

THE STATE OF NEW HAMPSHIRE

DEPARTMENT OF STATE

IN THE MATTER OF:

Local Government Center, Inc. *et al*

C-2011000036

INTERVENOR’S RESPONSE TO HEALTHTRUST’S MOTION TO EXCLUDE EVIDENCE

NOW COME the intervenors in the above captioned case, and respectfully object to HealthTrust’s Motion To Exclude Evidence, and in support thereof state as follows:

1. HealthTrust’s motion to exclude evidence largely concerns BSR’s attempt to expand the number of recipients and amount of refunds to include all former members of LGC risk pools that contributed to the excess surplus.

2. BSR’s position mirrors the position taken by the Intervenors throughout the course of their involvement in this matter.


3. Accordingly, although it does not directly affect their interests, the Intervenors believe it is appropriate and within the Supreme Court’s mandate for the Presiding Officer to consider the interests of political subdivisions that contributed to the excess surplus should share proportionally in the return of excess surplus funds.

4. BSR is represented by able counsel who will more thoroughly advance this argument.

5. To the extent that HealthTrust's motion objects to the Intervenor's use of stipulated evidence, the Intervenor objects. HealthTrust's own motion repeatedly suggests that the Intervenor is properly before the Presiding Officer at this time and may properly present the claim that they successfully appealed to the Supreme Court.

6. HealthTrust has presented no argument as to why the Intervenor should not be able to use the stipulated evidence at the hearing to advance their claims. The Intervenor should be permitted to set out their claims and arguments based on the stipulated evidence.

RESPECTFULLY SUBMITTED  
The Towns of Auburn, Bennington,  
Meredith, Northfield, Peterborough,  
Plainfield, Salem, and Temple,  
By their attorneys,  
DOUGLAS, LEONARD & GARVEY, P.C.



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CERTIFICATION

I hereby certify that copies of this pleading have this day been forwarded to counsel of record via email.

August 15, 2016



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Charles G. Douglas, III