

January 6, 2022

Gunstock Mountain Resort
719 Cherry Valley Road
Gilford, NH 03249

Invoice No.: 602583
Client No.: 015471
Matter No.: 102471

INVOICE SUMMARY

For professional services rendered through December 31, 2021:

RE: General

Professional Services
Total Disbursements

\$ 19,176.00
~~\$ 575.28~~

TOTAL THIS INVOICE

\$ 19,751.28

legal services thru 12/31/21

5465600

1/26/2022

ok
TODAY

Invoice No. 602583

January 6, 2022

PROFESSIONAL SERVICES RENDERED

Date	Description of Service	Hours	Amount
12/01/21	TQ Email from Gary K. regarding settlement discussion; conference with LVM regarding finalizing Acceptance of Service document for Attorney Gould and other issues for upcoming Dec. 23 hearing, including need for an in-person hearing	.40	120.00
12/01/21	LM Conference with Attorney Quarles regarding draft acceptance of service form and updates related to GAC lawsuit with Belknap County Delegation and statements made by Rep. Sylvia regarding 91-A, strategize for December 23rd preliminary injunction hearing	.30	63.00
12/02/21	TQ Email from Brian G.; voicemail from Gary K.; conferences with LVM regarding draft Acceptance of Service document for Attorney Goulds review and approval; review of email to and from him	.40	120.00
12/02/21	LM Communicate with Attorney Quarles regarding 12/23 hearing and motion to be filed regarding same, revise draft of Acceptance of Service form and email same to Attorney Gould to accept service by the Belknap County Delegation	.40	84.00
12/02/21	LM Review response email from Gould assenting to same, revise and finalize same and e-file with Belknap Superior Court	.40	84.00
12/03/21	TQ Review of emails from Brian G. and Gary K. regarding last night's Belknap County Comm.; meeting and their refusal to fund Delegation's legal expenses; conference with N.H. regarding issues in holding PI hearing on Webex and need to have it conducted live; teleconference with Gary K. regarding above and tomorrow's Master Plan meeting and Motion to Dismiss just filed by Attorney Gould; voicemail to LVM regarding above	1.50	450.00
12/03/21	LM Review and analyze Motion to Dismiss filed by the Belknap County Delegation in response to GAC's lawsuit and draft outline of objection for same; draft introductory and standard of review sections	3.00	630.00
12/04/21	TQ Detailed review, analysis and notes on Delegation's Motion to Dismiss, especially responses to their claims, facts they left out and claims they didn't answer	.80	240.00
12/05/21	TQ Long teleconference with LVM regarding research needed for motion for live hearing and my and her view of Delegation's Motion to Dismiss	.40	120.00
12/06/21	TQ Review of Laconia Daily Sunday article on County Comm's meeting and their refusal to fund Delegation's attorneys; review of Union Leader article on Gunstock Master Plan meeting; review of old LDN article regarding Sylvia kicking some Delegation reps off its Executive Committee; teleconference with Gary K. regarding recent Master Plan hearing and other pending matters; initial review of our Motion to Hold Dec. Hearing in person and review of same	1.20	360.00
12/06/21	LM Draft Motion for In-Person Hearing and to Enlarge Time for December 23, 2021 preliminary injunction hearing on GAC's Verified Petition against the Belknap County Delegation and conference with Attorney Quarles regarding strategy for same	4.40	924.00

DEVINE MILLIMET

Invoice No. 602583

January 6, 2022

Date	Description of Service	Hours	Amount
12/07/21	TQ Emails from Gary K. and Tom Day regarding prior candidate for Gunstock Commissioner; review of 2nd draft of Motion for in-person hearing and editing same; voice mails and emails with Attorney Gould for Delegation regarding his granting our request for extension to object to his Motion to Dismiss; telephone call with him regarding above and case generally; telephone call with LVM to convey my conversation with Gould, need to file our Motions and pass information on to client	1.50	450.00
12/07/21	LM Review and analyze NH Court information regarding webex participation and limits for same in connection with drafting Motion for In-Person Hearing for December 23, 2021 Preliminary Injunction Hearing and communicate with Attorney Quarles regarding same	.60	126.00
12/07/21	LM Review email from Attorney Gould regarding extension to GAC's objection to Defendant's Motion to Dismiss	.10	21.00
12/07/21	LM Draft Assented-to Motion to Extend Deadline for GAC's Objection to the Delegation's Motion to Dismiss to December 17, 2021	.80	168.00
12/07/21	LM Revise Motion for In-Person Hearing on December 23, 2021 based on edits from Attorney Quarles and prepare exhibits A-C for same	.80	168.00
12/07/21	LM Conference with Attorney Quarles regarding updates from Attorney Gould, and finalize and e-file Motion for In-Person Hearing and Assented-to Motion for Extension of Deadline for GAC's Objection to Motion to Dismiss	.80	168.00
12/08/21	TQ More emails from Gary K. regarding GAC candidates; email to LVM regarding same; long conference with LVM regarding same and Delegation's claims of fault in their charges against GAC and how to respond to them in our draft Objection; review of status report; email from LVM to clients; supplemental email from me to clients; long voicemail to LVM	.80	240.00
12/08/21	LM Conference with Attorney Quarles regarding response from Brian Gould and strategy for GAC's Objection to the Delegation's Motion to Dismiss	.30	63.00
12/08/21	LM Review Notice of Decision granting Assented-to Motion to Extend Deadline for Objection to Defendant's Motion to Dismiss	.10	21.00
12/08/21	LM Email to Gary Kiedaisch and Brian Gallagher regarding updates on 12.7.21 filings and Attorney Quarles' conversation with Attorney Gould	.20	42.00
12/09/21	TQ Email from Gary K.; emails with Delegation's attorney granting GAC's requested extensions; email to Gary K. regarding his suggested RTKL responses; review of his response	.50	150.00
12/09/21	LM Review email from opposing counsel regarding extension of deadline to objection to GAC's motion for preliminary injunction	.10	21.00
12/09/21	LM Review Defendant's Motion for Extension of Deadline to respond to GAC's Motion for Preliminary Injunction	.10	21.00

DEVINE MILLIMET

Invoice No. 602583

January 6, 2022

Date		Description of Service	Hours	Amount
12/09/21	LM	Review and analyze email from Gary Kiedaisch regarding application of Heidi Preuss to become a GAC Commissioner in September 2021 and responses from Rep. Ploszaj and Rep. Sylvia to Ms. Preuss regarding same; review Delegation minutes related to appointment of Jade Wood to see whether Ms. Preuss was considered and timeframe for decision regarding same; review GAC enabling statute and RSA 24 to evaluate notice requirements for same and conference with Attorney Quarles regarding findings; send response email to Gary Kiedaisch and Brian Gallagher	1.30	273.00
12/09/21	LM	Work on GAC Objection to Delegation's Motion to Dismiss including review of NH case law regarding standing, ripeness, and cases involving Belknap County Delegation	2.00	420.00
12/10/21	TQ	Emails from and to Tom Day	.10	30.00
12/10/21	LM	Review Notice of Decision granting Defendants' Motion for Extension of Time	.10	21.00
12/14/21	LM	Continue working on GAC's Objection to Delegation's Motion to Dismiss including factual background and legal arguments regarding standing and declaratory judgment	1.80	378.00
12/15/21	LM	Review email from Brian Gallagher regarding Laconia City Council vote in favor of GAC and article regarding same, and review Case Access Portal to see whether Delegation filings made regarding investigative committee	.20	42.00
12/15/21	LM	Continue drafting GAC's Objection to the Belknap County Delegation's Motion to Dismiss, including legal arguments regarding GAC's enabling statute and the Court's authority to decide dispute	3.30	693.00
12/16/21	TQ	Long email from Gary K.; long telephone call with Tom Day; conference with LVM regarding her progress on her draft Objection to Delegation's Motion to Dismiss, ideas for analogue state agency quasi-judicial matters; review of new email from Gary K. and responding to him; begin detailed review, analysis, editing and revising of first draft of our Objection to Delegation's Motion to Dismiss, especially the lengthy fact discussion and Delegation's due process violations; conference with LVM regarding same	3.80	1,140.00
12/16/21	LM	Conference with Attorney Quarles regarding strategy for GAC's Objection to Delegation's Motion to Dismiss	.30	63.00
12/16/21	LM	Continue drafting and revising Objection to Delegation's Motion to Dismiss GAC's Petition including review and inclusion of additional case law regarding quasi-judicial setting in agency proceedings	4.00	840.00
12/17/21	TQ	Review of and revising new section of draft Objection detailing GAC alleged 91-A violations from Delegation and alleged criminal conduct and our detailed refutation of same; editing and revising new draft of objection; detailed email to clients regarding same and upcoming other pleadings and need to have a conference call; review of Laconia Daily Sun article regarding City of Laconia's resolution supporting GAC; multiple emails with clients regarding above; work on further drafts of our Objection to Delegation's Motion to Dismiss, especially regarding more detailed case descriptions, new section on our claimed RTKL violations and editing and finalizing entire document	4.30	1,290.00

DEVINE MILLIMET

Invoice No. 602583

January 6, 2022

Date		Description of Service	Hours	Amount
12/17/21	LM	Revise GAC's Objection to the Delegation's Motion to Dismiss based on edits from and conference with Attorney Quarles and revise same further based on requested edits from clients; finalize same for filing with exhibits and e-file with Belknap Superior Court	4.10	861.00
12/19/21	TQ	Review, analysis and extensive notes on Delegation's Objection to our Motion for Preliminary Injunction and their Objection to our Motion for In-Person Hearing	1.00	300.00
12/19/21	LM	Review and analyze the Delegation's Objection to GAC's Request for Preliminary Injunction and Objection to GAC's Request for In-Person Hearing on 12/23, and begin to prepare response arguments to same	1.00	210.00
12/20/21	TQ	Emails from Gary K. and Brian G. and very long conference call with them and Attorney Macomber regarding Delegation's filings on Friday and our filing and case generally and begin preparation for Thursday Preliminary Injunction hearing; long telephone conference with Attorney Macomber thereafter and review Delegation's Objection to our Motion for Preliminary Injunction and research she is going to need to do on their new cases and authorities cited; voicemail to Attorney Gould regarding can we compromise on holding an in-person meeting	2.00	600.00
12/20/21	TQ	Begin review of Gunstock Master Plan hearing with information from Gary K. regarding GAC and Delegation's relationship	.30	90.00
12/20/21	LM	Phone call with Gary Kiedaisch and Brian Gallagher with Attorney Quarles to discuss the Delegation's Objections filed 12/17 and strategy for 12/23 preliminary injunction hearing	1.40	294.00
12/20/21	LM	Conference with Attorney Quarles regarding strategy for 12/23 preliminary injunction hearing and research to be conducted based on Defendant's Objection to GAC's request for Preliminary Injunction	.50	105.00
12/20/21	LM	Email to Gary Kiedaisch and Brian Gallagher regarding contact information for 12/23 preliminary injunction hearing	.10	21.00
12/21/21	TQ	Emails from clients and left voice mail regarding upcoming hearing; email from opposing counsel responding to my requests for an in-person hearing and suggesting we could take a non-suit without prejudice of our current case; email reply to him; emails to clients regarding same; conference call with clients to review offer and determine a counter-offer; email from Attorney Gould; second email from Attorney Gould offering only 10 days' notice; email reply to him and to clients regarding same; review of emails regarding our contact with Court on in-person hearing issue, etc.; review of Appearance and Notice of Intent to Reply from new attorney for Delegation	2.00	600.00
12/21/21	LM	Review and analyze NH RSA 4:1 and annotations thereto and NH case law cited in Delegation's Objection to GAC's request for preliminary injunction in connection with preparing for upcoming 12/23 hearing on preliminary injunction	1.70	357.00
12/21/21	LM	Phone call to Belknap County Superior Court to request update on ruling on Motion for In Person Hearing for 12/23 hearing and review Case Access Portal to check on case docket; send email to client regarding same	.30	63.00

DEVINE MILLIMET

Invoice No. 602583

January 6, 2022

Date	Description of Service	Hours	Amount
12/22/21	TQ Many emails from client, including new LDS article on dispute; emails from me to client regarding settlement offer; many emails regarding whether hearing will be in-person or remote; review of Court's Order requiring remote hearing; drafting detailed settlement offer email to Attorney Gould; telephone conference with Gary K.; email to him; emails from LVM with material for hearing prep; complete file review to locate all parties' pleadings; review, analysis and notes on our lengthy Petition for Injunction and all exhibits to begin to prepare for hearing	3.00	900.00
12/22/21	LM Review emails from Gary Kiedaisch and Attorney Quarles' response to same regarding settlement discussion with Gould, call Belknap County Superior Court to check on status of Motion for In Person Hearing for 12/23 hearing and review Case Access Portal regarding same, and send response email to Gary Kiedaisch and Brian Gallagher regarding status	.40	84.00
12/22/21	LM Review Notice of Decision denying GAC's request for in-person hearing but extending the hearing time to one hour, and send email to Gary Kiedaisch and Brian Gallagher regarding same	.10	21.00
12/22/21	LM Continue review and analysis of NH (and First Circuit) case law on due process protections in the context of quasi-judicial settings and the Court's authority to issue preliminary injunctions regarding same and communicate with Attorney Quarles regarding research findings in preparation for 12/23 preliminary injunction hearing	1.60	336.00
12/23/21	TQ Review of all other pleadings in case for overall background and to draft detailed outline for my presentation at preliminary injunction hearing; drafting same; editing and revising same; meeting with LVM to review her additional legal research and work 3 new cases she found into my outline; conference with clients to get their background and credentials to tell Court; presenting our case at remote hearing; conference with clients thereafter	5.60	1,680.00
12/23/21	TQ Email from opposing counsel requesting our case citations; work on same; emails to and from clients regarding Sylvia and Silber's affidavits submitted just before hearing; work on requests for notice of hearing	.50	150.00
12/23/21	LM Conference with Attorney Quarles in preparation for preliminary injunction hearing to be held this date via Webex with Belknap Superior Court, including discussion of supplemental legal authority in support of preliminary injunction request	.60	126.00
12/23/21	LM Review email from Tom Day regarding issue with Webex hearing link and test link for same, phone call to Tom Day regarding same and send follow up email to Tom Day and Gary Kiedaisch with Webex login information	.30	63.00
12/23/21	LM Prepare for preliminary injunction hearing with Belknap Superior Court including review and analysis of Affidavits of Rep. Sylvia and Rep. Silber filed by the Delegation this date (12/23) and discussion with Gary Kiedaisch and Brian Gallagher regarding same	1.00	210.00
12/23/21	LM Appear for Belknap Superior Court hearing on GAC's request for preliminary injunction (held via Webex)	1.50	315.00
12/23/21	LM Conference with Attorney Quarles regarding developments from preliminary injunction hearing and next steps for matter	.20	42.00

DEVINE MILLIMET

Invoice No. 602583

January 6, 2022

Date		Description of Service	Hours	Amount
12/23/21	LM	Phone call to Belknap Superior Court to request copy of recording of preliminary injunction hearing	.10	21.00
12/23/21	LM	Review and respond to email from Attorney Tanafon regarding cases cited at hearing held this date	.10	21.00
12/23/21	LM	Email to client sending copies of affidavits filed by Reps. Sylvia and Silber prior to preliminary injunction hearing held this date	.10	21.00
12/23/21	LM	Review email from Gary Kiedaisch regarding Affidavits submitted by Reps. Sylvia and Silber and facts relating to Silber's statements regarding control of Delegation	.10	21.00
12/27/21	TQ	Review of Union Leader article on preliminary injunction hearing; review of Gary K.'s comments on Sylvia and Silber's affidavits; same from Brian G.; review of court's hearing notice, setting 2/16/2022 as date of hearing on Delegation's Motion to Dismiss action on same	.50	150.00
12/28/21	LM	Review and analyze Belknap County Delegation's Reply to GAC's Objection to Motion to Dismiss	.30	63.00
12/28/21	LM	Review and calendar Notice of Hearing on Motion to Dismiss filed by Belknap County Delegation scheduling same for Webex hearing February 16, 2022	.10	21.00
12/29/21	TQ	Long meeting with LVM to review Delegation's Reply pleading and how to outline our sur-reply to make full refutation of their claims, etc.; review of Delegation's assent to our request to file sur-reply; review of our filings re latter	1.00	300.00
12/29/21	LM	Communicate with Attorney Quarles regarding analysis of Reply filed by Belknap County Delegation and strategy for Surreply to same	1.00	210.00
12/29/21	LM	Phone call to Attorney Tanafon regarding request for assent to Motion for Leave to File Surreply to Delegation's Reply filed in support of its Motion to Dismiss	.10	21.00
12/29/21	LM	Draft Notice of Intent to File Assented-to Motion for Leave to File Surreply	.20	42.00
12/29/21	LM	Phone call from Morgan Tanafon regarding Delegation's assent to GAC's request to file a Surreply in support of its Objection to the Delegation's Motion to Dismiss	.10	21.00
12/29/21	LM	Finalize and e-file Notice of Intent to File Assented-to Motion for Leave to File Surreply in support of GAC's Objection to the Delegation's Motion to Dismiss	.20	42.00
12/29/21	LM	Email to Gary Kiedaisch and Brian Gallagher sending copy of Reply filed by Belknap County Delegation and Notice of Hearing for 2/16 Motion to Dismiss hearing	.20	42.00
12/29/21	LM	Request audio recording of 12/23 preliminary injunction hearing through eScribers as required by NH Superior Court Rules	.30	63.00
12/30/21	TQ	Review of two emails from Gary K., including an old voicemail from Mike Sylvia	.10	30.00
12/30/21	LM	Review and analyze Court Order denying GAC's Request for a Preliminary Injunction	.20	42.00

DEVINE MILLIMET

Invoice No. 602583

January 6, 2022

Date	Description of Service	Hours	Amount
12/31/21	TQ Review of Court's Order on our request for Preliminary Injunction and notes on same; long telephone call with LVM regarding same; review of her draft email to client regarding same; editing and revising same	1.00	300.00
12/31/21	LM Conference with Attorney Quarles regarding Court Order denying GAC's request for preliminary injunction and arguments for potential Motion to Reconsider	.30	63.00
12/31/21	LM Draft and send detailed email to Gary Kiedaisch and Brian Gallagher regarding Court Order denying GAC's request for preliminary injunction and communicate with Attorney Quarles regarding same, and next steps for drafting Motion to Reconsider and Surreply	.90	189.00
12/31/21	LM Review response email from Brian Gallagher regarding Court Order denying preliminary injunction and communicate with Attorney Quarles regarding same	.10	21.00
TOTAL PROFESSIONAL SERVICES			\$ 19,176.00

DISBURSEMENTS

Date	Description	Qty	Rate	Amount
12/31/21	Telephone and Data charges			575.28
TOTAL DISBURSEMENTS				\$ 575.28

SUMMARY OF PROFESSIONAL SERVICES

Name	Hours	Rate	Total
Thomas Quarles	32.70	300.00	9,810.00
Lynnette Macomber	44.60	210.00	9,366.00
TOTALS	77.30		\$ 19,176.00

TOTAL THIS INVOICE \$ 19,751.28

January 6, 2022

Gunstock Mountain Resort
719 Cherry Valley Road
Gilford, NH 03249

Invoice No.: 602583
Client No.: 015471
Matter No.: 102471

REMITTANCE ADVICE

RE: General

BALANCE DUE THIS INVOICE	\$ 19,751.28
---------------------------------	---------------------

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.