

July 20, 2022

VIA EMAIL

Tom Day
tday@gunstock.com

RE: Gunstock Area Commission

Dear Mr. Day:

As you may know this firm is counsel to the Gunstock Area Commission and we have been asked to look into certain matters concerning the August 19, 2021 Report on Commissioner Ness, the lawsuit filed against the Belknap County Delegation, and related issues. We issued reports on May 6, 2022 and June 30, 2022 and the GAC has asked us to undertake a further review and analysis of these matters. I am writing to request that you provide us with certain information and that you meet with me to discuss these issues.

Please provide us with copies (electronic copies are preferred but paper copies are acceptable) of the following:

- Text messages and emails regarding:
 - the Ness Report (including the factual allegations and claims made in the report), the August 25, 2021 GAC meeting, the June 19, 2020 Ness snowsports report, and the Otto snowsports communication portal.
 - the engagement of Devine Millimet and requests for legal opinions or representation regarding the Ness Report, the Delegation lawsuit, investigation of prospective or sitting Commissioners, investigation of Delegation members, complaints to any public authority, the removal of any Commissioner.
 - the approval of legal expenses related to any of the above.
 - Peter Ness' requests for financial information in 2020 and 2021 and responses to those requests.
- Notes of any meetings or calls regarding any of the above.
- GAC non-public meeting minutes in 2020 and 2021.
- Documents, including communications, regarding advertising, announcements or notices to be published in the Laconia Daily Sun in 2020 and 2021.

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- A list of all employees or contractors of Gunstock Mountain Resort, including address, phone and email, who worked as ski patrollers, ski or snowboard instructors, lift attendants or a manager of any of them, in 2019, 2020 and 2021.
- Communications regarding the Gunstock document retention policy.
- All documents describing the role of GAC Commissioner.

Please provide me with this information by the close of business Monday August 1, 2022. You may send them to by email or use our secure file transfer site (<https://www.preti.com/file-transfer/>).

I would like to discuss these events with you during the week of August 1, 2022. If you are unavailable at any time that week please let me know. And if you have a preferred day or time of day please specify your preferences and I will do my best to accommodate them. I look forward to your cooperation.

Sincerely yours,



Peter G. Callaghan

PGC:as