

STATE OF RHODE ISLAND  
PROVIDENCE, SC.

SUPERIOR COURT

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TERRENCE GRAY<sup>1</sup>,  
in his capacity as Director,  
RHODE ISLAND DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT  
*Plaintiff,*

vs.

RICHARD A. FENNER and  
KATHLEEN M. FENNER  
*Defendants*

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C.A. No.: PC 19-1462

**ORDER**

This matter was last before this honorable court on June 15, 2023, the Honorable Justice David Cruise presiding, for review of prior orders. By agreement of the Parties and permission of the Court

**It is hereby Ordered, Adjudged and Decreed;**

1. The Defendants have entered into a contract with T Ford Company, Inc. to perform the approved repairs to Defendants' portion of Stone Pond Dam;
2. Defendants shall issue a Notice to Proceed, as stated in the contract between Defendants and T Ford Company, Inc., no later than September 1, 2023 with a copy of the same to Counsel for RIDEM;
3. Upon commencement of the approved repair work, notice of the same shall be given to Counsel for RIDEM;
4. Approved repairs to Defendants' portion of Stone Pond Dam shall commence no later than September 30, 2023 and shall be completed by November 10, 2023;
5. The matter is continued for further review to September 7, 2023.

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<sup>1</sup> Pursuant to Rule 25 (d)(1) of the Superior court Rules of Civil Procedure, Terrance Gray, Director of the Rhode Island Department of Environmental Management is being automatically substituted as the Plaintiff inasmuch as the originally named Plaintiff, Janet Coit, is no longer the Director of the Department.

Ordered: \_\_\_\_\_

Entered: \_\_\_\_\_

Date:

Date: June 19, 2023

Respectfully submitted,  
TERRENCE GRAY,  
in his capacity as Director,  
RHODE ISLAND DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT  
By his attorney:

/s/Tricia Quest  
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### **CERTIFICATION**

I hereby certify that, on the 19<sup>th</sup> day of June 2023 a true copy of the within was submitted electronically to the File & Serve electronic case filing system and is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System; and sent this document electronically and by regular mail to:

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/s/Tricia Quest