

STATE OF MAINE

SUPREME JUDICIAL COURT
Sitting as the Law Court
Docket No. Cum-24-82

Peter Masucci et al.

v.

DISCLOSURE

Judy's Moody, LLC et al.

As a member of the panel of this Court that will hear and decide the appeals and cross-appeals in this case, I have determined to disclose the following information:

From 1978 to 1999, I practiced law with the Verrill Dana firm, initially as an associate and then as a partner. The firm represented the Town of Wells in both of the *Bell v. Town of Wells* cases that came before this Court in the 1980's. To the best of my knowledge and recollection, I never did any work on either case. Verrill Dana now represents several of the appellees/cross-appellants in this case. The Verrill Dana attorneys who have entered appearances in the case joined the firm after I left in 1999 and I have no connection with the firm today.

From 1980 to 2022, my wife, Peggy L. McGehee, was an associate, then a shareholder, then of counsel, practicing land use law with the Perkins Thompson firm, which represents one of the appellees/cross-appellants in this case. She advises that to the best of her knowledge and recollection, she never worked on this case but has advocated on behalf of clients on both sides of the issues raised in the case, and has provided a testimonial for appellant Orlando Delogu's book, *Maine's Beaches Are Public Property*. Her only continuing connection with the Perkins Thompson firm results from its policy of paying retired shareholders funds in their capital accounts over a period of years. Those monthly payments to her continue and are deposited in an account in her name only. My wife and I have maintained a connection with several Perkins Thompson attorneys, including Joseph Talbot, who has appeared in this case, but not regarding anything to do with this case.

My wife and I own vacation property with a view of the ocean, but our deed describes an upland area that is set back from the ocean and that neither includes nor abuts the intertidal zone.

I am confident in my ability to participate in this case impartially based on my own evaluation of the applicable facts and law. My research indicates that none of the associations described above requires my recusal, but I will consider a request to recuse if one is made by any party to the case. Any such request should be made by motion with supporting authority and filed no later than September 9, 2024. Any other party may file a response pursuant to M.R. App. P. 10(c).

Date: 14 August 2024

A handwritten signature in blue ink, appearing to read "A. Horton", written over a horizontal line.

Andrew M. Horton
Associate Justice