

STATE OF MAINE
SUPREME JUDICIAL COURT
SITTING AS THE LAW COURT

Law Court Docket No. BCD-21-257

RUSSELL BLACK, et al.

v.

BUREAU OF PARKS AND LANDS, et al.

ON APPEAL FROM THE BUSINESS AND CONSUMER COURT

**DIRECTOR CUTKO'S and the BUREAU OF PARKS AND LANDS'
MOTION TO ALLOW A SECOND VOLUME OF THE APPENDIX**

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Pursuant to M.R. App. P. 10, appellants Director Cutko and the Bureau of Parks and Lands (collectively, the Bureau) move this Court for an order allowing the Bureau to file a second volume of the appendix because the mandatory contents exceed the page limit of volume one. *See* M.R. App. P. 8(d), (e), & (k)(5).

Pursuant to M.R. App. P. 8(k)(5), “[n]o volume of an appendix shall exceed 150 sheets of paper printed on both sides . . . and no appendix shall exceed one volume without prior approval of the Court.” The mandatory contents of the appendix total approximately 235 pages printed on both sides. *See* M.R. App. P. 8(d)&(e). Of those 235 pages, about 118 pages are Superior Court orders and corresponding motions. *See* M.R. App. 8(d)(3), (5).

Additionally, to keep the appendix to a manageable size, the Bureau moves this Court to cap the amount of discretionary contents in a second volume of the appendix. Specifically, the Bureau proposes to cap the number of discretionary contents in a second volume of the appendix to 30 pages, printed on both sides. *See* M.R. App. P. 8(f)(2). As envisioned by the Bureau, appellants (collectively) and appellees/cross-appellees would each designate half of the discretionary contents.

The Bureau thus requests that this Court issue an order authorizing the Bureau to file a second volume of the appendix that includes mandatory

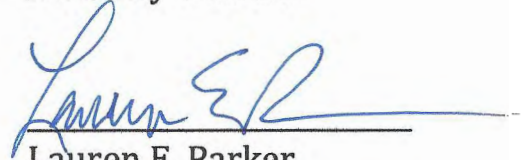
contents and no more than 30 pages of discretionary contents. If the Court grants this motion, the second volume of the appendix would total approximately 115 pages.

Appellants Central Maine Power Company and NECEC Transmission LLC consent to this motion. Senator Black's position on this motion is as follows: "Appellees/cross-appellants Senator Black consent to a second volume of the appendix and further consent to the Bureau and Appellant's request to designate 30 pages (15-double sided pages) of discretionary contents pursuant to M.R. App. 8(i)(1), but object to the Bureau's proposed limitation on the number of pages of discretionary contents that the Appellees may designate pursuant to M.R. App. 8(i)(2)."

Dated: November 4, 2021

Respectfully submitted,

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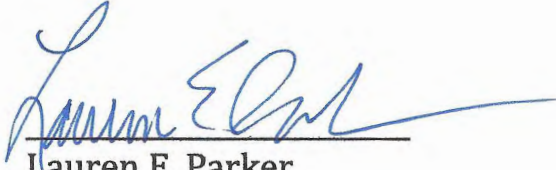
CERTIFICATE OF SERVICE

I, Lauren E. Parker, hereby certify that I have on this day, November 4, 2021, caused to be served a copy of Director Cutko's and the Bureau of Parks and Lands' Motion to Allow a Second Volume to the Appendix on counsel of record by electronic mail and U.S. mail, first class postage prepaid, at the following addresses:

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Dated at Augusta, Maine, this 4th day of November, 2021.



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