

November 15, 2021

Gunstock Mountain Resort
719 Cherry Valley Road
Gilford, NH 03249

Invoice No.: 598944
Client No.: 015471
Matter No.: 102471

INVOICE SUMMARY

For professional services rendered through November 12, 2021:

RE: General

Professional Services	\$ 15,758.00
Total Disbursements	<u>\$ 524.84</u>
TOTAL THIS INVOICE	\$ 16,282.84

OK TDR

PROFESSIONAL SERVICES RENDERED

Date		Description of Service	Hours	Amount
11/01/21	TQ	Emails from Gary K. and Brian G. regarding current status and concerns that Silber and Sylvia will attempt to sue them personally for their valid actions as GAC Commissioners; teleconference with LVM regarding same and continue research on County Delegation powers generally and its relationship to GAC; long conference call with Gary K. and Brian G. regarding above, pending and new RTKL requests from Silber	1.30	390.00
11/01/21	LM	Review email from Gary Kiedaisch and two recent Laconia Daily Sun articles regarding the Gunstock Area Commission referenced by Mr. Kiedaisch; communicate with Attorney Quarles regarding same and research to be conducted regarding powers and duties between county convention and GAC and statutes on immunity for public officials	.70	147.00
11/01/21	LM	Review RSA Chapter 24 and GAC enabling statute relative to powers and duties of Delegation and Commission, and RSA 491:24 and 31:104 regarding immunity for public officials	1.50	315.00
11/01/21	LM	Phone call with Gary Kiedaisch and Brian Gallagher with Attorney Quarles to discuss county convention powers and duties related to oversight of GAC and financial audits and discuss good faith immunity statute	1.00	210.00
11/02/21	TQ	Status conference and planning with LVM especially regarding response to Silber's new RTKL requests due tomorrow; review of latter and teleconference with LVM regarding same	.80	240.00
11/02/21	LM	Conference with Attorney Quarles regarding next steps for GAC follow up on Commissioner Ness issue with NH Attorney General's Office and GAC response to 91-A requests from Rep. Silber	.50	105.00
11/02/21	LM	Review and analyze Case Access Portal to identify whether Belknap County Delegation filed for investigative committee reimbursement related to investigation of GAC or any lawsuits filed by Rep. Silber or Rep. Sylvia related to GAC	.60	126.00
11/03/21	TQ	Conference with LVM regarding many tasks, prioritization and planning; emails from LVM regarding law on Silber's current RTKL request due today; voicemails and teleconference with Becky LaPense and Cathy White regarding same; review of DMB payments from Cathy White to the RTKL request; checking with my Finance Dept. to see if that was complete; issues regarding redactions needed to checks; drafting, editing and revising response letter to Silber including review of RTKL; finalizing response and producing it to Silber and clients with explanation; email from Becky LaPense regarding above and action on same; emails with Cathy White	2.40	720.00
11/03/21	TQ	Review, analysis and notes on original Soulfest contract between them and Gunstock, extensions, emails from Tom Day regarding same and notes on above	.60	180.00

DEVINE MILLIMET

ATTORNEYS AT LAW

Date		Description of Service	Hours	Amount
11/03/21	LM	Conference with Attorney Quarles regarding Silber's 91A request for conflict waivers and review engagement letters produced in connection with same, review NH definition of attorney client privilege and draft language for GAC response to 91-A Request	1.00	210.00
11/04/21	TQ	Review of newspaper articles on Gunstock master plan and interview with Silber on his plans to thwart it and notes on same; same for the 8 emails sent to the generic Gunstock commissioner's email address that Silber has requested	.40	120.00
11/05/21	TQ	Status and planning conference with LVM	.30	90.00
11/05/21	LM	Review and analyze NH Legislative Ethics Committee rules and procedures in connection with preparing potential ethics complaint against Rep. Silber and Rep. Sylvia due to actions related to removal of Commissioner Ness and efforts to remove remaining GAC Commissioners	1.30	273.00
11/05/21	LM	Conference with Attorney Quarles regarding GAC Commissioner removal issues	.20	42.00
11/05/21	LM	Review and analyze NH statutes and case law regarding indemnification for state officials and immunity for public officials to identify statutes and common law defenses applicable to GAC Commissioners and NH state representatives in connection with evaluating threatened action against Commissioners Kiedaisch and Gallagher by Rep. Sylvia	1.10	231.00
11/06/21	TQ	Email from Gary K. with lengthy Notice of new Delegation meeting set for Nov. 16; email to him; conference call with him and Brian G.; legal research regarding same; many follow-up emails regarding same	1.80	540.00
11/06/21	LM	Communicate with Attorney Quarles regarding update on Belknap County Delegation efforts to remove GAC Commissioners in retaliation for efforts to remove Commissioner Ness and Delegation hearing scheduled for 11/16 regarding same	.10	21.00
11/07/21	TQ	Multiple emails and teleconferences regarding new GAC meeting set for Nov. 10; long teleconference with LVM regarding above and recent events; planning for above meeting and other action to respond to Delegation's surprise removal hearing meeting and teleconference with LVM regarding above; more emails regarding above	2.30	690.00
11/07/21	LM	Conference with Attorney Quarles regarding GAC's response to Belknap County Delegation's notice of removal hearing scheduled for 11/16 and next steps in connection with efforts to stop the removal of GAC Commissioners in retaliation for attempted removal of Commissioner Ness	.70	147.00
11/07/21	LM	Review and analyze NH RSA 91-A:2 and GAC enabling statute to confirm required time period for publication of notice of regular hearing in connection with scheduling GAC meeting for 11/10 to respond to Delegation notice of GAC Commissioner removal hearing on 11/16 and communicate with Attorney Quarles regarding same	.30	63.00

Date		Description of Service	Hours	Amount
11/07/21	LM	Review and analyze Belknap County Delegation Notice of Hearing scheduled for 11/16 and statement by Rep. Sylvia regarding same accusing GAC Commissioners of criminal conduct related to requests for disqualification at 10/25 Delegation meeting on Commissioner Ness removal issue	.20	42.00
11/07/21	LM	Review and analyze NH law and Superior Court rules regarding temporary restraining orders and preliminary injunctions for enjoining actions in connection with preparing to respond to Rep. Sylvia's attempts to have the Belknap Delegation remove GAC Commissioners in retaliation for GAC's efforts to remove Commissioner Ness	1.20	252.00
11/08/21	TQ	Long teleconference with Tom Day re: Delegation's Notice of Removal for Commissioners Kiedaisch, Gallagher and McLean and consequences of same; email from Gary K and responding to him	.80	240.00
11/08/21	LM	Review and analyze NH Superior Court Rule 48 and NH Practice treatise regarding temporary restraining orders and preliminary injunctions in preparation for drafting GAC Petition to Enjoin November 16, 2021 Delegation meeting	1.40	294.00
11/08/21	LM	Conference with Attorney Quarles regarding research on indemnity for state and municipal officials and continue researching same including review of NH Practice treatise	1.30	273.00
11/08/21	LM	Conference with Attorney Quarles regarding GAC motions to be approved at 11/10 meeting and begin drafting Verified Petition for Injunction and Ex Parte Temporary Restraining Order	1.00	210.00
11/09/21	TQ	Emails from Brian G. and Gary K. re: tomorrow's GAC meeting; file review for drafting, editing and finalizing draft motions for meeting; long teleconference with Brian G. re: same and tomorrow's hearing; final edits to motions; emails to Brian G. and Gary K. to prepare for GAC meeting tomorrow's long to with Gary K. and Brian G. re: same	3.00	900.00
11/09/21	LM	Begin drafting Verified Petition for Injunctive and Declaratory Relief and Request for Ex Parte TRO to enjoin 11/16/21 Belknap County Delegation meeting to remove GAC Commissioners	2.30	483.00
11/10/21	TQ	Teleconference with Brian G. re: this morning's GAC meeting and authorization from same; separate teleconference with Gary K. re: same; meeting with LVM to give her status update and work on outlining injunction pleadings and requests; conference with DKB re: his need to handle all procedural aspects of injunction, including service; long teleconference with Gary K. re: above, planning for filing injunction, etc.; second long conference with LVM re: status generally of injunction draft	3.00	900.00
11/10/21	LM	Conference with Attorney Quarles regarding GAC meeting held this date and strategy for draft Petition for Preliminary Injunction to be filed with Belknap Superior Court to enjoin 11/16 Belknap County Delegation Meeting	.60	126.00
11/10/21	LM	Draft Verified Petition for Injunctive and Declaratory Relief and Request for Temporary Restraining Order and conferences with Attorney Quarles regarding same; send draft to Attorney Quarles for review	10.20	2,142.00

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ATTORNEYS AT LAW

Date		Description of Service	Hours	Amount
11/10/21	DB	Review and analyze statutory law regarding service of process on County Delegations for purpose of determining persons required to be served and required manner of service; aggregate applicable law in internal memorandum instructing on proper manner of service	.90	189.00
11/11/21	TQ	Detailed review, analysis, editing and revising of first draft of Petition for Injunction; doing second and third drafts; work on exhibits for same; finalizing same; email of same to Gary K. for his review and approval; work with him on getting Petition signed and notarized by him; initial review and editing of Motion for TRO; finalizing same; same for draft proposed order; emails and teleconferences with Gary K. after finalizing pleadings; sending filed copies of pleadings to him; review of emails to State Representatives re: current controversy including justification emails from Silber; drafting email to Gary K. re: summary of conduct we are complaining about in the lawsuit	6.70	2,010.00
11/11/21	CRP	Conference with Devin Bolger regarding service issues regarding TRO matter and locate and discuss NH RSA 510:2-a and other services strategies	.40	146.00
11/11/21	LM	Draft Ex Parte Motion for Temporary Restraining Order and Proposed Order and conference with Attorney Quarles regarding revisions to same; finalize for filing with Verified Petition and exhibits thereto, and e-file same with Belknap Superior Court	7.40	1,554.00
11/11/21	DB	Continue review and analysis of statutory law regarding service of process on County Delegations for purpose of determining persons required to be served and required manner of service; discuss the same with Attorneys Charles Powell and Lynette Macomber; continue aggregating applicable law in internal memorandum	1.40	294.00
11/12/21	TQ	Conferences re: service of pleadings requirements and procedures for Petition and Motion, etc.; review of Concord Monitor articles; conferences with LVM re: need to call court repeatedly and review of her emails to Rep. Sylvia and Comptois; email from clients with Friends of Gunstock and responding to same; email from Attorney Gould re: he will be appearing as attorney for the Delegation; email to clients re: same	1.20	360.00
11/12/21	LM	Emails to Rep. Sylvia and Rep. Comptois sending copies of GAC Verified Petition for Injunction and TRO to enjoin 11/16/21 Delegation meeting and review Sylvia's response email to same	.30	63.00
11/12/21	LM	Review notice of accepted filings from Belknap Superior Court and call court to check on status of order on Ex Parte Motion for Temporary Restraining Order; conference with Attorney Bolger regarding method of service for same on Belknap County Delegation	.50	105.00
11/12/21	LM	Conferences with Attorney Quarles and Attorney Bolger regarding status of Petition filing and service letter to be drafted for same, and phone calls to Belknap Superior Court to check on status of ruling on Ex Parte Motion for Temporary Restraining Order	.70	147.00
11/12/21	DB	Review online and public information regarding Belknap County Commissioner, Treasurer, and County Delegation Chairperson as necessary to instruct sheriff on manner and location of service; discuss same with Attorneys Tom Quarles and Lynette Macomber	.80	168.00

TOTAL PROFESSIONAL SERVICES **\$ 15,758.00**

DISBURSEMENTS

Date	Description	Qty	Rate	Amount
	Travel			52.10
11/12/21	Telephone and Data charges			472.74
TOTAL DISBURSEMENTS				\$ 524.84

SUMMARY OF PROFESSIONAL SERVICES

Name	Hours	Rate	Total
Thomas Quarles	24.60	300.00	7,380.00
Charles R. Powell	.40	365.00	146.00
Lynnette Macomber	36.10	210.00	7,581.00
Devin Bolger	3.10	210.00	651.00
TOTALS	64.20		\$ 15,758.00

TOTAL THIS INVOICE **\$ 16,282.84**

November 15, 2021

Gunstock Mountain Resort
719 Cherry Valley Road
Gilford, NH 03249

Invoice No.: 598944
Client No.: 015471
Matter No.: 102471

REMITTANCE ADVICE

RE: General

BALANCE DUE THIS INVOICE

\$ 16,282.84

Please return this advice with payment to:

Devine Millimet & Branch, P.A.
Attn: Accounts Receivable
P.O. Box 719
Manchester, NH 03105
(603) 669-1000

INVOICES ARE PAYABLE UPON RECEIPT

Tax Identification No. 02-0336151

For Billing Inquiries please contact Accounts Receivable at AR@devinemillimet.com

Your prompt payment is greatly appreciated.