

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF STATE

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IN THE MATTER OF: )  
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Local Government Center, Inc., et al. ) C-2011000036  
 )  
RESPONDENTS )  
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**HEALTHTRUST’S MOTION TO STRIKE THE NEW HAMPSHIRE SECRETARY  
OF STATE’S RECENTLY FILED AFFIDAVIT AND TO DISQUALIFY THE  
PRESIDING OFFICER**

HealthTrust, Inc. (“HealthTrust”) moves to strike the New Hampshire Secretary of State’s (“Secretary”) recently filed affidavit from the record and to disqualify the Presiding Officer from presiding over the New Hampshire Bureau of Securities Regulation’s (“BSR”) Motion for Entry of Default Order (“Motion”). As explained in more detail in HealthTrust’s contemporaneously filed memorandum of law in support of the instant motion, the BSR’s recent submission of the Secretary’s affidavit violates HealthTrust’s right to due process pursuant to N.H. Const. part I, article 35 and U.S. Const. Amend. XIV, and the statutory prohibition on *ex parte* communication with the Presiding Officer or the Secretary in RSA 421-B:26-a, XXV, and renders it impossible for HealthTrust to receive a fair hearing.

WHEREFORE, HealthTrust requests that the Presiding Officer strike the New Hampshire Secretary of State’s recently filed affidavit from the record and disqualify himself from presiding over the Motion for Entry of Default Order.

Respectfully submitted,

HEALTHTRUST, INC.

By Its Attorneys,

Dated: June 5, 2014

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**CERTIFICATE OF SERVICE**

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

/s/ Michael D. Ramsdell  
Michael D. Ramsdell