

COMMONWEALTH OF MASSACHUSETTS
DIVISION OF ADMINISTRATIVE LAW APPEALS
98 N. Washington Street, Boston, Massachusetts 02114 617-727-7060

December 28, 2007

In the Matter of

Nathan N. Withington, Trustee
Whip's Farm Trust

Docket No. DEP-06-1070
File No. UAO-SE-06-6W006
Plymouth

FINAL DECISION

This is an appeal of an enforcement order issued under G.L. c. 131, § 40, the Wetlands Protection Act. On December 17, 2007, in response to an order, the Department of Environmental Protection filed a stipulation of dismissal signed by the petitioner and the DEP.¹ The parties agree that the petitioner has complied with the terms of the enforcement order. Accordingly, this appeal is dismissed. *Matter of Oyster Harbors Yacht Basin Realty Corporation*, Docket No. DEP-06-484, Final Decision (November 22, 2006).

RECONSIDERATION AND APPEAL RIGHTS

The parties to this proceeding are notified of their right to file a motion for reconsideration of this Decision. The motion must be filed with the Docket Clerk and served on all parties within seven business days of the postmark date of this Decision. Any party may appeal this Decision to the Superior Court pursuant to G.L. c. 30A, §14(1). The complaint must be filed in the Court within

¹ To its cover letter, the DEP attached a copy of a signed Stipulation of Dismissal together with a cover letter and a certificate of service signed by the petitioner's counsel and dated November 1, 2007. This document was not received by DALA; and, consequently, the Docket Clerk could not docket it and I could not act upon it. Accordingly, I consider the Stipulation of Dismissal to be filed on December 17, 2007.

thirty days of receipt of this Decision.

Bonney Cashin
Administrative Magistrate