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August 31, 2010

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BY ELECTRONIC AND FIRST CLASS MAIL

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Counselors at Law

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Sessions Clerk
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Re: Maria A. Kitras, et al. v. Town of Aquinnah, et al.
Misc. Case No. 238738, TROMBLY, J

Dear Ms. Misset:

Defendants Martha's Vineyard Land Bank, Town of Aquinnah, Caroline B. Kennedy and Edwin Schlossberg, David Wice and Betsy Wice, Commonwealth of Massachusetts and Vineyard Conservation Society Inc. hereby respectfully ask for a status conference in the above captioned action; a formal request for docketing is enclosed herewith. Defendants Gossamer Wing Realty Trust and Barons Land Trust have marked a Motion to Correct, Amend or Modify the Order & Judgment of Judge Trombly Dated August 12, 2010 for September 8, 2010 at 11:00am. We would ask that the status conference be held at the same time.

Sincerely,

Diane C. Tillotson
Diane C. Tillotson

Joan Garrity Flynn
Cornelia R. Tenney
Marcia M. Governale
Sarah M. Waelchli
Shana E. Maldonado

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Casimir de Rham, Jr.
Of Counsel

DCT/mac
enclosure

cc: Service list

COMMONWEALTH OF MASSACHUSETTS

DUKES, ss

LAND COURT DEPARTMENT
MISC. CASE NO. 238738,
TROMBLY, J

MARIA A. KITRAS, AS SHE IS THE
TRUSTEE OF BEAR REALTY TRUST,
ET AL,

Plaintiffs

v.

TOWN of AQUINNAH, ET AL,

Defendants

REQUEST FOR STATUS CONFERENCE

Now come defendants Martha's Vineyard Land Bank, Town of Aquinnah, Caroline B. Kennedy and Edwin Schlossberg, David Wice and Betsy Wice and Vineyard Conservation Society, Inc. ("the defendants") and request a status conference in the above captioned action. As grounds for this request defendants state as follows:

1. The court issued a decision and judgment in the above captioned action on August 12, 2010 which judgment purported to be a final judgment on all issues.
2. On August 23, 2010 defendants Gossamer Wing Realty Trust and Baron Land Trust (together "the Trusts") submitted a Motion to Correct, Amend or Modify the Order & Judgment of Judge Trombly Dated August 12, 2010 and marked said motion for hearing for September 8, 2010 at 11:00am.
3. Although the defendants maintain that most of the assignments of error made in the Trusts motion are without merit, certain isolated issues, notably plaintiffs' claim for prescriptive rights, were not part of the case submitted to the court and may have been inadvertently included in the court's judgment.

The defendants would accordingly ask that the court utilize the day and time marked for hearing on the Trusts' motion for a status conference to determine whether there are remaining issues for adjudication and, if so, to schedule a prompt trial on any remaining issue or issues.

Respectfully submitted,

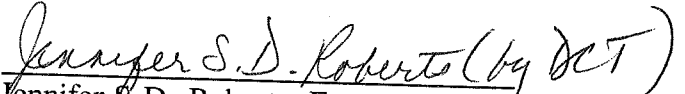
MARTHA'S VINEYARD LAND
BANK

VINEYARD CONSERVATION
SOCIETY, INC.

By its Attorneys,

By its Attorney,





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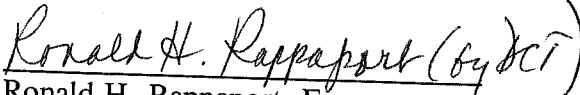
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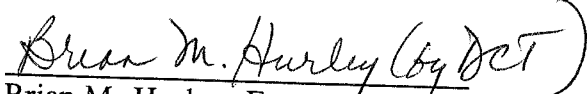
TOWN OF AQUINNAH

CAROLINE B. KENNEDY AND
EDWIN SCHLOSSBERG

By its Attorney,

By its Attorney,





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DAVID WICE AND BETSY WICE

By their Attorney,

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Dated: August 31, 2010

*I hereby certify under pains and penalties of
perjury that this document was served upon
counsel for all parties in this case on*

8/31/10

by hand/by mail

Ronald C. Silbstein