

STATE OF VERMONT

SUPERIOR COURT

ENVIRONMENTAL DIVISION
Docket No. 129-11-15 Vtec

Stanion NOV

ENTRY REGARDING MOTION

Count 1, Municipal DRB Appeal from ZA OTR (129-11-15 Vtec)

Title: Motion to Withdraw as Attorney (Motion 1)
Filer: Leesa Stanion
Attorney: Joseph F. Cahill
Filed Date: July 11, 2016

No response filed

The motion is GRANTED.

Title: Motion to Stay Agreed (Motion 2)
Filer: Leesa Stanion
Attorney: Joseph F. Cahill
Filed Date: July 11, 2016

No response filed

The motion is GRANTED.

Appellants Leesa Stanion, Ian Stanion, and Elle Stanion appealed a decision by the zoning administrator for the Town of Montgomery, Vermont (Town) that a fence on their property violated certain provisions of the Town Zoning By-Laws (Bylaws), including height and setback restrictions. The Town Development Review Board (DRB) affirmed the zoning administrator's decision in an on-the-record hearing. Appellants, represented by the firm of Cahill, Gawne, Miller & Manahan (the Firm), appeal that decision to this Court.

Pending before the Court is the Firm's motion to stay proceedings in this appeal and to withdraw as attorneys for Appellants in this matter. The Firm represents that Appellant Elle Stanion is unavailable due to significant medical issues as she is being treated in a hospital in Boston, and that the Stanion family has been unable to communicate about the present appeal with the Firm. The Stanion family requests that the Firm stop representing them. The Firm also represents that the Town agrees to a stay in this proceeding until the Stanion family can focus on the matter.

The Court **GRANTS** the Stanions' motion to stay proceedings while Appellant Elle Stanion is ill. The Court **ORDERS** the Town to file quarterly updates on the status of the Stanion Family's availability with the Court. The Court **GRANTS** the Firm's motion to withdraw as

attorneys for the Appellants. The Court **ORDERS** that Attorney Cahill file with the Court, and serve on Attorney Merriman, contact information for the Stanions.

So ordered.

Electronically signed on July 12, 2016 at 11:20 AM pursuant to V.R.E.F. 7(d).

A handwritten signature in black ink that reads "Tom Walsh". The signature is written in a cursive style with a large, looping "W" and "S".

Thomas G. Walsh, Judge
Superior Court, Environmental Division

Notifications:

Joseph F. Cahill (ERN 1898), Attorney for Appellant Leesa Stanion

Joseph F. Cahill (ERN 1898), Attorney for Appellant Ian Stanion

Joseph F. Cahill (ERN 1898), Attorney for Appellant Elle Stanion

Charles L. Merriman (ERN 3809), Attorney for Interested Person Town of Montgomery