

STATE OF NEW HAMPSHIRE

DEPARTMENT OF STATE

IN THE MATTER OF:)
)
Local Government Center, Inc. et al) Case No.: C-2011000036
)
RESPONDENTS)
)
)


NOTICE OF HEARING

1. The Supreme Court, in its January 10, 2014 decision, remanded the issue of costs to be determined by further administrative proceedings.
2. The Omnibus Order issued by the undersigned presiding officer in his August 4, 2014 order incorporated a consensual agreement among the parties that addressed, but did not finally resolve the remanded issue of costs. Instead, upon the representation of counsel that settlement was probable the order provided and additional ten (10) days for counsel to reach agreement on that issue or a hearing would be scheduled to consider that issue.
3. On August 14, 2014 the presiding officer was informed that the parties had not reached settlement, but that the parties did not believe that a hearing was necessary at that time.
4. On September 8, 2014 the presiding officer issued an administrative notice, in essence requesting that the parties report their settlement by joint agreement or, otherwise

indicate settlement perspective by separate reports as the planning and logistics for a hearing on the remanded issue was in progress.

5. To date, no communication in either form has been received and what had been expected for resolution of the issue to be accomplished by the parties by August 14, 2014 has now slid for an additional 5 weeks with no representation of any significant progress towards settlement.
6. Therefore, in keeping with the initial representation of the parties and the previous declaration of the presiding officer, a preliminary hearing on all issues relevant to the issue of costs remanded by the Supreme Court shall be conducted on **Monday, October 6, 2014 beginning at 2:00 PM in Concord, NH in Rooms 206-208 of the Legislative Office Building.**
7. The purpose of this preliminary hearing will be to achieve settlement of the issue; address any discovery issues and for the parties to submit exhibit and witness lists. Any expert witness intended to be called by the BSR shall be identified and shared with counsel for the HT and PLT and the identity provided to all successor entities to the Local Government Center (LGC) no later than September 30, 2014. The counsel for the HT and PLT and any other LGC successor entity shall identify and inform the BSR of any expert witness to be called on their behalf no later than October 6, 2014 prior to the conclusion of the preliminary hearing

So ordered this 23rd day of September, 2014

A handwritten signature in black ink that reads "Donald E. Mitchell". The signature is written in a cursive style with a large, stylized initial "D".

Donald E. Mitchell, Esq., NH Bar #1773
Presiding Officer

cc: Barry Glennon, Esq.
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Courtesy Copies to:

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