

**STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**  
**NEW HAMPSHIRE WETLANDS COUNCIL**

Wetlands Council Docket # 05-04 WtC

In Re: Appeal of Philip and Georgette Smith

**RECEIVED**

**MAY 21 2007**

**ASSENTED-TO MOTION TO STAY**

NOW COMES the New Hampshire Department of Environmental Services ("Department"), by and through its attorney, James L. Soucy, and files the following Assented-To Motion, stating as follows:

1. Philip and Georgette Smith, the Department, and Lawrence and Susan Levine (collectively, "Parties") have reached a settlement in principle.
2. The Parties request that they be given thirty (30) days, without convening or holding the May 22, 2007 hearing, to conclude settlement discussions and execute the settlement document(s).

WHEREFORE, the Parties respectfully request that the Wetlands Council:

- A. Stay this matter for thirty (30) days; and
- B. Grant the foregoing Assented-To Motion.

Respectfully Submitted,

Dated: May 21, 2007

**COPY**  
*James L. Soucy, Esq.*  
James L. Soucy, Esquire  
Legal Unit  
Department of Environmental Services  
P.O. Box 95  
Concord, NH 03302-0095  
(603) 271-2464

*Granted 5/21/07*  
**COPY**  
*Appeals Clerk  
to Wetlands Council*

Env-Wt 205.01 CERTIFICATE OF COMPLIANCE:

I, hereby, certify that I have contacted and obtained the concurrence of Michael D. Ramsdell, Esq. and Biron L. Bedard, Esq. to the relief requested in the foregoing Assented-To Motion To Stay.

Dated: May 21, 2007

*James L. Seacy, Esq.*  
James L. Seacy, Esquire  
**COPY**

CERTIFICATE OF SERVICE:

I, hereby, certify that I have, this day, forwarded, via US Mail, a copy of the foregoing Assented-To Motion To Stay to Michael D. Ramsdell, Esq., Biron L. Bedard, Esq., Thomas S. Burack, Esq., Commissioner of the Department, Harry T. Stewart, P.E., Director of the Water Division, and Richard W. Head, Esq., NH DOJ, Environmental Protection Bureau.

Dated: May 21, 2007

*James L. Seacy, Esq.*  
James L. Seacy, Esquire  
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