

STATE OF NEW HAMPSHIRE
DEPARTMENT OF STATE
BUREAU OF SECURITIES REGULATION

IN THE MATTER OF:

Local Government Center, Inc.; et al

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Case No.: C-2011000036

ASSENTED-TO MOTION TO RESCHEDULE HEARING
ON BUREAU OF SECURITIES' MOTION FOR CLARIFICATION AND THE
REQUEST FOR THE DEPOSITION OF DAVID LANG

Respondents Local Government Center, Inc. and affiliated entities (hereafter, "LGC"), submit this *Assented-to Motion to Reschedule Hearing on Bureau of Securities' Motion for Clarification* and the Request for the Deposition of David Lang, stating as follows:

A. Present Procedural Status

1. On January 12, 2012, the Presiding Officer scheduled a hearing on the Bureau of Securities' ("BSR") *Motion for Clarification* and LGC's *Response to Motion for Clarification* for January 20, 2012.

2. Also on January 12, 2012, the Presiding Officer rescheduled the hearing on the request for the deposition of David Lang, President of Professional Fire Fighters of New Hampshire ("PFFNH"), for later in the day on January 20, 2012.

B. Request for Postponement

3. In addition to the two issues that are presently before the Presiding Officer, during the next scheduled hearing, counsel for LGC would like the opportunity to confer with the Presiding Officer and counsel for the various Parties regarding additional issues; namely, to update the Presiding Officer on the status of discovery; and to obtain guidance from the Presiding Officer regarding the procedure to follow in order to accomplish the taking of a deposition when Parties cannot agree on the deposition of a particular individual.

4. LGC believes that a procedure regarding the scheduling of depositions is necessary to ensure a smooth discovery process and to make certain that discovery is completed no later than March 27, 2012, as has been ordered. At present, the Parties have agreed to reschedule the period of time to take depositions from late January/early February 2012 to a time period in February and/or early March, depending upon the availability of counsel and witnesses.

5. Attorney William Saturley will be out of the state on January 20, 2011.

6. Attorney Steven Gordon of the law firm Shaheen & Gordon recently has filed an *Appearance* on behalf of Maura Carroll. Attorney Gordon will be out of the state on January 20, 2011.

7. Counsel for the remaining individual Respondents, Mark Howard, is out of the country on January 20, 2012. If he wished to attend, due to the discussion of the discovery topics, a postponement would allow him to participate.

8. Accordingly, LGC respectfully requests that the January 20, 2012 hearing be rescheduled. After conferring with counsel representing the various Parties, the earliest dates on which all counsel are available are Monday, January 30, 2012; Wednesday, February 1, 2012; and Friday, February 3, 2012.

C. Counsel's Assent to the Requested Relief

9. Counsel for the BSR, Attorney Andrew Volinsky and Deputy Director Jeffrey Spill, assent to the requested relief.

10. Counsel for Respondent John Andrews, Michael Ramsdell, assents to the requested relief.

11. Counsel for Respondent Maura Carroll, Steven Gordon, assents to the requested relief.

12. Counsel for David Lang, President of PFFNH, Glenn Milner, assents to the requested relief.

WHEREFORE, it is respectfully requested that the Presiding Officer:

- A. Grant the instant *Motion*;
- B. Reschedule the January 20, 2012 Hearing on the BSR's Motion for Clarification and the Request for the Deposition of David Lang to Monday, January 30, 2012; Wednesday, February 1, 2012; or Friday, February 3, 2012, as the Presiding Officer's calendar permits; and
- C. Grant such other and further relief as may be deemed just and proper.

Respectfully submitted,

LOCAL GOVERNMENT CENTER, INC.;
LOCAL GOVERNMENT CENTER
REAL ESTATE, INC.;
LOCAL GOVERNMENT CENTER
HEALTHTRUST, LLC;
LOCAL GOVERNMENT
HEALTHTRUST, LLC;
LOCAL GOVERNMENT CENTER
PROPERTY-LIABILITY TRUST,
LLC;
HEALTHTRUST, INC.;
NEW HAMPSHIRE MUNICIPAL
ASSOCIATION PROPERTY-
LIABILITY TRUST, INC.;
LGC-HT, LLC;
LOCAL GOVERNMENT CENTER
WORKERS' COMPENSATION
TRUST, LLC; AND
MAURA CARROLL,

By Their Attorneys:
PRETI FLAHERTY BELIVEAU &
PACHIOS, PLLP

Dated: January 13, 2012

By: /s/ Brian M. Quirk
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CERTIFICATE OF SERVICE

I hereby certify that I have this 13th day of January 2012, forwarded copies of the within
Assented-to Motion to Rescheduled Hearing on Bureau of Securities' Motion for Clarification
Scheduled for January 20, 2012 via E-mail to counsel of record and Attorney Glenn Milner.

/s/ Brian M. Quirk