

STATE OF VERMONT

SUPERIOR COURT

ENVIRONMENTAL DIVISION  
Docket No. 33-2-19 Vtec

Ninety-Three South Main, LLC CU

**ENTRY REGARDING MOTION**

Count 1, Municipal ZBA Conditional Use (33-2-19 Vtec)

Title: Motion to Amend Scheduling Order (Motion 2)  
Filer: Cynthia Monroe  
Attorney:  
Filed Date: September 25, 2019

Response filed on 09/25/2019 by Attorney Nathan H. Stearns for Appellee Twin Pines Housing Trust

**The motion is DENIED.**

Appellants Cynthia Monroe and Catherine Melocik seek an amendment to the pre-trial scheduling order in this matter. They ask for additional time to complete discovery prior to mediation, to allow for motion practice, and to potentially retain legal representation.

The parties participated in an August 19, 2019 status conference with the Court. Based upon the parties representations, the Court ordered the parties to participate in Mediation by October 11, 2019. Mediation is scheduled for October 2, 2019.

Appellants have not provided a reason amounting to "good cause" to alter the mediation deadline; nor have Appellants presented sufficient justification to amend the deadline to prevent manifest injustice. See V.R.C.P. 16.2. Accordingly, the Mediation deadline of October 11 remains unmodified. The Court will schedule a status conference subsequent to October 11 to address any remaining issues with the pre-trial schedule.

So ordered.

Electronically signed on September 26, 2019 at 10:26 AM pursuant to V.R.E.F. 7(d).



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Thomas G. Walsh, Judge  
Superior Court, Environmental Division

Notifications:

Appellant Cynthia Monroe

Appellant Catherine Melocik

William F. Ellis (ERN 3412), Attorney for Interested Person Town of Hartford

Nathan H. Stearns (ERN 3585), Attorney for Appellee Twin Pines Housing Trust

Mediator Alexander J. LaRosa