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November 14, 2012

BY HAND

Susan Mellen, Esq., Clerk
Supreme Judicial Court
John Adams Courthouse
One Pemberton Square
Suite 2500
Boston, MA 02108

RE: *Mahajan et al. v. DEP and BRA*
No.: SJC-11134

Dear Ms. Mellen:

I am writing in response to Plaintiffs' counsel's post oral argument letter dated November 9, 2012. For clarity of the record:

- The land subject to the proposed lease and Chapter 91 license does not include any portion of the Compass Rose. It abuts the Compass Rose. (See RA 1206, RA 1214, RA 1274.)
- The BRA has, at no time, either in the record or in oral argument, conceded that any of the land subject to the proposed lease and Chapter 91 license is Article 97 land.

Very truly yours,



Denise A. Chicoine

cc: Annapurna Balakrishna, Esq.
Gregor I. McGregor, Esq.