

**RESIDENTS OF COLONIAL DRIVE, MOULTONBOROUGH**

**Complaint by Residents of Colonial Drive, Moultonborough Against Agape Community Church Sewer System**

**AGAPE COMMUNITY CHURCH'S MOTION TO CONTINUE HEARING**

COMES NOW Agape Community Church, by and through Kevin Straughan, its President, and respectfully moves to request the Court to continue the Preliminary Hearing currently scheduled for January 12, 2023 (the "Hearing"), and in support of such Motion, states as follows:

1. A hearing on preliminary issues was scheduled for Thursday, January 12, 2023, pursuant to that certain Procedural order Re: Hearing on Preliminary Issues ordered on December 9, 2022.

2. Agape Community Church has been diligently seeking to procure counsel to assist it in this matter.

3. Agape Community Church contacted numerous attorneys, most of which informed Agape that they were unable or unwilling to assist.

4. Eventually, Agape Community Church was able to procure some assistance from Attorney Phillip Marbury, who assisted in some initial assessment and addressing of what was understood to be an emergency situation related to requested authority to replace pumps that were alleged to belong to Agape Community Church, but communicated his lack of expertise and comfort in proceeding with representation of Agape in the greater dispute, in the PUC proceedings, and the underlying real estate issues.

and find counsel that has the knowledge and experience to assist Agape with this particular controversy, and in that effort has contacted over a dozen attorneys seeking the same.

6. Most recently, Agape has been connected with attorneys at Cooper, Cargill, & Chant ("CCC"), and it possible that CCC is going to be able to step in to assist Agape, but they are still in the process of doing conflict checks regarding all of the homeowners and entities involved in this matter, and have communicated that they are unable to step in in time to represent Agape before this Commission at the January 12 hearing.

7. Agape had nothing to do with the subdivision of land or the installation of the septic system that the residents of Colonial Drive use, has never known about such septic system, has never charged any fees for such septic system, nor is said septic system even on land belonging to Agape.

8. Agape is in need of competent counsel to assist it in navigating these proceedings and the issues that are being levied against it, and so is requesting a 60 day continuance for the above-captioned hearing in order to onboard such legal counsel.

9. Counsel for the residents of Colonial Drive has been consulted regarding this request and DOES OBJECT to the same.

**WHEREFORE**, Counsel for the Petitioner respectfully and humbly request this Commission to:

- A. Grant this Motion to Continue, vacating and rescheduling the hearing currently scheduled for January 12, 2023;
- B. Grant any such additional relief as this Court deems just and proper.

Dated: January 8, 2023

By: Kevin Straughan, President  
Kevin Straughan, President

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above pleading was emailed this \_\_\_ day of January 2023 to the following stakeholders of record:

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