

references by Mr. Rapacz to his "Simple Aggregate Loading Model", including those references in his affidavit in support of CLF's motion for summary judgment. Mr. Rapacz is also hereby restricted from making any reference to his Simple Aggregate Loading Model, should he be called upon to testify in any subsequent proceeding in this appeal. In this regard, ANR's and the Water Panel's motions in limine are hereby GRANTED.

Thomas S. Durkin, Judge
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June 25, 2009

Date

Date copies sent: _____

Clerk's Initials _____

Copies sent to:

- Attorneys Anthony L. Iarrapino and John L. Davenport for Appellant
Conservation Law Foundation
- Attorneys Warren T. Coleman and Michael Steeves for Appellee Vermont Agency
of Natural Resources
- Attorney Mark L. Lucas for Vermont Natural Resources Board/Water Resources
Panel
- Attorney Steven F. Stitzel for Appellee City of Montpelier