

**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
SUPERIOR COURT**

Cheshire Superior Court  
12 Court St.  
Keene NH 03431

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**NOTICE OF DECISION**

**Peter Eyre**

**Keene NH 03431**

Case Name: **City of Keene v James Cleaveland, et al**  
Case Number: **213-2013-CV-00098**

Enclosed please find a copy of the court's order of August 22, 2013 relative to:

Order on Motion to Dismiss

August 23, 2013

James I. Peale  
Clerk of Court

(555)

C: Thomas P. Mullins, ESQ; Charles P. Bauer, ESQ; Erik G. Moskowitz, ESQ; H. Jon Meyer, ESQ

August 23, 2013

Order on Motion to Dismiss

Enclosed please find a copy of the court's order of August 22, 2013 relative to:

THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
**THE STATE OF NEW HAMPSHIRE**

**CHESHIRE, SS.**

**SUPERIOR COURT  
2013-CV-098**

CITY OF KEENE

V.

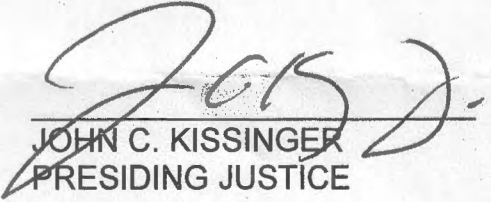
JAMES CLEAVELAND, ET AL.

**ORDER**

One of the defendants, Peter Eyre, moved orally to dismiss the case against him. The City objects. The Court recognizes there is a significant factual dispute between the parties concerning the role of Mr. Eyre and makes no findings regarding that dispute. For purposes of this motion, however, based on the evidence presented at the hearing, the motion to dismiss is denied.

SO ORDERED.

DATE: 8/22/13

  
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JOHN C. KISSINGER  
PRESIDING JUSTICE

JCK/jlm