE, THE HOPEDALE)
SELECT BOARD, BY AND THROUGH ITS)
MEMBERS, GLENDA HAZARD, BERNARD)
STOCK, AND BRIAN KEYES, AND THE)
HOPEDALE CONSERVATION)
COMMISSION BY AND THROUGH ITS)
MEMBERS, BECCA SOLOMON, MARCIA)
MATTHEWS, AND DAVID GUGLIELMI,)
 Defendants.)

Civil Action No. 4:22-cv-40080-MRG

**HOPEDALE’S REQUEST FOR LEAVE OF COURT TO FILE A REPLY
IN SUPPORT OF ITS MOTION FOR INDICATIVE RULING**

Pursuant to Local Rule 7.1(b)(3), the defendants, the Town of Hopedale *et al.* (“Hopedale”), hereby request leave of the Court to file the attached Reply Memorandum in Support of its Motion to Issue Indicative Ruling under Fed. R. Civ. P. 62.1 to Lift Stay and Dissolve Preliminary Injunction (the “Motion for Indicative Ruling,” Doc. No. 82). The Plaintiffs Grafton & Upton Railroad Company *et al.* (“GURR”) have not assented to this Request.

As grounds, Hopedale states that its proposed Reply addresses specific misinformation regarding the record made by GURR in its Opposition to the Motion for Indicative Ruling, Doc. No. 84. As explained in Hopedale’s proposed Reply, and contrary to GURR’s Opposition, GURR did in fact rely on a specific plan for its railroad development in seeking a preliminary

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system was sent electronically to counsel of record for all parties on this 13th day of September, 2023.

/s/ Sean Grammel

Sean Grammel