

File: 6E-DU 00
Date: 10-8
Page: 249

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

UNITED STATES OF AMERICA,
COMMONWEALTH OF MASSACHUSETTS,
STATE OF CONNECTICUT,

Plaintiffs,

MOLDMASTER ENGINEERING,
VINCENT CURRO,
VINCENT AND CHERYL STRACUZZI

Plaintiffs Intervenors,

v.

GENERAL ELECTRIC COMPANY,

Defendant.

C.A. Nos. 30225-MAP
30226-MAP
and 30227-MAP

**MEMORANDUM OF LAW IN OPPOSITION TO APPROVAL
OF THE CONSENT DECREE**

Moldmaster Engineering Incorporated, Vincent Curro and Vincent Stracuzzi and Sherry Stracuzzi, all owners of properties located on Newel Street in Pittsfield, have filed two Memorandums of Law in this matter together with exhibits, one on February 22, 2000, and the other in the form of a Reply Brief on June 13, 2000.

Plaintiffs Intervenors argument advanced in both briefs is that the Consent Decree, if entered in its present form, will represent a destruction of all value of Plaintiffs Intervenors' properties for two reasons: a) it will deprive Plaintiffs Intervenors of the use and enjoyment of their real estate properties, and b) it will preempt any legal action Plaintiffs Intervenors have pending in this Court against the General Electric Company.

Given the fact that all the arguments were properly made in these two briefs, supported by the attached exhibits, there is no point repeating them here. Plaintiffs Intervenor would like to point out to the Court that not a single party to these proceedings, not the United States, not the State of Massachusetts, not the City of Pittsfield, and not the General Electric Company have denied that the Consent Decree, if approved, would represent the destruction of all the value of the properties of Plaintiffs Intervenor.

The only argument made by the United States is that Plaintiffs Intervenor need to pursue their takings claims in the US Court of Federal Claims. Plaintiffs Intervenor cannot do that of course unless and until their claims are ripe. Their claims are not ripe unless, until and if this Court approves the Consent Decree.

The State of Massachusetts again has not denied that approval of the Consent Decree, in its present form, would represent a taking of Plaintiffs Intervenor's properties. The only argument made by the State of Massachusetts is that they are immune for their actions. Plaintiffs Intervenor have answered this argument in their Reply Brief.

Given the fact that no one has denied that approval of the Consent Decree would be the equivalent of a taking of Plaintiffs Intervenor's properties, by the United States and the State of Massachusetts, there is no point making the same arguments here as were made in Plaintiffs Intervenor's Briefs dated February 22, 2000, and June 12, 2000 together with the exhibits attached thereto.

In addition to the fact that the Consent Decree represents a taking of Plaintiffs Intervenor's properties it is also a legally flawed settlement which must also be rejected by

this Court for all the arguments made in the Brief filed by the Church et al., Plaintiffs

Intervenors, which are all incorporated here by reference.

September 20, 2000.

Respectfully submitted,
By Attorneys for Plaintiffs' Intervenors.



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CERTIFICATE OF SERVICE

I, Cristóbal Bonifaz, certify that today, September 20, 2000, I served this Memorandum of Law in Opposition to Approval of the Consent Decree, by regular mail upon the parties designed to accept service:

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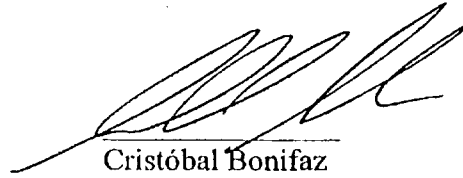
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