

STATE OF MAINE  
SAGADAHOC, ss.

BUSINESS & CONSUMER DOCKET  
CIVIL ACTION  
Docket No. BCD-WB-AP-09-31

PIKE INDUSTRIES INC.,

Plaintiff,

v.

ORDER ON MOTION TO AMEND STAY

CITY OF WESTBROOK, et al.,

Defendants.

After review of Plaintiff's Motion To Amend Order On Plaintiff's Motion For Stay and the submissions and arguments of the parties and the intervenors, Plaintiff's Motion to Amend is hereby DENIED.

Whether Plaintiff's motion is in actuality a motion for reconsideration pursuant to M.R. Civ. P. 7(b)(5) or 59(e), as Defendants and Intervenors variously contend, or is "more akin to a request that the Court modify, or amend, the stay it has already granted" pursuant to an "extension" of the court's discretionary authority under M.R. Civ. P. 80C(b), as Plaintiff explains, the court concludes that the stay, as ordered, "was [and remains] upon such terms as [the court] deems proper" and that an amendment or modification is not warranted.

Pursuant to M.R. Civ. P. 79(a), the Clerk is directed to enter this Order On Motion to Amend Stay on the Civil Docket by a notation incorporating it by reference.

Dated: December 16, 2009

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s/Thomas E. Humphrey  
Chief Justice, Superior Court