

STATE OF NEW HAMPSHIRE
DEPARTMENT OF STATE

IN THE MATTER OF:)
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)
Local Government Center, Inc.;)
Government Center Real Estate, Inc.;)
Local Government Center Health Trust, LLC;)
Local Government Center Property-Liability Trust,)
LLC;)
Health Trust, Inc.;)
New Hampshire Municipal Association Property-Liability) Case No: C2011000036
Trust, Inc.;)
LGC – HT, LLC;)
Local Government Center Workers’ Compensation)
Trust, LLC;)
And the following individuals:)
Maura Carroll; Keith R. Burke; Paul G. Beecher;)
Peter J. Curro; April D. Whittaker; Timothy J. Ruehr;)
Julia A. Griffin; and John Andrews)
)
)
RESPONDENTS)

**MOTION TO RECONSIDER ORDER ON MOTIONS TO COMPEL
PRODUCTION TO THE EXTENT REDACTIONS WERE ORDERED TO PROTECT
THE LGC’S ATTORNEY CLIENT PRIVILEGE AS THAT PRIVILEGE HAS NOW
BEEN WAIVED BY THE ASSERTION OF ADVICE OF COUNSEL DEFENSES**

Now comes the Secretary of State, Bureau of Securities Regulation (the “Bureau) and moves the Hearing Officer to reconsider his Order of January 19, 2012 to the extent it allowed the LGC to redact otherwise discoverable documents to protect privileged information because the LGC and Respondents Carroll and Andrews have waived the attorney client privilege by asserting “advice of counsel” defenses. The Bureau adopts and incorporates by reference its contemporaneously filed Motion Requesting Hearing Officer to Find Waiver of The Attorney Client Privilege through the Assertion of “Advice of Counsel” Defense and for Related Relief Against All LGC Respondents and Respondents Carroll and Andrews.

1. The Hearing Officer's Order of January 19, 2012 allowed the parties to move for reconsideration of specific discovery requests based upon specific factual assertions. Order at 22. The Bureau now moves for such reconsideration.

2. The Order of January 19th provides for redactions of privileged matter by the LGC at pages 11, 15 and 16.

3. The LGC and Respondents Carroll and Andrews have now waived their attorney client privilege as explained in the Bureau's contemporaneously filed motion requesting the Hearing Officer to find a waiver of the privilege. The waiver of the privilege is the kind of specific factual and legal assertion that justifies reconsideration of certain aspects of the January 19th Order.

WHEREFORE, FOR THE FOREGOING REASONS, the Bureau asks the Hearing Officer reconsider his order of January 19th, but only to the extent that said Order permitted the LGC to redact privileged information from its otherwise discoverable productions.

Respectfully submitted,

Bureau of Securities Regulation
By and Through Their Attorneys,
Bernstein, Shur, Sawyer & Nelson, PA

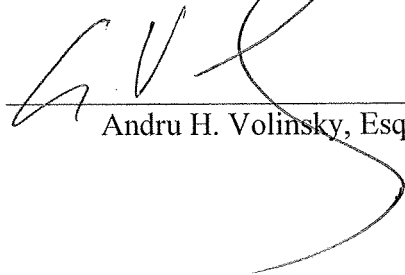
January 20, 2012

By: 

Andru H. Volinsky, Esq., (#2634)
Roy W. Tilsley, Jr., Esq. (#9400)
Christopher G. Aslin, Esq. (#18285)
Bernstein, Shur, Sawyer & Nelson, PA
670 N. Commercial Street, Ste. 108
P.O. Box 1120
Manchester, NH 03105-1120
(603) 623-8700

CERTIFICATION OF SERVICE

I, Andru H. Volinsky, hereby certify that a copy of the above pleading was this date, forwarded to Jeffrey D. Spill, Esq., Earle F. Wingate, III, Esq., Kevin B. Moquin, Esq., Eric Forcier, Esq., Adrian S. Laroche, Esq., William C. Saturley, Esq., Brian M. Quirk, Esq., David I. Frydman, Esq., Michael D. Ramsdell, Esq., Joshua M. Pantescio, Esq., Mark E. Howard, Esq., Jaye L. Rancourt, Esq., and Steven M. Gordon.



Andru H. Volinsky, Esq.