

**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF STATE  
BUREAU OF SECURITIES REGULATION**

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**IN THE MATTER OF:**

Local Government Center, Inc.; Local  
Government Center Real Estate, Inc.;  
Local Government Center 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 the  
Following individuals: Maura Carroll,  
Keith R. Burke, Stephen A. Moltenbrey,  
Paul G. Beecher, Robert A. Berry,  
Roderick MacDonald, Peter J. Curro,  
April D. Whittaker, Timothy J. Ruehr,  
Julia N. Griffin, Paula Adriance, John  
P. Bohenko, and John Andrews

Case No.: C-2011000036

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**[PROPOSED] STRUCTURING CONFERENCE ORDER**

Respondents Local Government Center, Inc. and affiliated entities (hereinafter, "LGC"),  
by and through their attorneys, Preti Flaherty Beliveau & Pachios PLLP, hereby respectfully  
submit this proposed Structuring Conference Order.

**DATE OF CONFERENCE:** October 4, 2011

**COUNSEL PRESENT/REPRESENTING:**

Earle F. Wingate, III  
Bureau of Securities  
Regulation

Department of State Bureau of Securities Regulation

William C. Saturley Brian M. Quirk Preti Flaherty Beliveau & Pachios PLLP	Local Government Center, Inc.; Local Government Center Real Estate, Inc.; Local Government Center 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; Maura Carroll
Michael D. Ramsdell Joshua M. Pantesco Orr & Reno, P.A.	John Andrews
Mark E. Howard Howard & Ruoff, P.L.L.C.	Keith R. Burke; Paul G. Beecher; Robert A. Berry; Peter J. Curro; April D. Whittaker; Timothy J. Ruehr; Julia N. Griffin
Glenn R. Milner Molan, Milner & Krupski, PLLC	Professional Fire Fighters of New Hampshire
Peter J. Perroni Nolan Perroni Harrington, LLP	New England Police Benevolent Association, Inc., IUPA, AFL-CIO

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A controversy over how discovery may be conducted has already arisen between the Bureau and the Respondents. The Bureau had contended it may conduct discovery outside this hearing process, as part of a so-called “ongoing investigation”, and it may limit the parties’ access to that discovery, as it chooses. For example, until Monday, October 3, the Bureau contended that if it wishes to depose a particular Respondent as part of its “ongoing investigation”, it could avoid notifying the other Respondents to this process, and indeed, it could exclude them from the deposition. The Bureau conceded on that date that all parties could attend depositions.

Needless to say, the Respondents object to this interpretation and the recent position taken by the Bureau. They seek a declaration by the Hearing Officer that all discovery in this matter must be conducted in a fair and open manner, consistent with conventional expectations of discovery procedure and the hearing procedures provided in RSA 421-B:26-a, and within the following suggested timelines:

**ANY AMENDMENTS TO ORDERS ISSUED BY THE SECRETARY OF STATE'S OFFICE OR TO THE BUREAU OF SECURITIES' STAFF PETITION:** November 1, 2011

**JOINDER OF ADDITIONAL PARTIES:** November 15, 2011

**COMPLETION OF DISCOVERY:**

Fact Discovery: May 1, 2012  
Expert Discovery: June 1, 2012

**INTERROGATORIES:** 25 by each party to any other party. Responses due 30 days after service unless otherwise agreed.

**REQUESTS FOR PRODUCTION:** Each party is permitted two sets of requests for production to each other party, each set to contain no more than 30 requests. Responses due 30 days after service unless otherwise agreed.

**DEPOSITIONS:** A maximum of 15 by each of the Petitioner and Respondents. Depositions for the purpose of preserving trial testimony for witnesses expected to be unavailable at the time of trial, and depositions of expert witnesses, shall not count against the totals permitted to any party.

**DATE OF DESIGNATION OF EXPERTS:**

Petitioner's Disclosure of Experts and Reports: December 15, 2011  
Deposition of Petitioner's Experts: January 31, 2012  
Respondents' Disclosure of Experts and Reports: February 15, 2012  
Deposition of Respondents' Experts: March 30, 2012

With respect to any designated expert, an expert report is required and must be provided as part of the disclosure.

**CHALLENGES TO EXPERT TESTIMONY:**

Challenges to Petitioner's Experts: March 15, 2012  
Challenges to Respondents' Experts: May 15, 2012

**DISPOSITIVE MOTIONS:**

Motions to Dismiss: February 1, 2012  
Motions for Summary Judgment: June 29, 2012

**WITNESSES AND EXHIBITS:** Ten days before final pretrial conference.

**JOINT STATEMENT OF STIPULATED FACTS:** Ten days before final pretrial conference.

**FINAL PRETRIAL CONFERENCE:** September 10, 2012

**TRIAL ESTIMATE:** 7 to 10 days

**TRIAL DATE:** October, 2012

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: October 3, 2011

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

I hereby certify that I have this 3rd day of October 2011, provided copies of the within [Proposed] Structuring Conference Order *via* electronic transmission to all counsel of record.

/s/ Brian M. Quirk