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	ALSO PRESENT: James J. Decoulos	

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1	PROCEEDINGS	
2	JOHN J. DECOULOS,	
3	having been satisfactorily identified by the	
4	production of his Massachusetts driver's license	
5	and duly sworn by the Notary Public, was examined	
6	and testified as follows:	
7	MS. ROBERTS: I would propose that we	
8	stipulate that all objections, except to the form	
9	of the question, and all motions to strike, be	
10	reserved until the time of trial.	
11	MR. DECOULOS: No, I will not stipulate	
12	to that.	
13	MS. ROBERTS: Okay. Then I would	
14	stipulate that -- propose that we stipulate that	
15	the deponent can review the transcript within 30	
16	days, and sign an errata sheet if he wants to make	
17	any corrections under the pains and penalties of	
18	perjury, rather than going and finding the Notary	
19	who's here today.	
20	MR. DECOULOS: That's okay, we'll	
21	stipulate to that.	
22	MS. ROBERTS: And I would propose that we	
23	stipulate that sealing, filing and certification	
24	of the transcript, to the extent that that is	

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1 most useful to you to refer to?

2 A. Both items.

3 Q. Okay.

4 MS. ROBERTS: Well, why don't we mark --

5 Q. Just to make sure we're both looking at the same

6 thing, could you take a look at that, and tell me

7 if that's the same plan that you're looking at?

8 A. Yes.

9 Q. There are all kinds of iterations of this. This

10 is --

11 A. That's okay. Only one has my stamp.

12 Q. Okay. So this was provided by your son to me, and

13 it was -- and the zip file it came in, it was

14 labeled final plan, Lot 178, 072208, and it does

15 bear your stamp.

16 MS. ROBERTS: So why don't we mark that

17 as Exhibit 3.

18 MR. DECOULOS: Could I make a suggestion,

19 and refer to the document book we have here, it's

20 Page 383.

21 MS. ROBERTS: Yes.

22 MR. DECOULOS: Thank you.

23 (Exhibit No. 3, plan, marked for

24 identification.)

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1 Q. Okay. Mr. Decoulos, so what was it that you did

2 out in the field on May 22nd, 2007?

3 A. We started up at the northerly end of Lot 243. We

4 found a stone wall.

5 Q. Okay. And when you talk -- and that stone wall

6 shows on your draft plan on the right-hand side?

7 A. It's almost at top center. See the stone walls?

8 Q. Okay.

9 A. Yes, right there.

10 Q. All right. So it's just left of center at the

11 top?

12 A. Right.

13 Q. That was the first thing you located?

14 A. Yes.

15 Q. Okay. And what was your basis for establishing

16 the location of that stone wall? What was the

17 purpose of that?

18 A. Well, it's a monument. And there aren't many

19 monuments out there.

20 Q. And is it referenced in anything?

21 A. Yes.

22 Q. What's it referenced in?

23 A. Lot -- the description of Lot 243.

24 Q. Okay. Then what did you do?

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1 A. And so we located -- we measured that wall and

2 proceeded along -- and we also located Zack's

3 Cliff Road, which shows as a dashed line adjacent

4 to the stone wall.

5 Q. And how did you locate that?

6 A. It was very evident on the ground.

7 Q. So you found that on the ground?

8 A. Right.

9 Q. Did you take measurements of it?

10 A. We measured the center line of it.

11 Q. And along what distance did you do that?

12 A. The length that we measured it?

13 Q. Yes.

14 (Pause.)

15 Q. Let me ask you this: Did you measure the entire

16 length, as shown on either Exhibit 2 or Exhibit 3,

17 or did you just do some part of that?

18 A. The entire length of it.

19 Q. And that should show up in your data collector?

20 A. Correct.

21 Q. Okay. And if I went out there today, in theory I

22 should be able to see the road?

23 A. Absolutely.

24 Q. Okay.

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1 A. Naturally it's not paved.

2 Q. Right.

3 A. But it's an old woods road.

4 Q. I actually walked it about ten years ago.

5 A. Do you remember the stone wall that I --

6 Q. I did not go up that far. All right. So then

7 after finding the stone wall and measuring Zack's

8 Cliff Road, what else did you do?

9 A. Then we located some concrete bounds. I believe

10 they're on the Fruchtman's property, which I

11 understand now that lot has -- that property has

12 been sold.

13 Q. Does that appear on either Exhibits 2 or 3?

14 A. No.

15 Q. Okay. And was that for purposes of this Lot 178

16 project, or was that for purposes of the Lot 232

17 project?

18 A. Well, it ties the whole thing together.

19 Q. How's that?

20 A. Because there are very few monuments out there,

21 and whatever monuments we found, we tried

22 to -- using the old deeds, tried to

23 resolve -- tried to locate the property in

24 relation to the monuments.