



THE CITY OF NASHUA

Office of The Records Administrator

OCT 22 PM 4:02

"The Gate City"

October 22, 2024

Ms. Laurie Ortolano
41 Berkeley Street
Nashua NH 03064

Via email only to laurieortolano@gmail.com

RE: RTK Request received Tuesday October 8, 2024 at 8:56am.

Dear Ms. Ortolano,

The City is in receipt of your request dated Tuesday October 8, 2024 at 8:56am, under NH RSA 91-A, the "Right-to-Know" law directed to Attorney Barnes, Attorney Bolton, Director Cummings and Record Administrator. This response is on behalf of all four individuals to whom it was directed.

The request is for:

"Is McLane Middleton representing the City on any other legal matters besides Ortolano (sic) legal matters. If you chose not to answer the question, under RSA 91-A, please provide all contracts between McLane Middleton and the City for legal services other than Ortolano matters."

Response:

RSA 91-A does not require that the City answers questions, create governmental records to respond to a document request, or compile information in a form in which it is not already kept or reported by the City (RSA 91-A:4, VII).

The City conducted a reasonable search for available records matching your request as cited above. Please be advised that no records exist as identified and specified within your request.

However, in the spirit of cooperation, McLane-Middleton does not represent the City of Nashua in any Ortolano matters. Additionally, McLane-Middleton represents 201 Main Street Financing Corporation, 201 Main Street Real Estate Corporation and NPAC Corporation.

As a courtesy, attached are the fee agreements related to 201 Main Street Financing Corporation, 201 Main Street Real Estate Corporation and NPAC Corporation, as Attachment 1 and Attachment 2.

With this letter and the enclosed documents this request is considered satisfied and closed.

Sincerely,

/s/ Gary Perrin
Records Administrator

cc: Enclosures
Attorney Barnes
Attorney Bolton
Director Cummings
RTK2024-252AS



THE CITY OF NASHUA

Office of The Records Administrator

"The Gate City"

RTK2024-252AS

Attachment 1

Letter of Engagement City of Nashua and McLane Middleton
Re: Laurie Ortolano v. City of Nashua et al – Case No. 226-2022-cv-00309;
Dated February 9, 2023

MCLANE MIDDLETON

JOSEPH A. FOSTER
Direct Dial: 603.628.1175
Email: joseph.foster@mcclane.com
Admitted in NH and MA
900 Elm Street, P.O. Box 326
Manchester, NH 03105-0326
T 603.625.6464
F 603.625.5650

February 9, 2023

Via Email Only

Jennifer Deshaises
Risk Management Department
City of Nashua
229 Main Street
Nashua, NH 03060

Re: Laurie Ortolano v. City of Nashua et al – Case No. 226-2022-cv-00309

Dear Ms. Deshaises,

As we noted in our letter of February 1, 2023, McLane Middleton, Professional Association (“McLane Middleton”) has been representing Richard G. Lannan, who Laurie Ortolano has named as a party in Ortolano v. City of Nashua et al – Case No. 226-2022-cv-00309, currently pending in the Hillsborough County Superior Court – Southern District (the “Action”). Recently, she has filed a motion to amend her complaint to add 201 Main Street Financing Corporation and 201 Main Street Real Estate Corporation (the “Corporations”) as defendants and is dropping Mr. Lannan as a named defendant. However, Mr. Lannan is the President of the Corporations and it appears she may still seek fines against him in that role. We have now been asked to represent the Corporations as well.

It is our understanding that the City of Nashua (the “City”) has agreed to pay Mr. Lannan’s legal fees and expenses in this matter as well as those of the Corporations. McLane Middleton will bill the City monthly for its services to Mr. Lannan and the Corporations. Per your office’s request, if we anticipate our legal fees exceeding a total of \$10,000, we will notify your office in advance. However, the \$10,000 threshold should not be considered as a cap on our legal fees. While we hope the matter is quickly resolved it is not possible at this juncture to predict its outcome or the time it will take to reach a resolution.

Although the City has agreed to pay legal fees to McLane Middleton on behalf of Mr. Lannan and the Corporations, we also want to confirm the City understands it is not a client of McLane Middleton and while its interests may generally align with Mr. Lannan and/or the Corporations in the Action, McLane Middleton does not represent the City in the Action.

In addition, we also want to confirm that the City agrees that its payment of Mr. Lannan’s and the Corporations fees and expenses in the Action does not in any way prohibit McLane

McLane Middleton, Professional Association
Manchester, Concord, Portsmouth, NH | Woburn, Boston, MA

McLane.com
FEB 09 2023
Risk Management

Jennifer Deshaies
February 9, 2023
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Middleton from representing parties in unrelated matters who have interests that are adverse to the City.

Would you please confirm our understanding is correct by having the appropriate official of the City executing the letter where indicated below.

In addition, please let us know how our bills should be submitted to the City.

Please do not hesitate to contact me should you have any questions.

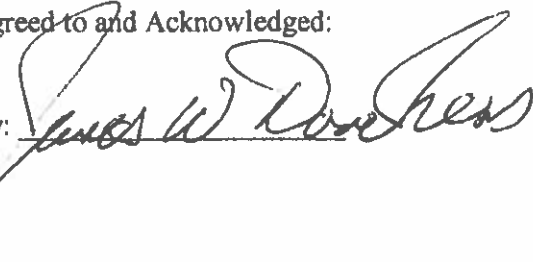
Sincerely,



Joseph A. Foster

JFO:gws

Agreed to and Acknowledged:

By: 



THE CITY OF NASHUA

Office of The Records Administrator

"The Gate City"

RTK2024-252AS

Attachment 2

Letter of Engagement City of Nashua and McLane Middleton

Re: Laurie Ortolano v. City of Nashua et al – Case No. 226-2022-cv-00309;

Re: Laurie Ortolano v. City of Nashua et al – Case No. 226-2023-cv-00251 (the "Actions").

Dated August 30, 2023



JOSEPH A. FOSTER
Direct Dial: 603.628.1175
Email: joseph.fooster@mclane.com
Admitted in NH and MA
900 Elm Street, P.O. Box 326
Manchester, NH 03105-0326
T 603.625.6464
F 603.625.5650

August 30, 2023

Via Email Only

Jennifer Deshaises
Risk Management Department
City of Nashua
229 Main Street
Nashua, NH 03060

**Re: Laurie Ortolano v. City of Nashua et al – Case No. 226-2022-cv-00309;
Laurie Ortolano v. City of Nashua et al—Case No. 226-2023-cv-00251 (the
“Actions”).**

Dear Ms. Deshaises,

By letter dated February 9, 2023 attached hereto, the City agreed to pay the legal fees of Richard Lannan, 201 Main Street Financing Corporation and 201 Main Street Real Estate Corporation (“Main Street Corporations”) due McLane Middleton, Professional Association (“McLane”) in its defense of the Main Street Corporations as Defendants and Richard Lannan as a Director and President of the Main Street Corporations in *Ortolano v. City of Nashua et al* – Case No. 226-2022-cv-00309, currently pending in the Hillsborough County Superior Court – Southern District.

In June, Ms. Ortolano filed a related action referenced above against the City and NPAC Corporation (“NPAC”), an entity owned by 201 Main Street Real Estate Corporation. Mr. Lannan is also President and a Director of NPAC as are other members of the boards of the Main Street Corporations. McLane has been asked to represent NPAC in this action.

It is our understanding that the City of Nashua (the “City”) has agreed to pay NPAC’s and Mr. Lannan’s legal fees and expenses in this matter as well. McLane Middleton will bill the City monthly for its services in a single bill for the fees incurred by Mr. Lannan, the Main Street Corporations and NPAC.

Although the City has agreed to pay legal fees to McLane Middleton on behalf of Mr. Lannan, the Main Street Corporations and NPAC, we also want to confirm the City understands it is not a client of McLane Middleton and while its interests may generally align with Mr.

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McLane.com

Jennifer Deshaies
August 30, 2023
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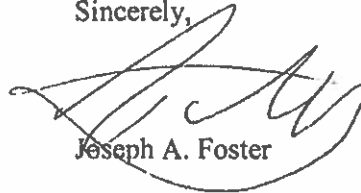
Lannan, the Main Street Corporations and NPAC in the Actions, McLane Middleton does not represent the City in the Actions.

In addition, we also want to confirm that the City agrees that its payment of Mr. Lannan's and the Main Street Corporations and NPAC's fees and expenses in the Actions does not in any way prohibit McLane Middleton from representing parties in unrelated matters who have interests that are adverse to the City.

Would you please confirm our understanding is correct by having the appropriate official of the City executing the letter where indicated below.

Please do not hesitate to contact me should you have any questions.

Sincerely,

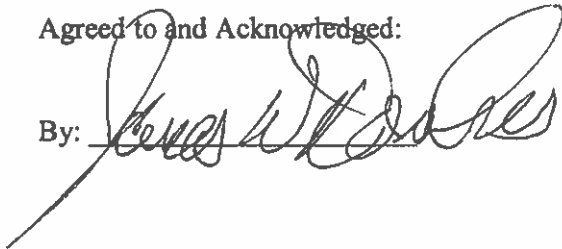
A handwritten signature in black ink, appearing to read "J. Foster", written over a faint circular stamp or watermark.

Joseph A. Foster

JFO:gws

Agreed to and Acknowledged:

By: _____

A handwritten signature in black ink, appearing to read "Jennifer Deshaies", written over a horizontal line.