

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

SUPERIOR COURT
CIVIL ACTION
No. 2006-1807

SCOTT KERR, et al.

Plaintiff

v.

GREGG B. SMITH

Defendant

JUDGMENT

It is **ORDERED** and **ADJUDGED**:

1. That plaintiffs Katherine Hoffman Senn and Scott Kerr recover from Gregg B. Smith \$900 plus interest in the amount of \$ 225.06 on the count of trespass.
2. That Judgment enter in favor of plaintiffs Katherine Hoffman Senn, John Senn, Raymond Senn, and Scott Kerr and against Smith on the count of defamation.
3. That Judgment enter in favor of defendant Gregg B. Smith on plaintiff Fred Senn's count for defamation.
4. That Judgment enter in favor of plaintiffs Katherine Hoffman Senn and Elena Senn Asencio and against defendant Smith on the count of intentional infliction of emotional distress.
5. That Judgment enter in favor of defendant Gregg B. Smith on plaintiff Fae Senn Korteweg's count for intentional infliction of emotional distress.
6. That Judgment enter in favor of defendant Gregg B. Smith on plaintiffs' count for intentional interference with contractual relations.
7. That Judgment enter in favor of the plaintiffs and against Smith on all of Smith's counterclaims.
8. That a permanent injunction enter as follows:

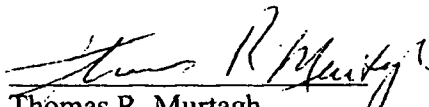
A. Defendant Gregg B. Smith is prohibited from entering upon the Tiderock Property, including, without limitation, lots 40 and 41 (also known as lots 5 and 6), and he is prohibited from coming within 25 feet of the property known and numbered as 34 Coggeshall Road, Gloucester, Essex County, Massachusetts (the "Stone House" property), or from otherwise coming within 25 feet of the Stone House property unless it is in his capacity as caretaker of the adjacent property, in which case he may approach the Stone House property but is prohibited from entering upon the Stone House property. The sole exception to the foregoing is that Smith is ordered forthwith to go upon the Tiderock Property solely for the purpose of removing the abandoned vehicle that he has left on the Tiderock Property. If defendant Smith fails and refuses to remove the vehicle within fourteen (14) days of the date of entry of judgment, then the plaintiffs may remove the vehicle and dispose of it as they see fit.

B. The defendant Gregg B. Smith is prohibited from publishing or otherwise communicating to anyone other than in the course of litigating this action, any of the following statements or assertions regarding any of the above plaintiffs (the "Plaintiffs") and shall immediately remove any such statements or reference to such allegations from any website or other publication maintained by Defendant, including without limitation, www.saveapeann.com:

- A. That Raymond Senn is or has ever been a drug pedophile or otherwise a pedophile, child predator, or one who distributes or has distributed illegal drugs to children;
- B. That Raymond Senn was terminated from employment as a teacher at the Saddle River Day School, Saddle River New Jersey, and/or that he has used drugs with or otherwise victimized students at the Saddle River Day School in any manner;
- C. That any of the plaintiffs hired "crooked lawyers" or otherwise hired attorneys or other for the purpose of prosecuting Plaintiffs' real estate development activities or proposals in an illegal or unethical manner;
- D. That Katherine Senn and/or Scott Kerr have committed real estate crimes, have illegally acquired property or have illegally destroyed homes or property of others;
- E. That John Senn possessed and sold cocaine and/or stole food.

It is further ORDERED and ADJUDGED, that the Plaintiffs recover costs of suit in the amount of \$569.90.

Dated: *January 20, 2009*


Thomas R. Murtagh
Justice of the Superior Court