

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, S.C.

SUPERIOR COURT

(FILED: AUGUST 17, 2011)

SMITHFIELD ESTATES, LLC :

v. :

C.A. No. PC-2003-4157

THE HEIRS OF JOHN M. :
HATHAWAY; JOHN J. RILEY; :
ESTATE OF JOHN J. RILEY; :
EUGENE F. RILEY; ESTATE OF :
EUGENE F. RILEY; JUDSON DAVIS; :
GRACE BOARDMAN; LEWIS T. :
GARDNER; MARY A. WHITTAKER; :
ESTATE OF MARY A. WHITTAKER; :
MARY MACAULEY; ESTATE OF :
MARY MACAULEY; SARAH A. :
GARFIELD; ESTATE OF SARAH A. :
GARFIELD; CHARLES H. RUSSELL; :
FRANKLIN M. RUSSELL; CHARLES :
H. SHIPPEE; ESTATE OF CHARLES :
H. SHIPPEE; JAMES B. CANNING; :
ESTATE OF JAMES B. CANNING; :
MARY A. MCGIN a/k/a MARY A. :
MCGINN; ESTATE OF MARY A. :
MCGIN a/k/a MARY A. MCGINN; :
CATHERINE F. MCGIN; ESTATE OF :
CATHERINE F. MCGIN; FRED M. :
SWARTS; ESTATE OF FRED M. :
SWARTS; CATHERINE BRESLIN; :
ESTATE OF CATHERINE BRESLIN; :
THOMAS ADAMS; ESTATE OF :
THOMAS ADAMS; MABLE A. :
ADAMS; ESTATE OF MABLE A. :
ADAMS; WILLIAM BISHOP; ESTATE :
OF MILLIE BISHOP; EDITH H. :
RICHARDSON; THOMAS H. :
PHILLIPS; ESTATE OF THOMAS H. :
PHILLIPS; ROSE PHILLIPS; ESTATE :
OF ROSE PHILLIPS; DEBORAH :
NORTH; ESTATE OF DEBORAH :
NORTH; CHRISTINA HEAP; :

HAROLD HEAP; TOM HEAP; FRED P. :
HEAP; ADA HEWITT; THOMAS S. :
HEAP; EUGENE CORCORAN; :
ESTATE OF EUGENE CORCORAN; :
MARIA CORCORAN; ESTATE OF :
MARIA CORCORAN; EDWARD :
KANE; EDWARD P. KANE, JR.; :
MARGARET M. KANE; GEORGIA :
PENTA; EVELYN DEL DONNO; :
GEORGE A. MOORE; ESTATE OF :
GEORGE A. MOORE; GEORGE H. :
MOORE; ESTATE OF GEORGE H. :
MOORE; ESTER MOORE; ESTATE :
OF ESTER MOORE; MARGARETTE :
MARA; ESTATE OF MARGARETTE :
MARA; ALPHONSE MALO; ESTATE :
OF ALPHONSE MALO; MARTIN :
LYONS AND WIFE; ESTATE OF :
MARTIN LYONS AND WIFE; DANIEL :
HOOD; CHRISTINA LIVINGSTON; :
THOMAS HINDLE AND WIFE; :
GEORGE HINDLE; THOMAS :
HINDLE; FANNY W. HINDLE; FRANK :
ROBARGE; ESTATE OF FRANK :
ROBARGE; JAMES RILEY; ESTATE :
OF JAMES RILEY; CHARLES :
LOCKWOOD AND WIFE; DOMENIC :
D'AMBRA; MARJORIE V. :
LOCKWOOD; JULIA J. LOCKWOOD; :
MARY A. GILLAN; ESTATE OF MARY :
A. GILLAN; E. HAVERLY; ESTATE :
OF E. HAVERLY; ANNIE SMYTHE; :
ESTATE OF ANNIE SMYTHE; MARY :
COLEMAN; ESTATE OF MARY :
COLEMAN; EUGENE CORCORAN; :
ESTATE OF EUGENE CORCORAN; :
MARIA CORCORAN; ESTATE OF :
MARIA CORCORAN; EDWARD :
KANE; EDWARD P. KANE, JR.; :
MARGARET M. KANE; JOSEPH :
FONT; ESTATE OF JOSEPH FONT; :
PATRICK KELLY; CATHERINE :
KELLY; ANN AGNEW; ESTATE OF :
ANN AGNEW; W.F. GRAHAM; :
ESTATE OF W.F. GRAHAM; :
MARGARET J. BRINDLE; ESTATE OF :

MARGARET J. BRINDLE; MARY A. :
MCGOUGH; ESTATE OF MARY A. :
MCGOUGH; THOMAS S. LANE; :
MARGARET T. MCGOUGH; ROBERT :
E. FITZGERALD; ESTATE OF :
ROBERT E. FITZGERALD; WILLIAM :
H. ROSE; ESTATE OF WILLIAM H. :
ROSE; HENRY BASIALEWICK; :
ESTATE OF HENRY BASIALEWICK; :
JAMES RILEY; ESTATE OF JAMES :
RILEY; WILLIAM E. KILROY; MARY :
A. KILROY; ANNA E. CULLION; :
LETITIA A. LEACH; EUGENIA M. :
WATSON; EDWIN F. LEACH; :
LETITIA A. BEARS; EUGENIA M. :
WATSON; ESTATE OF EUGENIA M. :
WATSON; ANN CASH; SAMUEL L. :
CASH; FANNI L. QUINSBY; ALICE C. :
RHIND; JOHN B. ADAMS; ESTATE OF:
JOHN B. ADAMS; SARAH ADAMS; :
ESTATE OF SARAH ADAMS; :
ARTHUR B. MULLEN; ESTATE OF :
ARTHUR B. MULLEN; JOSEPHINE :
MULLEN; ESTATE OF JOSEPHINE :
MULLEN; CHARLES W. FRASER; :
ESTATE OF CHARLES W. FRASER; :
PHILIP B. BANSH; ESTATE OF :
PHILIP B. BANSH; ISABELLA :
LANCASTER; ESTATE OF ISABELLA :
LANCASTER; BRIDGET HEANEY; :
ESTATE OF BRIDGET HEANEY; :
ELLEN M. COLLINS; ESTATE OF :
ELLEN M. COLLINS; MARY L. :
LONGWILL; ESTATE OF MARY L. :
LONGWILL; ANNIE A. RIELLY; :
ESTATE OF ANNIE A. RIELLY a/k/a :
ANNIE A. O'RIELLY; PATRICK :
MCKENNA; ESTATE OF PATRICK :
MCKENNA; HENRY S. BRIGGS AND :
WIFE; WALTER E. BARKER; ANNA E.:
MARION; EMILY L. REINNAGEL; :
CORNELIUS FRIEL; ESTATE OF :
CORNELIUS FRIEL; ELIZABETH :
JOHNSON; ESTATE OF ELIZABETH :
JOHNSON; GEORGE PERL BUCKLIN :
AND WIFE; ESTATE OF WIFE OF :

GEORGE PERL BUCKLIN; DOMENIC :
D'AMBRA; MARY E. SHIPPEE; :
ESTATE OF MARY E. SHIPPEE; :
PATRICK MCGUINNESS; ESTATE OF :
PATRICK MCGUINNESS; CHARLES :
MARKOFF; CHARLOTTE MARKOFF; :
SAMUEL A. MARKOFF; RUTH :
MARKOFF; MICHAEL RODGERS :
AND WIFE, ANNIE; ESTATE OF :
ANNIE RODGERS; JOHN J. :
RODGERS; MARY T. O'NEIL; :
ESTATE OF MARY T. O'NEIL; MARY :
O'NEIL; PETER REILLY; ESTATE OF :
PETER REILLY; BRIDGET REILLY; :
ESTATE OF BRIDGET REILLY; :
MARY A. O'BRIAN; ESTATE OF :
MARY A. O'BRIAN; LILLIE CLANCY; :
ESTATE OF LILLY CLANCY; JULIUS :
HERMAN OTTO; EMMA ZEUNER; :
ANNA ASHCROFT; BERTHA OTTO; :
HERMAN OTTO; GEORGE OTTO; :
GERTRUDE OTTO; ANNIE HANLEY; :
ESTATE OF ANNIE HANLEY; ANNIE :
M. HANLEY; ANNIE A. HANLEY; :
SARAH A. RADICAN; ESTATE OF :
SARAH A. RADICAN; JAMES H. :
BROGAN; ESTATE OF JAMES H. :
BROGAN; DAVID CARTWRIGHT; :
ESTATE OF DAVID CARTWRIGHT; :
ANNIE SHAY; MADELINE V. :
GORMAN; CHARLES R. BOUTELLE; :
ESTATE OF CHARLES R. BOUTELLE; :
ISABELLA A. STEVENS; ESTATE OF :
ISABELLA A. STEVENS; JAMES :
EGLINTON AND WIFE; ESTATE OF :
WIFE OF JAMES EGLINTON; OLIVE :
H. EGLINTON; IRENE M. STANDISH; :
ESTATE OF IRENE M. STANDISH; :
MARY A. COLLINS; ESTATE OF :
MARY A. COLLINS; BENJAMIN S. :
TERRY; ESTATE OF BENJAMIN S. :
TERRY; JULIA MORADIAN; ESTATE :
OF JULIA MORADIAN; CATHERINE :
CRONIN; ESTATE OF CATHERINE :
CRONIN; MARIE A. O'CONNELL; :
ESTATE OF MARIE A. O'CONNELL; :

MARY J. BURKE; ESTATE OF MARY :
 J. BURKE; ELLA A. BURKE; ESTATE :
 OF ELLA A. BURKE; ANNA BEAGAN; :
 ESTATE OF ANNA BEAGAN; MAY S. :
 KEMP; ESTATE OF MAY S. KEMP :
 a/k/a MARY S. KEMP; KATE :
 HAROLD; ESTATE OF KATE :
 HAROLD; ALBINE P. SONTAG; :
 ESTATE OF ALBINE P. SONTAG; :
 JOHN STEWART; ESTATE OF JOHN :
 STEWART; JULIA M. SANDERS; :
 ESTATE OF JULIA M. SANDERS; :
 HENRY HARDY; ESTATE OF HENRY :
 HARDY; THOMAS STONES; :
 CHARLES STONES; ROSE HOBSON; :
 SARAH ENGLEHART; JULIA :
 RABBITT; ELIZABETH RUDDY; :
 AGNES HEART; THOMAS RABBITT; :
 EDWARD RABBITT; SARAH A. :
 JACKSON; ESTATE OF SARAH A. :
 JACKSON; KATE HAROLD; ESTATE :
 OF KATE HAROLD; GEORGE A. :
 KIMBARK; GENIE G. KIMBARK; S.A. :
 GREENE; JOHN BOWEN; ESTATE OF :
 JOHN BOWEN; MINNIE BISHOP; :
 ESTATE OF MINNIE BISHOP; NAOMI :
 HUGHES; ESTATE OF NAOMI :
 HUGHES; MARY E. DOYLE; :
 MARGARET T. DAILY; WILLIAM B. :
 CRAM; ESTATE OF WILLIAM B. :
 CRAM; MARY A. MELODY; :
 CATHERINE MCELROY; ELLA :
 TRACY; ESTATE OF ELLA TRACY; :
 MARY CASSIDY; ESTATE OF MARY :
 CASSIDY; ANNIE CALVERT; ESTATE :
 OF ANNIE CALVERT; JOHN :
 WINTHROP; ANNIE WINTHROP; :
 CHARLOTTE M. MCCORMACK f/k/a :
 CHARLOTTE WINTHROP; FRANK :
 WINTHROP; ANNIE BISHOP; JOHN :
 BISHOP; CATHERINE CRONIN; :
 ESTATE OF CATHERINE CRONIN; :
 ERNEST PURSHE; ESTATE OF :
 ERNEST PURSHE; WILLIAM :
 GLENNON; ESTATE OF WILLIAM :
 GLENNON; ANTONIO MONCONE; :

ESTATE OF ANTONIO MONCONE; :
 MARGARET CONNERTON; ESTATE :
 OF MARGARET CONNERTON; :
 ZYLPHA PHELPS; ESTATE OF :
 ZYLPHA PHELPS; MARGARET :
 CHENY; ESTATE OF MARGARET :
 CHENY; ALBINE P. CONSTAG; :
 ESTATE OF ALBINE P. CONSTAG; :
 AXEL A. LAWS; ESTATE OF AXEL A. :
 LAWS; WILLIAM G. GRUBE; ESTATE :
 OF WILLIAM G. GRUBE; NELLIE B. :
 COMER; ESTATE OF NELLIE B. :
 COMER; NORA KURRAN; ESTATE :
 OF NORA KURRAN; EDWARD T. :
 MCSOLEY; ESTATE OF EDWARD T. :
 MCSOLEY; THOMAS MCKENNA; :
 MARION MCCAUGHEY; EVELYN :
 PATTERSON; KATHLEEN REISS; :
 JOHN J. MCKENNA; THOMAS F. :
 MCKENNA; FRANK LOVE; ESTATE :
 OF FRANK LOVE; FRANK ROONEY; :
 ESTATE OF FRANK ROONEY; :
 HELEN E. ANDREWS; ESTATE OF :
 HELEN E. ANDREWS; ANNIE :
 MCHUGH; MARY F. TALBY; :
 MARGARET E. AYONS; HELEN I. :
 ALDRICH; ANNA M. MCHUGH; :
 PETER J. MCHUGH; ANNIE :
 MCHUGH, ALIAS ANN MCHUGH; :
 MARY F. TALBY; MARGARET E. :
 AYONS; HELEN I. ALDRICH; ANNA :
 M. MCHUGH; PETER J. MCHUGH; :
 MARY B. HIGGINS; ESTATE OF :
 MARY B. HIGGINS; MARGARET V. :
 MURPHY; ESTATE OF MARGARET :
 V. MURPHY; AMELIA BRINDLE; :
 ESTATE OF AMELIA BRINDLE; :
 MARY JUDGE; ESTATE OF ELLEN G. :
 HENNESSY; ELLEN G. HENNESSY; :
 JAMES WOLSTENHOLME; ESTATE :
 OF JAMES WOLSTENHOLME; :
 JAMES WOLSTENHOLME; JAMES :
 CLAXTON WOLSTENHOLME; :
 SARAH PETTINE; ESTATE OF :
 SARAH PETTINE; PETER :
 TRUMPLER; PATRICIA LETT; :

MARY M. SIMMONS; MARY M. :
 GAYLORD; ELLA TRUMPLER; :
 WILLIAM COURT; ESTATE OF :
 WILLIAM COURT; THOMAS :
 REYNOLDS; ESTATE OF THOMAS :
 REYNOLDS; ALMIRA M. HALL; :
 JOHN HOLMES; FRED L. BALCOM; :
 ESTATE OF MARY ELIZABETH :
 MCCARTHY; MARY MCCARTHY; :
 PATRICK A. MORGAN; MARGARET :
 M. MORGAN; JOSEPH F. CURRIER; :
 ESTATE OF JOSEPH F. CURRIER; :
 PATRICK D. LOUTH; THOMAS :
 LOUTH; CHARLES H. BRIGGS; :
 ESTATE OF CHARLES H. BRIGGS; :
 WILLIAM JOHNSON; ESTATE OF :
 WILLIAM JOHNSON; ELLEN T. :
 SHANLEY; ESTATE OF ELLEN T. :
 SHANLEY; MICHAEL J. SALMON :
 AND WIFE; ESTATE OF MICHAEL J. :
 SALMON; ESTATE OF WIFE OF :
 MICHAEL J. SALMON; MARTIN :
 MURTAUGH; ESTATE OF MARTIN :
 MURTAUGH; MARY MURTAUGH; :
 ESTATE OF MARY MURTAUGH; :
 ALICE CRONIN; ESTATE OF ALICE :
 CRONIN; MAURO DALARINO; :
 ESTATE OF MAURO DALARINO; :
 NATHAN BROWN; ESTATE OF :
 NATHAN BROWN; MARY :
 WATERMAN; ELISA ALDEN :
 WATERMAN; EVELINA F. :
 WATERMAN SMITH; JOSIAH :
 HARRIS WATERMAN; FRANK :
 ATWOOD WATERMAN; PHOBEY :
 KNIGHT; HENRY KNIGHT; MARY :
 KNIGHT BOWEN; C. E. SILVA; AMIL :
 M. O'NEILL; FRANK O'NEILL; :
 GEORGE KNIGHT; PATRICK HAYES; :
 MARY HAYES; ESTATE OF MARY :
 HAYES; ERNESTINE M. SCHWAB; :
 AUGUSTA C. A. MEYER; ESTHER H. :
 FINNERAN; MARY B. HIGGINS; :
 ESTATE OF MARY B. HIGGINS; :
 VICTORIA AVERY; ESTATE OF :
 VICTORIA AVERY; THOMAS E. :

CARTER; ESTATE OF THOMAS E. :
CARTER; MARY A. LARKIN; ESTATE:
OF MARY A. LARKIN; JOHN J. RICH; :
SISTER MARY J. DOLORITA a/k/a :
JENNIE C. RICH; MARY T. RICH; :
AGNES C. RICH; ALMA M. RICH; :
CATHERINE G. RICH; IRENE M. :
STANDISH; ESTATE OF IRENE M. :
STANDISH; MARY JUDGE; ESTATE :
OF ELLEN G. HENNESSY; VICTORIA :
AVERY; ESTATE OF VICTORIA :
AVERY; JAMES H. MADDEN; :
ESTATE OF JAMES H. MADDEN; :
ANNIE CALVERT; ESTATE OF ANNIE:
CALVERT; CHARLES HOWE; :
FRANCES BERTHA HOWE; ARTHUR :
FREDERICK HOWE; JOSEPH :
PETTINE; ESTATE OF JOSEPH :
PETTINE; JOHN H. VALLETTE; :
ESTATE OF JOHN H. VALLETTE; :
ROBERT STEWART; ESTATE OF :
ROBERT STEWART; AGNES :
STEWART; ESTATE OF AGNES :
STEWART; AGNES GIFFEN :
STEWART; ALMIRA M. HALL; JOHN :
HOLMES; JOHN INDELKOT; ESTATE:
OF JOHN INDELKOT; THOMAS J. :
NORMAN; ESTATE OF THOMAS J. :
NORMAN; WILLIAM H. :
LE LACHEUR; CHARLES H. :
LE LACHEUR; PAUL LE LACHEUR; :
ESTATE OF HARRIET LE LACHEUR; :
PAUL A. LE LACHEUR; PAUL P. LE :
LACHEUR; JAMES P. LOFTUS; :
ESTATE OF JAMES P. LOFTUS; :
MARY E. LOFTUS; ESTATE OF MARY:
E. LOFTUS; MARY SHANNON; :
ESTATE OF MARY SHANNON; JOHN :
SHANNON; ESTATE OF JOHN :
SHANNON; JOHN A. SHANNON; :
MARY B. HIGGINS; ESTATE OF :
MARY B. HIGGINS; GIUSEPPE :
PAONE; ESTATE OF GIUSEPPE :
PAONE; CORA L. CANNON; ESTATE :
OF CORA L. CANNON; MARY A. :
CANNON; ROBERT S. ROBERTSON; :

**SOPHIA ROBERTSON; KATHERINE :
MCCARTHY; ESTATE OF :
KATHERINE MCCARTHY; :
KATHERINE T. MCCARTHY; :
KATHERINE MARY MCCARTHY; :
C. G. CAMBIO; FRANK C. CAMBIO; :
WILLIAM A. CAMBIO; EDWARD P. :
CAMBIO; ADOLF A. CAMBIO; :
EVELYN OAKLEY, JR.; MARIA B. :
O'BRIEN, ESTATE OF MARIA B. :
O'BRIEN; WILLIAM FUERTH; HELEN :
FUERTH; CAROLINE FUERTH; DORA :
FUERTH; HELEN FUERTH HEDISON; :
ERNEST FUERTH; ELIZABETH :
KELLEY; ESTATE OF ELIZABETH :
KELLEY; THOMAS J. NORMAN; :
ESTATE OF THOMAS J. NORMAN; :
MARGUERITE BROWN; ESTATE OF :
MARGUERITE BROWN a/k/a :
MARGUERETE BROWN; DANIEL S. :
BUSHEE; ESTATE OF MARY L. :
BUSHEE; ERASTUS D. NILES; :
ESTATE OF ERASTUS D. NILES; :
JENNIE CRAMER; ESTATE OF :
JENNIE CRAMER; HENNIRETTA :
SIEGEL; ESTATE OF HENNRIETTA :
SIEGAL a/k/a HENNIRETTA SIEGEL; :
JOS. E. SCANLON; ESTATE OF JOS. :
E. SCANLON; TERASA SCANLON; :
ESTATE OF TERASA SCANLON; :
HANNAH E. BOLAN; ESTATE OF :
HANNAH E. BOLAN; RHEY T. :
SNODGRASS; ESTATE OF RHEY T. :
SNODGRASS; JOSEPH MANION; :
ESTATE OF JOSEPH MANION; JOHN :
CROFT; SARAH M. LUND; JOHN T. :
CROFT; CLARA I. CROFT; MILDRED :
R. CROFT; MARTIN F. FARRELL, JR.; :
ESTATE OF MARTIN F. FARRELL, :
JR.; DEBORAH L. GIFFORD; ESTATE :
OF LYSANDER C. GIFFORD; :
GEORGE A. SPINK; LUCIE A. SPINK; :
WILLIAM F. MCCARTNEY; ESTATE :
OF WILLIAM F. MCCARTNEY; :
WILLIAM MERRITT; ESTATE OF :
WILLIAM MERRITT; JOHN J. :**

BURCH; WILLIAM W. BURCH; :
 EMMA L. COOK; ESTHER A. :
 MADDOX; ALBERT LINDGREN; :
 ESTATE OF ALBERT LINDGREN; :
 FANNIE E. WHITE; ESTATE OF :
 FANNIE E. WHITE; MARY A. HOYE; :
 ESTATE OF MARY A. HOYE; :
 ROBERT R. RAWLINSON AND WIFE; :
 ESTATE OF ROBERT R. :
 RAWLINSON; ESTATE OF WIFE OF :
 ROBERT R. RAWLINSON; HANNAH :
 E. BOLAN; ESTATE OF HANNAH E. :
 BOLAN; THOMAS A. DILLON; :
 ESTATE OF THOMAS A. DILLON; :
 SAMUEL H. TOBIN; ESTATE OF :
 SAMUEL H. TOBIN; MYER COHEN; :
 ESTATE OF MYER COHEN; ESTER :
 COHEN; ESTATE OF ESTER COHEN; :
 JOSEPH H. REYNOLDS; ESTATE OF :
 JOSEPH H. REYNOLDS; JAMES :
 DANIELS; ESTATE OF JOHN F. :
 DANIELS; ESTATE OF :
 CHRISTOPHER W. DANIELS; :
 ESTATE OF EVELYN N. DANIELS; :
 MARY E. DANIELS; WALTER E. :
 DANIELS; CATHERINE DANIELS; :
 JOHN W. MOORE; ESTATE OF :
 JOHN W. MOORE; FERDINAND :
 TANZER; ESTATE OF DORA :
 FUERTH; CAROLINE FUERTH; :
 ELEANOR P. CARTWRIGHT; ESTATE :
 OF ELEANOR P. CARTWRIGHT; :
 MAURICE GELUSHA; ESTATE OF :
 MAURICE GELUSHA; MAX :
 GELUSHA; ESTATE OF MAX :
 GELUSHA; JOHN G. C. GAUTIEN; :
 ESTATE OF JOHN G. C. GAUTIEN; :
 LUCY A. BOWEN; ESTATE OF LUCY :
 A. BOWEN; MARGARET T. BOWEN; :
 ESTATE OF ELLEN BOWEN; ESTATE :
 OF ELIZABETH BOWEN; ESTATE OF :
 JOHN F. MULDOON; MARY BOWEN; :
 ESTATE OF MARY BOWEN; MARY :
 COMLIN; ESTATE OF MARY :
 COMLIN; JANE OGDEN; ESTATE OF :
 JANE OGDEN; THOMAS J. CRAMER; :

ESTATE OF THOMAS J. CRAMER; :
 SARAH J. FRENCH; ESTATE OF :
 SARAH J. FRENCH; HECTOR J. :
 HECKETT; ESTATE OF HECTOR J. :
 HECKETT; HANNAH E. BOLAN; :
 ESTATE OF HANNAH E. BOLAN; :
 MARY A. BYRNES; ESTATE OF :
 MARY A. BYRNES; ADRIAN :
 JACKSON; ESTATE OF ADRIAN :
 JACKSON; ROSE ANN JACKSON; :
 ESTATE OF ROSE ANN JACKSON; :
 BENJAMIN BOUTELLE; ESTATE OF :
 BENJAMIN BOUTELLE; THEODORE :
 BIDET; THEODORE F. BIDET; :
 JENNIE R. GIRARD; WILLIAM :
 BIDET; MARY F. BIDET; ESTATE OF :
 MARY F. BIDET; STEPHEN HANEY; :
 ESTATE OF STEPHEN HANEY; :
 ELIZABETH HANEY; ESTATE OF :
 ELIZABETH HANEY; FANNIE :
 CLARE; ESTATE OF FANNIE CLARE; :
 CHARLES MCHUGH; EDWARD J. :
 MCHUGH; GLADYS BROWN; SUSAN :
 K. MCHUGH; AMELIA W. MARTIN; :
 ESTATE OF AMELIA W. MARTIN; :
 CATHERINE LEONARD; ESTATE OF :
 CATHERINE LEONARD; JOHN J. :
 RICH; SISTER MARY J. DOLORITA :
 (JENNIE C. RICH); MARY T. RICH; :
 AGNES C. RICH; ALMA M. RICH; :
 CATHERINE G. RICH; MARY A. :
 MARTIN; ESTATE OF MARY A. :
 MARTIN; MARY A. BYRNES; ESTATE :
 OF MARY A. BYRNES; JULIETTE :
 DARLING; ESTATE OF JULIETTE :
 DARLING; JAMES D. VANDERBEEK; :
 ESTATE OF JAMES VANDERBEEK; :
 BALDASSARE PARRILLO; MARY :
 PARILLO; ESTELLE PARILLO; :
 ANTONETTA PARRELLO; SOREN R. :
 LIND; ANNIE R. LIND; ANNIE R. :
 KAY; WILLIAM TRIMBLE; ELIZA :
 TRIMBLE; MARY E. MCCANN; :
 ESTATE OF MARY E. MCCANN; :
 JOSEPH P. MCELROY; ESTATE OF :
 JOSEPH P. MCELROY; ROBERT J. :

MARTIN; ESTATE OF ROBERT J. :
MARTIN; THEODORE E. THORPE; :
ESTATE OF THEODORE E. THORPE; :
KATE L. BRENNAN; ESTATE OF :
KATE L. BRENNAN; GIUSEPPE :
PAONE; ESTATE OF GIUSEPPE :
PAONE; FRANK RILEY; VIOLA M. :
DOYLE; CLARENCE J. RILEY; :
AUDREY E. RILEY; BRIDGET RILEY; :
WILLIAM KELLEY; WILLIAM H. :
KELLEY; JAMES H. MADDEN; :
ESTATE OF JAMES H. MADDEN; :
JANE HOLDEN; ESTATE OF JANE :
HOLDEN; ABE SELEZER; ESTATE OF:
ABE SELEZER; WILLIAM TRIMBLE; :
ELIZA TRIMBLE; NOBLE C. BROWN;:
ESTATE OF NOBLE C. BROWN; :
ANTONIO MARCHIONNE; ANNA :
MARCHIONNE; JAMES J. QUINN; :
THOMAS L. QUINN; PATRICK J. :
QUINN; ARTHUR NEILL; ESTATE OF :
ARTHUR NEILL; FILOMENO :
CAMBIO; ESTATE OF FILOMENO :
CAMBIO; ROSE SPERA; ESTATE OF :
ROSE SPERA; ESTELLA DOUGLASS; :
ESTATE OF ESTELLA DOUGLASS; :
MARTIN L. GRAY; ESTATE OF :
MARTIN L. GRAY; DOMESTIC LOAN :
AND INVESTMENT BANK f/k/a :
DOMESTIC SAFE DEPOSIT :
COMPANY; MAINE DEVELOPMENT, :
INC.; PAUL FILIPPI;¹ MARION :
FILIPPI a/k/a MARIAN FILIPPI;² :
DOMENIC D'AMBRA; BI REALTY, :
INC.; LEONARD W. HATHAWAY; :
ESTATE OF LEONARD W. :
HATHAWAY; WHEELOCK :
COLLEGE; DEAN JUNIOR COLLEGE :
ALUMNI ASSOCIATION; :
LIGHTHOUSE FOR THE BLIND; :
MIAMI SHORES COMMUNITY :
CHURCH; GREATER MIAMI LAY :

¹ Paul Filippi, Sr. is a named party in Plaintiff's original and Amended Complaint; however, he is not identified in the caption of Plaintiff's Second Amended Complaint.

² By stipulation of the parties in February of 2008, Marion Filippi was substituted as a defendant with her sons, Paul C. Filippi, Steven C. Filippi and Blake A. Filippi.

**DIABETIC; LAWRENCE A. SIGNORE; :
COASTWAY CREDIT UNION; :
INDEPENDENT REALTY :
ASSOCIATES; PAUL T. SURABIAN; :
their heirs, executors, administrators, :
successors and assigns, known and :
unknown, and also all other persons :
unknown and unascertained, claiming, or :
who may claim, any right, title, estate, :
lien, or interest in the real estate involved, :
which is, or might become, adverse to the :
Plaintiff's right, title, or interest therein :
as alleged or which does or may :
constitute any cloud upon Plaintiff's title :
thereto, as set forth in the Amended :
Complaint :**

AMENDED DECISION

STERN, J. This Amended Decision is being filed to substitute the following section as it appears in the Decision filed on August 15, 2011.

On page 100, Section IV (6) is to read:

(6) The Filippis' motion for partial summary judgment as to Smithfield

Estates' claims based on adverse or constructive possession is:

(a) Denied as to Smithfield Estates' claims premised on the

acts of the Belchers and Sarah Hayes;

(b) Granted as to Smithfield Estates' claims premised on

the acts of Mr. Conti.

The remaining contents of the original Decision filed on August 15, 2011 remain the same.