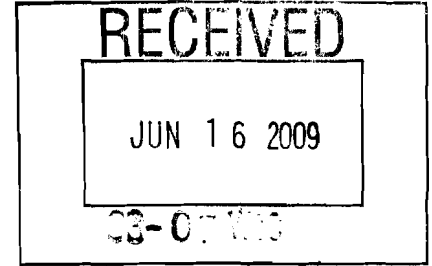


STATE OF NEW HAMPSHIRE
WETLANDS COUNCIL

Joseph and Rose Marino
NHDES Docket No. 08-07-Wtc



MOTION TO WITHDRAW APPEAL

NOW COMES Joseph and Rose Marino ("the Marinos"), by and through their attorneys, McLane, Graf, Raulerson and Middleton P.A., and move to withdraw their appeal based on the resolution of the issues presented therein by a settlement agreement to be embodied in a judicial Consent Decree,

WHEREFORE, in reliance on the settlement agreement, the Marinos respectfully request that the appeal be marked, "withdrawn."

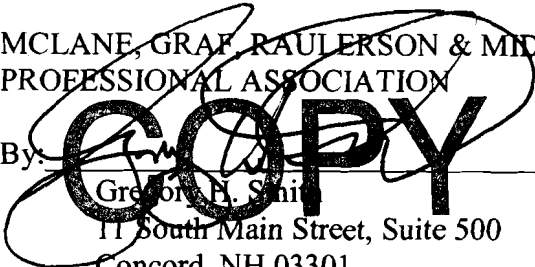
Respectfully submitted,

Joseph and Rose Marino

By Its Attorneys,

MCLANE, GRAF, RAULERSON & MIDDLETON,
PROFESSIONAL ASSOCIATION

By:


Gregory F. Smith
11 South Main Street, Suite 500
Concord, NH 03301
603-226-0400

Certificate of Service

I hereby certify that on June 16, 2009, I served the foregoing Motion by mailing a copy via first class mail to K. Allen Brooks, Esq., Assistant Attorney General, Environmental Protection Bureau, 33 Capitol Street, Concord, N.H. 03301.


Gregory F. Smith