

December 8, 2021

Gunstock Mountain Resort
719 Cherry Valley Road
Gilford, NH 03249

Invoice No.: 599817
Client No.: 015471
Matter No.: 102471

INVOICE SUMMARY

For professional services rendered through November 30, 2021:

RE: General

Professional Services	\$ 12,741.00
Total Disbursements	<u>\$ 712.63</u>
TOTAL THIS INVOICE	\$ 13,453.63

#5465600
services through 11/30/21
ced 12/17/21

Invoice No. 599817

December 8, 2021

PROFESSIONAL SERVICES RENDERED

Date		Description of Service	Hours	Amount
11/15/21	TQ	Review of client's email to Governor Sununu and various emails from GAC supporters regarding Delegation's conduct and meeting; long conference with LVM to review status and plan for today's activities, especially regarding preparing our response to Delegation's Notice of Hearing and its vagueness and lack of support for its criminal charges; many emails from and to Attorney Gould about his expected representation of Delegation and their agreement to cancel tomorrow's hearing, no matter what Court rules on our TRO; review of above with Gary K. and LVM; instructions to latter to call Court regarding meeting cancellation; review of Objection from Delegation filed with Court repeating their promise to cancel meeting and Appearances of Attorney Gould and his colleague; review of Court's orders denying TRO and setting injunction hearing from Dec. 23; long conference call with Gary K. and Brian G. regarding above, Delegation's intent to not hold hearing tomorrow on hiring Attorney Gould's firm to defend them in our lawsuit; email from Gary K. regarding Attorney Gould's possible conflict of interest in his firm having represented Rusty McLearn in a prior matter; drafting detailed email response setting forth conflict standard; teleconference with Gary K. regarding same; conference with LVM regarding above and her attendance at Delegation meeting tomorrow	4.50	1,350.00
11/15/21	LM	Draft new Requests for Disqualifications for 11/16/21 Delegation meeting and conference with Attorney Quarles regarding strategy for GAC response and disqualification requests; call to Belknap Superior Court to check on status of Motion for Temporary Restraining Order; review email from Attorney Gould regarding no removal for cause hearing to be held on 11/16/21 and conference with Attorney Quarles regarding same	3.20	672.00
11/15/21	LM	Review and analyze NH case law regarding due process requirements for public hearings and removal for cause hearings in connection with preparing GAC's response to Sylvia's charges against three GAC Commissioners and conference with Attorney Quarles regarding same	2.10	441.00
11/15/21	LM	Review and analyze GAC draft minutes from November 10, 2021 meeting and motions re-affirming votes related to Commissioner Ness removal for cause and review Delegation agendas and executive committee meeting minutes in connection with preparing for 11/16/21 Delegation meeting, and call Belknap Superior Court to advise clerk of update from Attorney Gould regarding 11/16/21 meeting cancelled	.90	189.00
11/15/21	LM	Review and analyze Notice of Cancellation of Removal Hearing and Objection to Request for Temporary Restraining Order filed by Attorney Gould on behalf of Belknap County Convention	.10	21.00
11/15/21	LM	Review and analyze Order on Motion for Temporary Restraining Order, summons and hearing notice scheduling preliminary injunction hearing for 12/23/21 and conference with Attorney Quarles regarding same	.40	84.00

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11/15/21	LM	Phone call with Gary Kiedaisch and Brian Gallagher with Attorney Quarles to discuss update on lawsuit against Belknap County Delegation including Order on Ex Parte Motion for TRO and Hearing scheduled for 12/23/21 and strategy for 11/16/21 Delegation meeting, and conference with Attorney Quarles regarding same	1.00	210.00
11/16/21	TQ	Review of UL article on lawsuit and tonight's Delegation meeting; conference with LVM to review detailed agenda for Delegation meeting tonight and planning for same; review of on-line petition and other comments from GAC supporters; teleconference with Attorney Gould regarding Court's Order from yesterday, accepting service and issues with Dec. 23 PI hearing; review, analysis and notes on lengthy GAC meeting of Nov. 10 and motions made and passed; long teleconference with Tom Day regarding above; email from Gary K regarding what would have been GAC's response to Delegation's current grounds for removal; very detailed response regarding same and references to many documents; teleconference with LVM to get download immediately after Delegation meeting	4.00	1,200.00
11/16/21	LM	Prepare for Belknap County Delegation meeting including conference with Attorney Quarles regarding strategy for same, review of GAC 11/10/21 meeting minutes, review of just revised Delegation meeting agenda and preparation of documents in case Delegation attempts to proceed with removal, and review email from Attorney Quarles to Gary Kiedaisch regarding GAC's response to Sylvia's 11/6/21 letter	2.00	420.00
11/16/21	LM	Email to NH Attorney General's Office public integrity unit following up on Complaint against Sylvia, Silber, and Ness	.20	42.00
11/16/21	LM	Round trip travel from Manchester, NH to Laconia, NH to attend Belknap County Delegation meeting to ensure no removal hearing proceeds against GAC Commissioners	2.00	420.00
11/16/21	LM	Attend 11/16/21 meeting of the Belknap County Delegation with GAC Commissioners to ensure no removal hearing proceeds and attend Executive Committee meeting of the Delegation in connection with same, including conference with client regarding Sylvia's remarks at commencement of Delegation meeting	2.50	525.00
11/17/21	TQ	Review of email from Gary K. regarding last night's meeting; teleconference with LVM regarding follow-up from Delegation meeting and need to get back to Silber's RTKL requests for all of the GAC Comm.'s emails; email from Gary K. requesting a response to Silber's charges; long teleconference with LVM regarding same and her need to contact him and Brian G.	.60	180.00
11/17/21	LM	Review and analyze Sylvia's prepared comments for 11/16/21 Delegation meeting regarding allegations against GAC Commissioners and review RSA 91-A:2 regarding requirements for public meetings to identify requirements for subcommittee meetings	.60	126.00
11/17/21	LM	Conference with Attorney Quarles regarding developments from 11/16/21 Delegation meeting and strategy for GAC's response to same	.20	42.00

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Date		Description of Service	Hours	Amount
11/17/21	LM	Conference with Attorney Quarles regarding next steps for matter including GAC response to Sylvia's comments at 11/16/21 Delegation meeting and subcommittee issue raised by Sylvia, and obtaining emails for production in response to 91-A request	.20	42.00
11/17/21	LM	Email to Gary Kiedaisch and Brian Gallagher regarding call to discuss response to Sylvia's comments at 11/16/21 Delegation meeting	.10	21.00
11/17/21	LM	Phone call with Gary Kiedaisch and Brian Gallagher regarding GAC's response to Sylvia's statement at 11/16/21 Delegation meeting to be discussed at 11/17/21 GAC meeting	.60	126.00
11/17/21	LM	Review voicemail from Gary Kiedaisch regarding Sylvia's 11/6/21 notice and allegations of criminal charges therein; send response email to Mr. Kiedaisch regarding Delegation's alleged basis for requests for disqualification	.50	105.00
11/18/21	TQ	Many emails and voicemails from Gary K. regarding supporters, Sylvia's speech before Tuesday's GAC meeting and detailed review and notes on latter; very long conference call with Gary K. and Brian G. to discuss above, last night's GAC meeting and counter given to Sylvia's claims and review of upcoming events and general review and planning	1.80	540.00
11/18/21	LM	Review GAC 11.13.21 draft minutes regarding review of Tom Day and communicate with Attorney Quarles regarding discussion with client as to GAC's response to comments and allegations made by Rep. Sylvia	.30	63.00
11/18/21	LM	Email to Gary Kiedaisch and Brian Gallagher following up on 11.17.21 GAC meeting and scheduling call to discuss same and next steps for matter	.10	21.00
11/18/21	LM	Review Laconia Daily Sun articles regarding Gunstock Area Commission and the Belknap County Delegation following 11.16.21 Delegation meeting and review Case Access Portal for updates on filings by Sylvia, Silber or the Delegation	.40	84.00
11/18/21	LM	Communicate with Attorney Quarles regarding email from Gunstock Ski Club and Sylvia's written 11.16.21 comments in preparation for call with clients to discuss same	.10	21.00
11/18/21	LM	Conference call with Gary Kiedaisch, Brian Gallagher, and Attorney Quarles to discuss update from 11.17.21 GAC meeting and responses made to Rep. Sylvia's allegations at 11.16.21 Delegation meeting, next steps for lawsuit and potential settlement thereof, and issues related to GAC master plan and bonding and payments to the Delegation	1.50	315.00
11/19/21	TQ	Email from Gary K. regarding not interested in settlement discussions at this point and need to report on future of Gunstock; review of newspaper articles; review of email from LVM to Gary K. regarding rest of his emails needed to respond to Silber's RTKL requests; long teleconference with her regarding same and her teleconferences with clients before Wednesday GAC meeting; review of her email to Rusty M.	.90	270.00
11/19/21	LM	Email to clients regarding GAC emails needed for response to Silber's 91A request and conference with Attorney Quarles regarding process for reviewing and producing same	.80	168.00

DEVINE MILLIMET

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Date		Description of Service	Hours	Amount
11/22/21	TQ	Email from Gary K. with old email exchange between him and Sylvia regarding ad and criteria for Gunstock Commissioners; review of longer email exchange on same subject with Sylvia, Silber, Ness and Gary K.; emails with LVM regarding her progress on the Silber RTKL request for Gunstock Commission's emails; email from Attorney Gould responding to my requests regarding accepting service and Court hearing details; email to LVM regarding same; response to same from Gary K. with public's need to attend a live hearing; reply to him regarding same; emails regarding 2019 GAC study with Sylvia that led to policy statement regarding Gunstock; review of newspaper article on County Commissioner's sole authority to use county funds to hire counsel; action on same	2.80	840.00
11/22/21	LM	Review and respond to email from Gary Kiedaisch regarding emails sent in response to 91-A request for Gunstock Area Commission	.10	21.00
11/22/21	LM	Review and analyze emails received from Gary Kiedaisch in response to Silber's 91-A request for GAC-related emails and organize same for production; identify emails to be withheld based on nonresponsiveness, exemptions and privileges	2.90	609.00
11/22/21	LM	Communicate with Attorney Quarles regarding status of GAC email production in response to 91-A Request of 10/19	.10	21.00
11/22/21	LM	Review and respond to email from Michelle Brown regarding emails of Rusty McLearn being produced for review and production in response to 10/19 91-A request to Gunstock Area Commission	.10	21.00
11/22/21	LM	Review and analyze and organize for production the emails of Gunstock Area Commissioner Rusty McLearn in response to Norm Silber's 10/19 91-A Request including review for privilege or other exemptions under 91-A	3.10	651.00
11/22/21	LM	Review and analyze communication between Attorney Gould and Attorney Quarles regarding 12/23 hearing on GAC's request for injunction and whether Delegation will accept service of Complaint, and review article regarding county commissioners' statements on retention of BCD counsel	.20	42.00
11/23/21	TQ	Review, analysis and notes on old MOU between GAC and Delegation regarding GAC payments to County and spreadsheet regarding same; review of information from Brian G. on Delegation and Legislative action on GAC payments to county; email to client regarding same; review of emails from Gary K. regarding ads for prior Gunstock commissioner positions and masking policies; teleconference with LVM regarding status and advice on production of Gunstock Commissioner's emails for Silber's RTKL request	1.40	420.00
11/23/21	LM	Conference with Attorney Quarles regarding GAC enabling statute provisions related to retention of counsel and status of email production in response to 10/19 91-A request	.20	42.00
11/23/21	LM	Draft letter to Rep. Silber in response to 10/19 91-A request and finish reviewing emails to be produced in response to same, including conversion of emails to produceable PDF format (first batch of emails)	3.40	714.00

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Date		Description of Service	Hours	Amount
11/24/21	TQ	Review of draft response letter to Silber; checking statutes cited in letter; long teleconference with LVM regarding same and general process and details for making this supplemental disclosure to Silber, etc.	.60	180.00
11/24/21	LM	Finish preparing GAC's production of emails in response to Rep. Silber's 10/19 91-A Request (converting Rusty McLearn emails to produceable PDF format)	2.30	483.00
11/24/21	LM	Conference with Attorney Quarles regarding draft GAC response to Silber's 10/19 91-A request and status of email production for same	.20	42.00
11/26/21	LM	Finalize and send letter to Rep. Silber in follow up to GAC's response to 10/19 91-A request and send email production to Silber (six volumes)	1.20	252.00
11/28/21	LM	Draft Acceptance of Service form for Belknap County Delegation's acceptance of service of GAC's Complaint for Injunctive Relief	.30	63.00
11/29/21	TQ	Emails regarding production of Commissioner's emails in response to Silber's RTKL request; review of final email production letter to Silber; review of emails from client regarding Sylvia's historic refusal to wear a mask; review of blog post from Sylvia regarding GAC's alleged RTKL violations	.50	150.00
11/29/21	LM	Review emails from Gary Kiedaisch and Brian Gallagher regarding GAC compliance with GMR policy on masking at GAC meetings and BCD anti-face mask policy	.10	21.00
11/29/21	LM	Review email from Gary Kiedaisch forwarding email from Tom Day regarding Sylvia op-ed about GAC master planning committee and alleged violations of 91-A	.10	21.00
11/30/21	TQ	Review of and editing draft Acceptance of Service document Attorney Gould has agreed to accept; prep for and conference call with Gary K. and Brian G. regarding status assessment and strategy; notes from same for follow-up	1.50	450.00

TOTAL PROFESSIONAL SERVICES**\$ 12,741.00****DISBURSEMENTS**

Date	Description	Qty	Rate	Amount
11/12/21	Corporate, NH Efile, 002038716-0			280.00
	Travel			50.40
11/30/21	Telephone and Data charges			382.23

TOTAL DISBURSEMENTS**\$ 712.63****SUMMARY OF PROFESSIONAL SERVICES**

Name	Hours	Rate	Total
Thomas Quarles	18.60	300.00	5,580.00
Lynnette Macomber	34.10	210.00	7,161.00

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Name	Hours	Rate	Total
TOTALS	52.70		\$ 12,741.00

TOTAL THIS INVOICE

\$ 13,453.63

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Gunstock Mountain Resort
719 Cherry Valley Road
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Invoice No.: 599817
Client No.: 015471
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REMITTANCE ADVICE

RE: General

BALANCE DUE THIS INVOICE

\$ 13,453.63

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.