UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

U.S. DISTRICT COURT

RICKY L. MOORE and KATHRYN M. MOORE,
Plaintiffs

v.

Civil Action No. 05-30010-MAP

KERRY P. STEARNS, LAURIE C. NIKITUK and POND PASTURE, INC.,
Defendants

DEFENDANT, LAURIE C. NIKITUK'S CERTIFICATION, PER LOCAL RULE 16.1

Now comes the Defendant, Laurie C. Nikituk, and her counsel and affirm, pursuant to Local Rule 16.1 (D) (3), that they have conferred (a) with a view to establishing a budget for the cost of conducting the full course - - and various alternative courses - - of this litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in L.R. 16.4.

Respectfully submitted,

LAURIE C. NIKITUK,
Defendant

By: _____
Her Attorney
Richard J. O'Brien, Esquire
75 North Street, Suite 310
Pittsfield, MA 01201
(413) 499-5656
BBO #552285

_____
Laurie C. Nikituk, Defendant

Dated: July 15, 2005

CERTIFICATE OF SERVICE

I, Richard J. O'Brien, hereby certify that on this 19th day of July, 2005, I caused a copy of the foregoing Certification to be forwarded to Bradford B. Moir, Esquire, Moir & Ross, 45 Broad Street, Suite 2, Westfield, Massachusetts 01085 and Peter J. Brewer, Esquire, 32 Mahaiwe Street, Great Barrington, MA 01230.

Richard J. O'Brien, Esquire