

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:12-cv-00130-JD**

Wolfeboro, Town of v. Wright-Pierce, Inc.
Assigned to: Judge Joseph A. DiClerico, Jr
Cause: 28:1332 Diversity-Contract Dispute

Date Filed: 04/02/2012
Date Terminated: 10/10/2014
Jury Demand: Both
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

Wolfeboro, NH, Town of

represented by **Daniel Miville Deschenes**
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V.

Defendant

Wright-Pierce, Inc.
also known as
Wright-Pierce

represented by **David H. Corkum**
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Movant

**NH Department of Environmental
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Movant

USA

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/02/2012	<u>1</u>	NEW CASE/ COMPLAINT with Jury Demand. Filing fee \$ 350, receipt number 0102-866832 filed by Wolfeboro, Town of. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons – Waiver)(Pasakarnis, Seth) (Entered: 04/02/2012)
04/02/2012	<u>2</u>	MOTION for Rhian M.J. Cull to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 0102-866833.) filed by Wolfeboro, Town of. Follow up on Objection on 4/19/2012. (Attachments: # <u>1</u> Exhibit (Affidavit) Affidavit of Rhian M.J. Cull)(Pasakarnis, Seth) (Entered: 04/02/2012)
04/02/2012		Case assigned to Judge Joseph A. DiClerico, Jr. The case designation is: 12-cv-130-JD. Please show this number with the judge designation on all future pleadings. (amm) (Entered: 04/03/2012)
04/02/2012		NOTICE. This case has been designated for Electronic Case Filing. All further submissions shall be filed in compliance with the Administrative Procedures for Electronic Case Filing. Pro se litigants are not required to file electronically and may continue to file documents in paper format. Rhian M.J. Cull must complete an online registration form within 30 days. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click <u>HERE</u>. Notice of Compliance Deadline set for 5/7/2012.(amm) (Entered: 04/03/2012)
04/03/2012	<u>3</u>	Waiver Issued Electronically as to Wright-Pierce, Inc.. NOTICE: Counsel shall print and serve the waiver and all attachments in accordance with Fed.R.Civ.P.4. (Attachments: # <u>1</u> Notice ECF)(amm) (Entered: 04/03/2012)
04/03/2012		ENDORSED ORDER granting <u>2</u> Motion for Rhian M.J. Cull to Appear Pro Hac Vice. Text of Order: Granted on the condition that Rhian M.J. Cull submits an ECF registration form within 10 days. So Ordered by Magistrate Judge Landya B. McCafferty. ECF Registration Deadline set for 4/16/2012.To access the online registration form, click <u>HERE</u>. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click <u>HERE</u>. (amm) (Entered: 04/03/2012)
05/08/2012	<u>4</u>	NOTICE of Attorney Appearance by John W. Dennehy on behalf of Wright-Pierce, Inc. (Dennehy, John) (Entered: 05/08/2012)
05/09/2012		NOTICE of ECF Filing Error re: <u>4</u> Notice of Attorney Appearance filed by Wright-Pierce, Inc. Pursuant to Federal Rules of Civil Procedure and Local Rules, Disclosure Statements must be filed. No Disclosure Statement has been filed. Wright-Pierce, Inc. must file a Disclosure Statement using the <i>Other Documents/Disclosure Statement</i> event. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603-225-1474. Disclosure Statement due 5/21/2012.(dae) (Entered: 05/09/2012)
05/09/2012	<u>5</u>	WAIVER OF SERVICE Returned Executed as to Wright-Pierce, Inc. by Wolfeboro, Town of. Served/Mailed on 4/3/2012. Answer Follow Up on 6/8/2012.(Pasakarnis, Seth) (Entered: 05/09/2012)
05/30/2012	<u>6</u>	Disclosure Statement by Wright-Pierce, Inc. disclosing no parent companies, and no merger agreement (Dennehy, John) (Entered: 05/30/2012)
06/04/2012	<u>7</u>	Assented to MOTION to Extend Time to Answer to July 3, 2012 filed by Wright-Pierce, Inc..(Dennehy, John) (Entered: 06/04/2012)
06/05/2012		ENDORSED ORDER granting <u>7</u> Motion to Extend Time to Answer re <u>1</u> Complaint. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr. Answer Follow Up on 7/3/2012.(dae) (Entered: 06/05/2012)
07/02/2012	<u>8</u>	REFILED, See Doc. <u>9</u> . ANSWER to <u>1</u> Complaint – New Case with jury demand filed by Wright-Pierce, Inc..(Gary, Patricia) Modified on 7/3/2012 to add: REFILED, See Doc. <u>9</u> . (dae). (Entered: 07/02/2012)
07/02/2012		NOTICE of ECF Filing Error re: <u>8</u> Answer to Complaint filed by Wright-Pierce, Inc. Documents must be provided in an electronically converted PDF text

		searchable format in accordance with A.P. 2.3(a). Filer shall refile and add to docket text <i>Replaces document no. 8</i> . If the filing party has any questions concerning this notice, please contact the judge's case manager at 603-225-1474. Notice of Compliance Deadline set for 7/10/2012.(dae) (Entered: 07/02/2012)
07/03/2012		NOTICE OF PRETRIAL CONFERENCE. Pretrial Conference set for 8/6/2012 at 03:00 PM before Magistrate Judge Landya B. McCafferty. Follow up on Discovery Plan 7/27/2012. Please note pursuant to Title 28 USC 636(c) and Local Rule 73.1, the parties may consent to have the case reassigned to the Magistrate Judge, but are free to withhold consent without adverse consequences.(ko) (Entered: 07/03/2012)
07/03/2012	<u>9</u>	ANSWER to <u>1</u> Complaint – New Case with jury demand <i>Replaces document no. 8</i> filed by Wright–Pierce, Inc..(Gary, Patricia) Modified on 7/3/2012 to move replaces text (dae). (Entered: 07/03/2012)
07/05/2012	<u>10</u>	Assented to MOTION to Reschedule Pretrial Conference to August 16, 2012 filed by Wolfeboro, Town of.(Pasakarnis, Seth) (Entered: 07/05/2012)
07/05/2012		ENDORSED ORDER granting <u>10</u> Motion to Reschedule Pretrial Conference to August 16, 2012. Text of Order: Granted. So Ordered by Magistrate Judge Landya B. McCafferty.(gla) (Entered: 07/06/2012)
07/06/2012		NOTICE OF PRETRIAL CONFERENCE. Pretrial Conference reset for 8/16/2012 at 11:00 AM before Magistrate Judge Landya B. McCafferty. Follow up on Discovery Plan 8/9/2012. Please note pursuant to Title 28 USC 636(c) and Local Rule 73.1, the parties may consent to have the case reassigned to the Magistrate Judge, but are free to withhold consent without adverse consequences.(ko) (Entered: 07/06/2012)
08/03/2012	<u>11</u>	Proposed Discovery Plan <i>Prepared Jointly by the Parties and Joint Report of Pretrial Conference</i> filed by Wolfeboro, Town of. (Pasakarnis, Seth) (Entered: 08/03/2012)
08/16/2012		Minute Entry for proceedings held before Magistrate Judge Landya B. McCafferty. PRETRIAL CONFERENCE held on 8/16/2012. Order to issue. (Pltfs Atty: Seth Pasakarnis, Rhian Cut) (Defts Atty: John Dennehy)(Total Hearing Time: 5 minutes) (dae) (Entered: 08/16/2012)
08/17/2012	<u>12</u>	ORDER approving as outlined <u>11</u> Discovery Plan. Length of Trial 2 weeks. Case Track: Standard. So Ordered by Magistrate Judge Landya B. McCafferty. Summary Judgment Motions due by 6/3/2013. Mediation Follow Up on 6/3/2013. Notice of Compliance Deadline set for 9/17/2012 – joint supplement to discovery plan.(dae) (Entered: 08/20/2012)
08/20/2012		TRIAL NOTICE: Pretrial Statements due 8/15/2013. LR 16.2(d) Objections due 8/29/2013. Final Pretrial Conference set for 9/5/2013 03:00 PM before Judge Joseph A. DiClerico Jr. Jury Trial set for two–week period beginning 9/17/2013 09:30 AM before Judge Joseph A. DiClerico Jr. (dae) (Entered: 08/20/2012)
09/17/2012	<u>13</u>	Assented to MOTION to Extend Time to September 28, 2012 <i>To File Electronic Discovery Plan</i> filed by Wright–Pierce, Inc..(Gary, Patricia) (Entered: 09/17/2012)
09/17/2012		ENDORSED ORDER granting <u>13</u> Motion to Extend Time to September 28, 2012 To File Electronic Discovery Plan. Text of Order: Granted. So Ordered by Magistrate Judge Landya B. McCafferty.(gla) (Entered: 09/17/2012)
10/05/2012	<u>14</u>	See Attachments 4–7 for Corrected Copies: Proposed Discovery Plan <i>Electronic Discovery Plan</i> filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Gary, Patricia) (Additional attachment(s) added on 10/9/2012: # <u>4</u> CORRECTED Discovery Plan, # <u>5</u> Exhibit 1 – Wright–Pierce's Initial Disclosure of ESI, # <u>6</u> Exhibit 2 – Wolfeboro's Initial Disclosure of ESI, # <u>7</u> Exhibit 3 – Claw Back Agreement) (dae). Modified on 10/9/2012 to add: Corrected copies. (dae). (Entered: 10/05/2012)
10/09/2012		ENDORSED ORDER approving <u>14</u> Supplemental Electronic Discovery Plan. Text of Order: Approved. So Ordered by Magistrate Judge Landya B. McCafferty.(dae) (Entered: 10/10/2012)

11/13/2012	<u>15</u>	Assented to MOTION for David H. Corkum to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 0102-936932.) filed by Wright-Pierce, Inc.. (Attachments: # <u>1</u> Exhibit (Affidavit) Affidavit of David H. Corkum)(Gary, Patricia) (Entered: 11/13/2012)
11/13/2012		ENDORSED ORDER granting <u>15</u> Motion to Appear Pro Hac Vice. Text of Order: Granted on the condition that David H. Corkum complete an online ECF Registration Form within 10 days. So Ordered by Judge Joseph A. DiClerico, Jr. ECF Registration Deadline set for 11/26/2012. To access the online registration form, click HERE. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click HERE. (dae) (Entered: 11/13/2012)
11/13/2012		NOTICE of ECF Filing Error re: Affidavit in support of <u>15</u> Assented to MOTION for David H. Corkum to Appear Pro Hac Vice filed by Wright-Pierce, Inc. Consistent with Supplemental Rules of Electronic Case Filing, affidavits prepared in the context of the litigation shall be filed in electronically converted PDF format and shall contain a /s/ signature for both the signator and the notary/jurat. NO ACTION REQUIRED – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603-225-1474.(dae) (Entered: 11/13/2012)
01/08/2013	<u>16</u>	Assented to MOTION to Continue and Extend Deadlines to Serve Interrogatories filed by Wolfeboro, Town of.(Pasakarnis, Seth) (Entered: 01/08/2013)
01/09/2013		ENDORSED ORDER granting <u>16</u> Motion to Continue and Extend Deadlines. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(It) (Entered: 01/09/2013)
01/25/2013	<u>17</u>	Assented to MOTION to Continue and Extend Deadlines to Serve Interrogatories By One Week to February 1, 2013 filed by Wolfeboro, Town of.(Pasakarnis, Seth) (Entered: 01/25/2013)
01/28/2013		ENDORSED ORDER granting <u>17</u> Motion to Continue and Extend Deadlines to Service Interrogatories. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 01/28/2013)
01/31/2013	<u>18</u>	Assented to MOTION to Continue and Extend Deadlines to Supplement Expert Reports by One Week filed by Wolfeboro, Town of.(Pasakarnis, Seth) (Entered: 01/31/2013)
01/31/2013		ENDORSED ORDER granting <u>18</u> Motion to Continue and Extend Deadlines. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(It) (Entered: 01/31/2013)
02/12/2013	<u>19</u>	Assented to MOTION to Extend Time to March 18, 2013 filed by Wright-Pierce, Inc..(Gary, Patricia) (Entered: 02/12/2013)
02/12/2013		ENDORSED ORDER granting <u>19</u> Motion to Extend Time. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(It) (Entered: 02/12/2013)
03/15/2013	<u>20</u>	Assented to MOTION to Extend Time to April 30, 2013 to Serve Requests for Admission filed by Wright-Pierce, Inc..(Gary, Patricia) (Entered: 03/15/2013)
03/17/2013		ENDORSED ORDER granting <u>20</u> Motion to Extend Time. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(It) (Entered: 03/18/2013)
03/18/2013	<u>21</u>	NOTICE of Attorney Appearance by Kelly Martin Malone on behalf of Wright-Pierce, Inc. (Malone, Kelly) (Entered: 03/18/2013)
03/18/2013	<u>22</u>	NOTICE of Attorney Appearance by Matthew F. Lenzi on behalf of Wright-Pierce, Inc. (Lenzi, Matthew) (Entered: 03/18/2013)
03/19/2013		NOTICE of ECF Filing Error re: <u>21</u> Notice of Attorney Appearance filed by Kelly Martin Malone and <u>22</u> Notice of Attorney Appearance filed by Matthew Lenzi. For your information in the future, documents must be provided in an electronically

		converted PDF text searchable format in accordance with A.P. 2.3(a). If the filing party has any questions concerning this notice, please contact the judge's case manager at 603-225-1474.(dae) (Entered: 03/19/2013)
04/23/2013	<u>23</u>	MOTION for Leave to File An Amended Verified Complaint filed by Wolfeboro, Town of. Follow up on Objection on 5/10/2013. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion for Leave to Amend, # <u>2</u> Exhibit 1 – Proposed Amended Complaint, # <u>3</u> Exhibit A–I (Exhibits to Proposed Amended Complaint))(Pasakarnis, Seth) (Entered: 04/23/2013)
04/29/2013	<u>24</u>	Assented to MOTION to Extend Time to May 24, 2013 filed by Wright–Pierce, Inc..(Gary, Patricia) (Entered: 04/29/2013)
04/29/2013		ENDORSED ORDER granting <u>24</u> Motion to Extend Time. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(It) (Entered: 04/29/2013)
05/07/2013	<u>25</u>	OBJECTION (See Corrected Version as Attachment #5) to <u>23</u> MOTION for Leave to File An Amended Verified Complaint filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit Exhibit 1, Letter, dated January 22, 2013, # <u>2</u> Exhibit Exhibit 2, Proposed Discovery Plan adopted by Court's Order, # <u>3</u> Exhibit Exhibit 3, Email chain with subject line "Wolf–Elevation Survey Error", # <u>4</u> Exhibit Exhibit 4, Email chain with subject line "Additional modeling due to survey error")(Gary, Patricia) (Additional attachment(s) added on 5/9/2013: # <u>5</u> Corrected Opposition) (dae). Modified on 5/9/2013 to add: See Corrected Version text (dae). (Entered: 05/07/2013)
05/09/2013	<u>26</u>	ORDER denying without prejudice <u>23</u> Motion for Leave to File amended complaint. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 05/09/2013)
05/10/2013	<u>27</u>	Assented to MOTION to Continue and Extend Deadlines Discovery, Mediation, and Trial filed by Wolfeboro, NH, Town of.(Pasakarnis, Seth) (Entered: 05/10/2013)
05/12/2013	<u>28</u>	MOTION for Leave to File An Amended Verified Complaint filed by Wolfeboro, NH, Town of. Follow up on Objection on 5/31/2013. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion for Leave to Amend, # <u>2</u> Exhibit (Affidavit) Affidavit of Seth M. Pasakarnis, Esq. in Support of Motion for Leave to Amend, # <u>3</u> Exhibit Proposed Amended Complaint, # <u>4</u> Exhibit Exhibits to Proposed Amended Complaint)(Pasakarnis, Seth) (Entered: 05/12/2013)
05/13/2013		ENDORSED ORDER granting <u>27</u> Motion to Continue and Extend Deadlines. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(It) (Entered: 05/13/2013)
05/14/2013		TRIAL NOTICE – RESCHEDULED: Summary Judgment Motions due by 10/18/2013. Pretrial Statements due 1/16/2014. LR 16.2(d) Objections due 1/30/2014. Final Pretrial Conference reset for 2/6/2014 11:00 AM (from 9/5/13) before Judge Joseph A. DiClerico Jr. Jury Trial reset for two–week period beginning 2/19/2014 09:30 AM (from 9/17/13) before Judge Joseph A. DiClerico Jr. (dae) (Entered: 05/14/2013)
05/29/2013	<u>29</u>	OBJECTION to <u>28</u> MOTION for Leave to File An Amended Verified Complaint filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit Exhibit 1 Letter Dated January 22, 2013, # <u>2</u> Exhibit Exhibit 2 Proposed Discovery Plan adopted by Court's Order, # <u>3</u> Exhibit Exhibit 3 Email Chain with subject line, "Wolf–Elevation Survey Error", # <u>4</u> Exhibit Exhibit 4 Email chain with subject line, "Additional modeling due to survey error", # <u>5</u> Exhibit Exhibit 5 Phase Three Hydrogeological Report, # <u>6</u> Exhibit Exhibit 6 Email from Mitch Locker of NHDES clarifying RIBs should not be loaded at higher than 600,000 gpd, # <u>7</u> Exhibit Exhibit 7 Field Log of RIB Loading, March 4, 2009 – Nov. 17, 2009, # <u>8</u> Exhibit Exhibit 8 Wolfeboro Status Report to NHDES, December 6, 2010, # <u>9</u> Exhibit Exhibit 9 David Ford Email, dated May 5, 2009)(Gary, Patricia) (Entered: 05/29/2013)

05/30/2013	<u>30</u>	NOTICE of Notice of Intent to Move for Leave to file a Reply Memorandum Pursuant to Local Rule 7.1(e)(2) by Wolfeboro, NH, Town of.(Cull, Rhian) (Entered: 05/30/2013)
05/30/2013		NOTICE of ECF Filing Error re: <u>30</u> Notice (Other) filed by Town of Wolfeboro, NH. Filer used the wrong event. Filer should have used Other Filings, Notices, Intent to Reply. NO ACTION REQUIRED – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603–225–1474.(dae) (Entered: 05/30/2013)
06/12/2013	<u>31</u>	MOTION for Leave to File a Reply Memorandum in Response to WP's Objection to Plaintiff's Motion for Leave to Amend filed by Wolfeboro, NH, Town of. Follow up on Objection on 7/1/2013. (Attachments: # <u>1</u> Exhibit Proposed Reply Brief, # <u>2</u> Exhibit Exhibits Cited in Proposed Reply Brief)(Pasakarnis, Seth) (Entered: 06/12/2013)
06/12/2013	<u>32</u>	Notice of Intent to Surreply to Reply to <u>28</u> MOTION for Leave to File An Amended Verified Complaint , <u>31</u> MOTION for Leave to File a Reply Memorandum in Response to WP's Objection to Plaintiff's Motion for Leave to Amend . Surreply Follow Up on 7/1/2013.(Lenzi, Matthew) (Entered: 06/12/2013)
06/13/2013		NOTICE of ECF Filing Error re: <u>32</u> Intent to Surreply filed by Wright–Pierce, Inc. The login and password used must equal the /s/ name on the pleading. NO ACTION REQUIRED – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603–225–1474.(dae) (Entered: 06/13/2013)
06/26/2013	<u>33</u>	MOTION for Leave to File Surreply Memorandum In Response To The Plaintiff's Reply Memorandum In Support of Its Motion For Leave to File An Amended Complaint filed by Wright–Pierce, Inc.. Follow up on Objection on 7/15/2013. (Attachments: # <u>1</u> Exhibit A–Surreply Memorandum, # <u>2</u> Exhibit 10–Fuss & O'Neill Expert Report, # <u>3</u> Exhibit 11–Haley & Aldrich Expert Report, # <u>4</u> Exhibit 12–Email dated November 29, 2012, # <u>5</u> Exhibit 13–Emails dated March 3–5, 2009)(Gary, Patricia) (Entered: 06/26/2013)
07/03/2013		ENDORSED ORDER granting <u>31</u> Motion for Leave to File Reply Memorandum in Response to WP's Objection to Plaintiff's Motion for Leave to Amend. Text of Order: Granted. Within 48 hours counsel shall electronically refile the pleading attached to the Motion for Leave to File using the appropriate event in CMECF. So Ordered by Judge Joseph A. DiClerico, Jr. Miscellaneous Deadline set for 7/8/2013.(dae) (Entered: 07/05/2013)
07/08/2013	<u>34</u>	REFILED, See <u>35</u> . REPLY to Objection to Motion re <u>28</u> MOTION for Leave to File An Amended Verified Complaint filed by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit Exhibits to Reply Memorandum)(Pasakarnis, Seth) Modified on 7/9/2013 to add: Refiled text.(dae). (Entered: 07/08/2013)
07/08/2013		NOTICE of ECF Filing Error re: <u>34</u> Reply to Objection to Motion for Leave to File An Amended Verified Complaint filed by Town of Wolfeboro, NH. Exhibits added as one PDF document. Filer shall refile the main pleading and all exhibits in one entry as separate PDF documents and enter in the docket text: <i>Replaces document no. 34</i> . If the filing party has any questions concerning this notice, please contact the judge's case manager at 603–225–1474. Notice of Compliance Deadline set for 7/11/2013.(dae) (Entered: 07/08/2013)
07/08/2013	<u>35</u>	REPLY to Objection to Motion re <u>28</u> MOTION for Leave to File An Amended Verified Complaint [<i>REPLACES DOCUMENT NO. 34</i>] filed by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit Exhibit A to Reply Memorandum, # <u>2</u> Exhibit Exhibit B to Reply Memorandum, # <u>3</u> Exhibit Exhibit C to Reply Memorandum, # <u>4</u> Exhibit Exhibit D to Reply Memorandum, # <u>5</u> Exhibit Exhibit E to Reply Memorandum)(Pasakarnis, Seth) (Entered: 07/08/2013)
07/16/2013		ENDORSED ORDER granting <u>33</u> Motion for Leave to File Surreply Memorandum. Text of Order: Granted. Within 48 hours counsel shall electronically refile the pleading attached to the Motion for Leave to File using the appropriate event in CMECF. So Ordered by Judge Joseph A. DiClerico,

		Jr.(It) (Entered: 07/16/2013)
07/16/2013	<u>36</u>	SURREPLY to Reply to <u>28</u> MOTION for Leave to File An Amended Verified Complaint filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit 10–Fuss & O'Neill Expert Report, # <u>2</u> Exhibit 11–Haley & Aldrich Report, # <u>3</u> Exhibit 12–Email dated November 29, 2012, # <u>4</u> Exhibit 13–Emails dated March 3–5, 2009)(Gary, Patricia) (Entered: 07/16/2013)
07/16/2013	<u>37</u>	MOTION to Supplement Plaintiff's Motion for Leave to File an Amended Complaint Based on Newly Produced Evidence [Document #28] filed by Wolfeboro, NH, Town of. Follow up on Objection on 8/2/2013. (Attachments: # <u>1</u> Exhibit A – Schwalbaum Email Regarding Site Capacity, # <u>2</u> Exhibit B – Schwalbaum Memorandum Regarding Model, # <u>3</u> Exhibit C – Letter to Attorney Gary Regarding Discovery Deficiencies)(Pasakarnis, Seth) (Entered: 07/16/2013)
07/26/2013	<u>38</u>	Assented to MOTION to Continue and Extend Deadlines to Serve Requests for Admissions to August 30, 2013 filed by Wolfeboro, NH, Town of.(Pasakarnis, Seth) (Entered: 07/26/2013)
07/26/2013		ENDORSED ORDER granting <u>38</u> Motion to Continue and Extend Deadlines. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(It) (Entered: 07/26/2013)
07/31/2013	<u>39</u>	OBJECTION to <u>37</u> MOTION to Supplement Plaintiff's Motion for Leave to File an Amended Complaint Based on Newly Produced Evidence [Document #28] filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Affidavit of W. Jesse Schwalbaum, # <u>2</u> Exhibit 1–Map and Logs for Test Pit, # <u>3</u> Exhibit 2–Map and Logs for Borings)(Gary, Patricia) (Entered: 07/31/2013)
08/20/2013	<u>40</u>	ORDER: Plaintiff's motion to supplement (document no. 37) is granted. The plaintiff's motion to amend (document no. 28) is granted except that Count VI, Fraud, is futile as alleged, and therefore is struck from the proposed amended complaint. So Ordered by Judge Joseph A. DiClerico, Jr.(ko) (Entered: 08/21/2013)
08/29/2013	<u>41</u>	AMENDED COMPLAINT against Wright–Pierce, Inc. with jury demand filed by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit A – Email from Schwalbaum to Smith 2/4/2007, # <u>2</u> Exhibit B– Email from Smith to Atherton 2/7/2007, # <u>3</u> Exhibit C–Email from Atherton to Ford 2/8/2007, # <u>4</u> Exhibit D–Email from Atherton to Cheseldine 2/14/2007, # <u>5</u> Exhibit E– Email from Cheseldine to Ford 2/20/2007, # <u>6</u> Exhibit F–Email from Smith to Atherton 3/7/2007, # <u>7</u> Exhibit G– Email from Atherton to Smith 3/7/2007, # <u>8</u> Exhibit H– Email from Schwalbaum to Wilson 3/7/2007, # <u>9</u> Exhibit I– Memorandum from Schwalbaum to WP Team). Complaint includes a claim under the NH Consumer Protection Act. A copy of the Complaint has been sent to the NH Attorney General via an automatic Notice of Electronic filing. (Pasakarnis, Seth) (Entered: 08/29/2013)
08/30/2013		NOTICE of ECF Filing Error re: <u>41</u> Amended Complaint filed by Town of Wolfeboro, NH. No certificate of service. Filer shall file a certificate of service using the <i>Certificate of Service</i> event and link the filing back to originally filed document. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603–225–1474. Notice of Compliance Deadline set for 9/4/2013.(dae) (Entered: 08/30/2013)
08/30/2013	<u>42</u>	CERTIFICATE OF SERVICE by Wolfeboro, NH, Town of re: <u>41</u> Amended Complaint,, (Pasakarnis, Seth) (Entered: 08/30/2013)
09/17/2013	<u>43</u>	NOTICE of Attorney Withdrawal by Matthew F. Lenzi on behalf of Wright–Pierce, Inc.(Lenzi, Matthew) (Entered: 09/17/2013)
09/19/2013	<u>44</u>	ANSWER to <u>41</u> Amended Complaint,, with jury demand filed by Wright–Pierce, Inc..(Gary, Patricia) (Entered: 09/19/2013)
10/04/2013	<u>45</u>	MOTION for Leave to File Motion to Amend the Joint Discovery Plan filed by Wright–Pierce, Inc.. Follow up on Objection on 10/21/2013. (Attachments: # <u>1</u> Exhibit Exhibit A)(Malone, Kelly) (Entered: 10/04/2013)

10/07/2013		NOTICE of ECF Filing Error re: Exhibit A in support of <u>45</u> MOTION for Leave to File Motion to Amend the Joint Discovery Plan filed by Wright–Pierce, Inc. No description of exhibit or attachment was included. Exhibit or attachment shall be followed by a short description of the document and shall not exceed five words. AP 2.5(a). See <u>How to Properly Attach Exhibits to Pleadings</u> . NO ACTION REQUIRED – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603–225–1474.(dae) (Entered: 10/07/2013)
10/23/2013	<u>46</u>	ORDER denying without prejudice <u>45</u> Motion for Leave to File Motion to Amend the Joint Discovery Plan. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 10/24/2013)
10/25/2013	<u>47</u>	MOTION to Continue and Extend Deadlines Discovery, Mediation, and Trial filed by Wright–Pierce, Inc.. Follow up on Objection on 11/12/2013.(Malone, Kelly) (Entered: 10/25/2013)
10/31/2013	<u>48</u>	Amended MOTION to Continue and Extend Deadlines for Discovery, Mediation and Trial filed by Wright–Pierce, Inc.. Follow up on Objection on 11/18/2013.(Malone, Kelly) (Entered: 10/31/2013)
11/01/2013		Motion terminated: <u>47</u> MOTION to Continue and Extend Deadlines Discovery, Mediation, and Trial filed by Wright–Pierce, Inc. Amended Motion filed, Doc. <u>48</u> . (dae) (Entered: 11/01/2013)
11/06/2013	<u>49</u>	MOTION to Compel Site Visit filed by Wright–Pierce, Inc.. Follow up on Objection on 11/25/2013. (Attachments: # <u>1</u> Exhibit A – email)(Malone, Kelly) (Entered: 11/06/2013)
11/12/2013	<u>50</u>	OBJECTION to <u>48</u> Amended MOTION to Continue and Extend Deadlines for Discovery, Mediation and Trial filed by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit A – August 28, 2013 Email from K.Malone to R.Cull, # <u>2</u> Exhibit B – October 3, 2013 Email from K. Malone to R. Cull)(Pasakarnis, Seth) (Entered: 11/12/2013)
11/19/2013	<u>51</u>	ORDER granting in part and denying in part <u>48</u> Motion to Continue and Extend Deadlines. Granted as to the trial date and discovery deadline; denied as to the expert supplementation deadline. Trial to be rescheduled for 4/15/14. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 11/19/2013)
11/20/2013		TRIAL NOTICE – RESCHEDULED: Pretrial Statements due 3/13/2014. LR 16.2(d) Objections due 3/27/2014. Final Pretrial Conference reset for 4/3/2014 10:00 (from 2/6/14) AM before Judge Joseph A. DiClerico Jr. Jury Trial reset for two–week period beginning 4/15/2014 09:30 AM (from 2/19/2014) before Judge Joseph A. DiClerico Jr. (dae) (Entered: 11/20/2013)
11/20/2013	<u>52</u>	Notice of Withdrawal of Motion: <u>49</u> MOTION to Compel Site Visit .(Malone, Kelly) (Entered: 11/20/2013)
11/20/2013		Motion terminated: <u>49</u> MOTION to Compel Site Visit filed by Wright–Pierce, Inc. Motion was Withdrawn per Doc. <u>52</u> . (dae) (Entered: 11/21/2013)
11/25/2013	<u>53</u>	MOTION to Compel Site Visit filed by Wright–Pierce, Inc.. Follow up on Objection on 12/12/2013. (Attachments: # <u>1</u> Exhibit A – email)(Malone, Kelly) (Entered: 11/25/2013)
12/03/2013	<u>54</u>	Memo in Support of MOTION for Reconsideration <u>56</u> re <u>51</u> Order on Motion to Continue and Extend Deadlines, filed by Wright–Pierce, Inc.. Follow up on Objection on 12/20/2013. (Attachments: # <u>1</u> Exhibit Court Order Granting Motion to Amend Complaint, # <u>2</u> (See Corrected Exhibit B below) Exhibit Email Communications between Attorneys Malone and Cull, # <u>3</u> Exhibit Haley & Aldirch Remediation Plan)– struck and removed per Order <u>72</u> . (Malone, Kelly) Modified on 12/5/2013 to add: Memo text (dae). Modified on 12/18/2013 to add Exhibit B text. (dae). (Additional attachment(s) added on 12/18/2013: # <u>4</u> Exhibit B (Corrected)–Email Communications) (dae). Modified on 1/23/2014 to add: Per Order <u>72</u> , Exhibit 3 struck and removed from the docket. (dae). (Entered: 12/03/2013)

12/03/2013	<u>55</u>	MOTION Emergency Motion to Seal Confidential Document Attached to Defendant's Motion for Reconsideration filed by Wolfeboro, NH, Town of. Follow up on Objection on 12/20/2013. (Attachments: # <u>1</u> Exhibit A – August 28, 2013 Email from Attorney Malone to Attorney Cull, # <u>2</u> Exhibit B – Oct. 3, 2013 Email from Attorney Malone to Attorney Cull, # <u>3</u> Exhibit C – November 13, 2013 Email from Attorney Malone to Attorney Puffer, # <u>4</u> Exhibit D – Letter from Attorney Malone to Attorney Puffer, # <u>5</u> Exhibit E – Email from Attorney Pasakarnis to WP Counsel)(Pasakarnis, Seth) (Entered: 12/03/2013)
12/04/2013	<u>56</u>	MOTION for Reconsideration re <u>51</u> Order on Motion to Continue and Extend Deadlines, filed by Wright–Pierce, Inc.. Follow up on Objection on 12/23/2013.(Malone, Kelly) Modified on 12/5/2013 to add: Memo in Support of Motion for Reconsideration, See Doc. <u>54</u> . (dae). (Entered: 12/04/2013)
12/05/2013		ENDORSED ORDER re: <u>55</u> Motion to Seal Confidential Document Attached to Defendant's Motion for Reconsideration. Text of Order: Sealed pending further order of the court. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 12/05/2013)
12/05/2013	<u>57</u>	OBJECTION to <u>53</u> MOTION to Compel Site Visit filed by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit A – Aug. 28, 2013 Email from Attorney Malone, # <u>2</u> Exhibit B – Oct. 3, 2013 Email from Attorney Malone, # <u>3</u> Exhibit C – Nov. 15, 2013 Letter from Attorney Malone, # <u>4</u> Exhibit D – Nov. 19, 2013 Email from Attorney Pasakarnis, # <u>5</u> Exhibit E – Nov. 20, 2013 Email from Attorney Gary, # <u>6</u> Exhibit F – Dec. 4 Letter to from Attorney Pasakarnis)(Pasakarnis, Seth) (Entered: 12/05/2013)
12/09/2013	<u>58</u>	MOTION to Quash Subpoena to Testify at a Deposition in a Civil Action <i>or</i> <i>Modify Subpoena</i> filed by NH Department of Environmental Services. Attorney Mary E. Maloney added to party NH Department of Environmental Services(pty:mov). Follow up on Objection on 12/26/2013. (Attachments: # <u>1</u> Exhibit A – Subpoena to Testify at a Deposition in a Civil Action, # <u>2</u> Exhibit (Affidavit) B – Affidavit of Mitchell Locker)(Maloney, Mary) (Entered: 12/09/2013)
12/09/2013	<u>59</u>	Notice of Intent to Reply to Objection to <u>53</u> MOTION to Compel Site Visit . Follow up on Reply on 12/26/2013.(Malone, Kelly) (Entered: 12/09/2013)
12/09/2013		ENDORSED ORDER REFERRING MOTION to Magistrate Judge McCafferty: <u>58</u> Motion to Quash. Text of Order: Referred to the Magistrate Judge. So Ordered by Judge Joseph A. DiClerico, Jr. (dae) (Entered: 12/10/2013)
12/10/2013		NOTICE of ECF Filing Error re: Affidavit in support of <u>58</u> MOTION to Quash Subpoena to Testify at a Deposition in a Civil Action <i>or</i> <i>Modify Subpoena</i> filed by NH Department of Environmental Services. Consistent with Supplemental Rules of Electronic Case Filing, affidavits prepared in the context of the litigation shall be filed in electronically converted PDF format and shall contain a /s/ signature for both the signator and the notary/jurat. NO ACTION REQUIRED – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603–225–1474.(dae) (Entered: 12/10/2013)
12/10/2013		NOTICE of Hearing re: <u>58</u> MOTION to Quash Subpoena to Testify at a Deposition in a Civil Action <i>or</i> <i>Modify Subpoena</i> . Telephone Conference set for 12/11/2013 11:00 AM before Magistrate Judge Landya B. McCafferty. The court will initiate the call.(kad) (Entered: 12/10/2013)
12/11/2013		Minute Entry for proceedings held before Magistrate Judge Landya B. McCafferty. MOTION HEARING via Telephone Conference held on 12/11/2013 re <u>58</u> MOTION to Quash Subpoena to Testify at a Deposition in a Civil Action <i>or</i> <i>Modify Subpoena</i> . The court will allow a limited deposition of Mr. Locker. The deposition shall be limited to 1.5 hours total, the time to be split equally between the plaintiff and defendant, and the deposition to be taken at Mr. Locker's place of employment. Mr. Locker shall be deposed as a fact witness. The deposition shall be scheduled to a date and time agreed on by the parties. (Court Reporter: Avicore

		(Michelle Allison)) (Pltfs Atty: Rhian Cull) (Defts Atty: Patricia Gary, Kelly Malone)(Movant: Mary Maloney, Evan Mulholland)(Total Hearing Time: :26) (kad) (Entered: 12/11/2013)
12/11/2013	<u>60</u>	(DOCKETED IN ERROR – REPLACED BY DOC. NO. 61) ORDER re: <u>58</u> MOTION to Quash or Modify Subpoena to Testify at a Deposition in a Civil Action. So Ordered by Magistrate Judge Landya B. McCafferty.(dae) Modified on 12/12/2013 to add: (DOCKETED IN ERROR – REPLACED BY DOC. NO. 61) (gla). (Entered: 12/12/2013)
12/12/2013	<u>61</u>	(REPLACES DOCUMENT NO. 60) ORDER granting in part <u>58</u> MOTION to Quash Subpoena to Testify at a Deposition in a Civil Action or Modify Subpoena. So Ordered by Magistrate Judge Landya B. McCafferty.(gla) (Entered: 12/12/2013)
12/17/2013	<u>62</u>	OBJECTION to <u>56</u> MOTION for Reconsideration re <u>51</u> Order on Motion to Continue and Extend Deadlines, filed by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 12/17/2013)
12/18/2013	<u>63</u>	Notice of Intent to Reply to Objection to <u>56</u> MOTION for Reconsideration re <u>51</u> Order on Motion to Continue and Extend Deadlines, <i>for Discovery, Mediation, and Trial</i> . Follow up on Reply on 1/6/2014.(Malone, Kelly) (Entered: 12/18/2013)
12/19/2013	<u>64</u>	MOTION for Leave to File Reply to Objection to <i>Defendant's Motion to Compel Site Visit</i> filed by Wright–Pierce, Inc.. Follow up on Objection on 1/6/2014. (Attachments: # <u>1</u> Exhibit Defendant's Reply to Objection)(Malone, Kelly) (Entered: 12/19/2013)
12/23/2013		ENDORSED ORDER re: <u>55</u> Motion to Seal Confidential Document Attached to Defendant's Motion for Reconsideration. Text of Order: Sealed pending further order of court. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 12/24/2013)
12/31/2013	<u>65</u>	MOTION for Leave to File Reply Memorandum filed by Wright–Pierce, Inc.. Follow up on Objection on 1/17/2014. (Attachments: # <u>1</u> Exhibit A (Defendant's Proposed Reply), # <u>2</u> Exhibit 1 (NHDES Letters to W–P and Town), # <u>3</u> Exhibit 2 (Part 1–Report of John Field), # <u>4</u> Exhibit 2 (Part 2–Photos to Report))(Gary, Patricia) (Entered: 12/31/2013)
01/07/2014	<u>66</u>	OBJECTION to <u>65</u> MOTION for Leave to File Reply Memorandum <i>and Request to Strike Those Portions of the Proposed Reply Concerning the HARemedial Plan</i> filed by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 01/07/2014)
01/10/2014	<u>67</u>	Notice of Intent to Reply to Objection to <u>65</u> MOTION for Leave to File Reply Memorandum . Follow up on Reply on 1/27/2014.(Gary, Patricia) (Entered: 01/10/2014)
01/14/2014		ENDORSED ORDER granting <u>64</u> Motion for Leave to File Reply to Objection to Defendant's Motion to Compel Site Visit. Text of Order: Granted. Within 48 hours counsel shall electronically refile the pleading attached to the Motion for Leave to File using the appropriate event in CMECF. So Ordered by Judge Joseph A. DiClerico, Jr. Miscellaneous Deadline set for 1/16/2014.(gla) (Entered: 01/14/2014)
01/14/2014	<u>68</u>	REPLY to Objection to Motion re <u>53</u> MOTION to Compel Site Visit filed by Wright–Pierce, Inc.. (Malone, Kelly) (Entered: 01/14/2014)
01/15/2014	<u>69</u>	MOTION for Leave to File Reply Memorandum to <i>Plaintiff's Opposition to Defendant's Motion For Leave to File Reply Memorandum and Request to Strike</i> filed by Wright–Pierce, Inc.. HEARING REQUESTED . Follow up on Objection on 2/3/2014. (Attachments: # <u>1</u> Exhibit 1 (Proposed Reply Memorandum))(Gary, Patricia) (Entered: 01/15/2014)
01/15/2014	<u>70</u>	Wright–Pierce's Request For A Hearing on Its Motion For Reconsideration, Dkt. # 54 and 56 by Wright–Pierce, Inc.(Gary, Patricia) Modified on 1/22/2014 to add relationship to doc. nos. 54 and 56 (vln). (Entered: 01/15/2014)

01/17/2014	<u>71</u>	NOTICE of Change of Address by Kelly Martin Malone on behalf of Wright-Pierce, Inc.(Malone, Kelly) (Entered: 01/17/2014)
01/23/2014	<u>72</u>	ORDER denying <u>56</u> Motion for Reconsideration; granting <u>65</u> Motion for Leave to File Reply Memorandum; denying <u>69</u> Motion for Leave to File a Reply Memorandum. Haley & Aldrich plan, exhibit 3 to document #54, is struck from the record and shall be removed from the docket. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) Modified on 1/23/2014 to add: Haley text. (dae). (Entered: 01/23/2014)
01/27/2014		NOTICE re: <u>53</u> MOTION to Compel Site Visit. Motion Hearing set for 2/3/2014 11:00 AM before Judge Joseph A. DiClerico Jr.(dae) (Entered: 01/27/2014)
02/03/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. MOTION HEARING held on 2/3/2014 re: <u>53</u> MOTION to Compel Site Visit. Oral argument. Order to issue. (Court Reporter: Diane Churas) (Pltfs Atty: Rhian Cull, Seth Pasakarnis) (Defts Atty: David Corkum)(Total Hearing Time: 43 minutes) (dae) (Entered: 02/03/2014)
02/04/2014	<u>73</u>	ORDER denying <u>53</u> Motion to Compel. "Wolfeboro to file motion for expenses by 2/19/14; Wright-Pierce to respond 14 days from date motion is filed; if reply is necessary, due 6 days after response is filed." So Ordered by Judge Joseph A. DiClerico, Jr.(gla) Modified on 2/5/2014 to add: "text" (dae). (Entered: 02/04/2014)
02/12/2014	<u>74</u>	MOTION for Attorney Fees Pursuant to Rule 37(a)(5)(B) filed by Wolfeboro, NH, Town of. Follow up on Objection on 3/3/2014. (Attachments: # <u>1</u> Memorandum of Law In Support of Motion for Attorneys' Fees, # <u>2</u> Exhibit A – Email to Attorney Malone Re: Withdrawal of Motion, # <u>3</u> Exhibit B – Email from Attorney Gary Re: Withdrawal of Motion, # <u>4</u> Exhibit C – Letter to Attorney Malone, # <u>5</u> Exhibit (Affidavit) Affidavit of Rhian Cull in Support of Request for Fees)(Pasakarnis, Seth) (Entered: 02/12/2014)
02/26/2014	<u>75</u>	OBJECTION to <u>74</u> MOTION for Attorney Fees Pursuant to Rule 37(a)(5)(B) filed by Wright-Pierce, Inc.. (Attachments: # <u>1</u> Exhibit 1 NH DES Report, October 23, 2013, # <u>2</u> Exhibit 2 NHSC etter, June 19, 2009)(Malone, Kelly) (Entered: 02/26/2014)
02/27/2014	<u>76</u>	TRANSCRIPT of Proceedings for Motion Hearing held on February 3, 2014. Court Reporter: Diane Churas, Telephone # 603-225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number. NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request. Redaction Request Follow Up 3/24/2014. Redacted Transcript Follow Up 4/3/2014. Release of Transcript Restriction set for 5/30/2014.(dae) (Entered: 02/27/2014)
03/04/2014	<u>77</u>	NOTICE of Attorney Withdrawal by David H. Corkum on behalf of Wright-Pierce, Inc.(Corkum, David) (Entered: 03/04/2014)
03/10/2014	<u>78</u>	ORDER granting <u>74</u> Motion for Attorney Fees. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) Modified on 3/10/2014 to add: Plaintiff is awarded \$4,637.50 as outlined. (dae). (Entered: 03/10/2014)
03/11/2014	<u>79</u>	Assented to MOTION to Extend Time to File Pre-Trial Statements and Other Documents REquired by Local Rule 16.2(b) filed by Wright-Pierce, Inc..(Malone, Kelly) (Entered: 03/11/2014)
03/12/2014		ENDORSED ORDER granting <u>79</u> Motion to Extend Time to File Pretrial Statements and Other Documents Required by Local Rule 16.2(b). Text of

		Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr. Pretrial Statements due 3/18/2014.(gla) (Entered: 03/12/2014)
03/17/2014	<u>80</u>	Assented to MOTION to Extend Time to File List of Trial Exhibits filed by Wolfeboro, NH, Town of.(Pasakarnis, Seth) (Entered: 03/17/2014)
03/18/2014		ENDORSED ORDER granting <u>80</u> Motion to Extend Time to File List of Trial Exhibits. Text of Order: Granted. The court places the parties on notice that they would be well advised to spend the additional time narrowing down the number of exhibits to those that are critical to and at the core of their dispute. The court will not permit the record to become cluttered with collateral documents that are cumulative or of only marginal value to a fair resolution of the case. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) (Entered: 03/18/2014)
03/18/2014	<u>81</u>	Proposed Voir Dire by Wright–Pierce, Inc.. (Malone, Kelly) (Entered: 03/18/2014)
03/18/2014	<u>82</u>	Proposed Jury Instructions by Wright–Pierce, Inc.. (Malone, Kelly) (Entered: 03/18/2014)
03/18/2014	<u>83</u>	NOTICE of Demand For Proof of Special Damages by Wright–Pierce, Inc..(Malone, Kelly) (Entered: 03/18/2014)
03/18/2014	<u>84</u>	Proposed Voir Dire by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 03/18/2014)
03/18/2014	<u>85</u>	Proposed Special Verdict by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 03/18/2014)
03/18/2014	<u>86</u>	Proposed Jury Instructions by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 03/18/2014)
03/18/2014	<u>87</u>	Pretrial Statement filed by Wright–Pierce, Inc.. (Malone, Kelly) (Entered: 03/18/2014)
03/18/2014	<u>88</u>	///Pretrial Statement filed by Wolfeboro, NH, Town of. (Pasakarnis, Seth) Modified on 3/19/2014 to add: /// Claims II and V in Amended Complaint Withdrawn and Waived. (dae). (Entered: 03/18/2014)
03/18/2014	<u>89</u>	MOTION in Limine to Preclude WP's Experts From Offering Opinions Not Contained in Their Timely–Disclosed Reports filed by Wolfeboro, NH, Town of. Follow up on Objection on 4/4/2014. (Attachments: # <u>1</u> Exhibit A – Malone August Email, # <u>2</u> Exhibit B – Malone October Email)(Pasakarnis, Seth) (Entered: 03/18/2014)
03/18/2014	<u>90</u>	MOTION in Limine to Preclude Defendant's Expert, Richard Moore, From Testifying That the Site Can Be Repaired filed by Wolfeboro, NH, Town of. Follow up on Objection on 4/4/2014. (Attachments: # <u>1</u> Exhibit A – Moore Report, # <u>2</u> Exhibit B – Moore Transcript)(Pasakarnis, Seth) (Entered: 03/18/2014)
03/18/2014	<u>91</u>	MOTION in Limine to Strike Defendant's Affirmative Defense of Mitigation and to Preclude Jury Instructions Regarding Same filed by Wolfeboro, NH, Town of. Follow up on Objection on 4/4/2014. (Attachments: # <u>1</u> Exhibit A – Supplemental Interrogatories, # <u>2</u> Exhibit C – DeGenova Transcript, # <u>3</u> Exhibit D – Moore Expert Report, # <u>4</u> Exhibit E – Moore Transcript)(Pasakarnis, Seth) Modified on 3/19/2014 to add: Exhibit B – See Doc. <u>102</u> . (dae). (Entered: 03/18/2014)
03/18/2014	<u>92</u>	MOTION in Limine to Strike Defendant's Affirmative Defenses Pertaining to Comparative Fault filed by Wolfeboro, NH, Town of. Follow up on Objection on 4/4/2014. (Attachments: # <u>1</u> Exhibit B – DeGenova Transcript, # <u>2</u> Exhibit D – Moore Transcript)(Pasakarnis, Seth) Modified on 3/19/2014 to add: See Doc. <u>103</u> for Exhibits A, C and E. (dae). (Entered: 03/18/2014)
03/18/2014	<u>93</u>	MOTION in Limine to Exclude the Haley and Aldrich Experts Or In The Alternative Limit Their Testimony filed by Wolfeboro, NH, Town of. Follow up on Objection on 4/4/2014. (Attachments: # <u>1</u> Exhibit D – DeGenova Transcript)(Pasakarnis, Seth) Modified on 3/19/2014 to add: See Doc. <u>104</u> for Exhibits A, B and C. (dae). (Entered: 03/18/2014)

03/18/2014	<u>94</u>	MOTION in Limine to to Preclude Plaintiff's Claim of Breach of Warranty filed by Wright–Pierce, Inc.. Follow up on Objection on 4/4/2014. (Attachments: # <u>1</u> Memorandum of Law In Support of Motion in Limine to Preclude Plaintiff's Claim of Breach of Warranty)(Malone, Kelly) Modified on 3/20/2014 to add: See Doc. <u>106</u> for Exhibits. (dae). (Entered: 03/19/2014)
03/19/2014	<u>95</u>	MOTION to Excuse Insurer from Trial Conference filed by Wright–Pierce, Inc.. Follow up on Objection on 4/7/2014.(Malone, Kelly) (Entered: 03/19/2014)
03/19/2014	<u>96</u>	MOTION in Limine to Preclude Evidence of Speculative Damages in Support of Total Loss Theory filed by Wright–Pierce, Inc.. Follow up on Objection on 4/7/2014. (Attachments: # <u>1</u> Memorandum of Law In Support of Motion in Limine to Preclude Evidence of Speculative Damages in Support of Total Loss Theory)(Gary, Patricia) Modified on 3/20/2014 to add: See Doc. <u>108</u> for Exhibits. (dae). (Entered: 03/19/2014)
03/19/2014	<u>97</u>	MOTION in Limine to Exclude Evidence of Damages filed by Wright–Pierce, Inc.. Follow up on Objection on 4/7/2014. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion in Limine to Exclude Evidence of Damages)(Gary, Patricia) Modified on 3/20/2014 to delete conventionally filed doc text. See Doc. <u>115</u> for Corrected Exhibits. (dae). Modified on 3/28/2014 to relate to Doc. 115 instead of Doc. 107 (dae). (Entered: 03/19/2014)
03/19/2014	<u>98</u>	MOTION in Limine to To Preclude Evidence of Betterment Damages filed by Wright–Pierce, Inc.. Follow up on Objection on 4/7/2014. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion in Limine to Preclude Evidence of Betterment Damages, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit Exhibit 2, # <u>4</u> Exhibit Exhibit 3, # <u>5</u> Exhibit Exhibit 4, # <u>6</u> Exhibit Exhibit 5, # <u>7</u> Exhibit Exhibit 6, # <u>8</u> Exhibit Exhibit 7)(Gary, Patricia) Modified on 3/19/2014 to delete text re conventionally filed documents as there are none. (dae). (Entered: 03/19/2014)
03/19/2014	<u>99</u>	MOTION to Strike filed by Wright–Pierce, Inc.. Follow up on Objection on 4/7/2014. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion to Strike Untimely Disclosed Fact and/or Expert Opinions and Reports, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit Exhibit 2, # <u>4</u> Exhibit Exhibit 3, # <u>5</u> Exhibit Exhibit 4, # <u>6</u> Exhibit Exhibit 5, # <u>7</u> Exhibit Exhibit 6, # <u>8</u> Exhibit Exhibit 7, # <u>9</u> Exhibit Exhibit 8, # <u>10</u> Exhibit Exhibit 9)(Gary, Patricia) (Entered: 03/19/2014)
03/19/2014	<u>100</u>	MOTION in Limine to to Preclude Evidence of Unactionable Claims filed by Wright–Pierce, Inc.. Follow up on Objection on 4/7/2014. (Attachments: # <u>1</u> Memorandum of Law In Support of Motion in Limine to Preclude Unactionable Claims)(Malone, Kelly) Modified on 3/20/2014 to delete text re conventionally filed doc. See Doc. <u>105</u> for Exhibits (dae). (Entered: 03/19/2014)
03/19/2014	<u>101</u>	MOTION in Limine to to Preclude Untimely Produced Documents filed by Wright–Pierce, Inc.. Follow up on Objection on 4/7/2014. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4)(Gary, Patricia) (Entered: 03/19/2014)
03/19/2014	<u>102</u>	Exhibit <i>B (Part 1)</i> to <u>91</u> MOTION in Limine to Strike Defendant's Affirmative Defense of Mitigation and to Preclude Jury Instructions Regarding Same by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit B (Part 2) – HAExpert Report)(Pasakarnis, Seth) (Entered: 03/19/2014)
03/19/2014	<u>103</u>	Exhibit <i>A (Part 1) and Exhibits C and E</i> to <u>92</u> MOTION in Limine to Strike Defendant's Affirmative Defenses Pertaining to Comparative Fault by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit A (Part 2) – HAExpert Report, # <u>2</u> Exhibit C – Kastrinos Deposition Transcript, # <u>3</u> Exhibit E – Moore Transcript)(Pasakarnis, Seth) (Entered: 03/19/2014)
03/19/2014	<u>104</u>	Exhibit <i>A (Part 1) and Exhibits B and C</i> to <u>93</u> MOTION in Limine to Exclude the Haley and Aldrich Experts Or In The Alternative Limit Their Testimony by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit A (Part 2) – FOExpert Report, # <u>2</u> Exhibit A (Part 3) – FOExpert Report, # <u>3</u> Exhibit B (Part 1) – HA Expert Report, # <u>4</u> Exhibit B (Part 2) – HA Expert Report, # <u>5</u> Exhibit C – Kastrinos Deposition Transcript)(Pasakarnis, Seth) (Entered: 03/19/2014)

03/19/2014	<u>105</u>	Exhibit to Motion in Limine to Preclude Unactionable Claims <u>100</u> by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit Email from Atherton to Ford, # <u>2</u> Exhibit Email from Cheseldine to Ford, # <u>3</u> Exhibit Phase 3 Report, # <u>4</u> Exhibit Exhibits to Amended Complaint, # <u>5</u> Exhibit Draft 2006 Report, # <u>6</u> Exhibit FOInitial Report, # <u>7</u> Exhibit KDK Enterprises Decision, # <u>8</u> Exhibit Email from Dedian to Ford, # <u>9</u> Exhibit FOSupplemental Report, # <u>10</u> Exhibit Appendix O Phase 3 Report)(Gary, Patricia) Modified on 3/20/2014 to add Relationship to Motion <u>100</u> . (dae). (Entered: 03/19/2014)
03/19/2014	<u>106</u>	Exhibit to Motion in Limine to Preclude Breach of Warranty <u>94</u> by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit Town and Wright–Pierce Contracts, # <u>2</u> Exhibit Excerpts of Wright–Pierce Reports, # <u>3</u> Exhibit Amended Verified Complaint, # <u>4</u> Exhibit Janicki Decision)(Gary, Patricia) Modified on 3/20/2014 to add: Relationship to Motion <u>94</u> (dae). (Entered: 03/19/2014)
03/19/2014	<u>107</u>	REFILED, See Corrected Doc. <u>115</u> . Exhibit to Motion in Limine to Preclude Evidence of Damages <u>97</u> by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit FOInitial Expert Report, # <u>2</u> Exhibit Haley and Aldrich Report, # <u>3</u> Exhibit FOSupplemental Expert Report, # <u>4</u> Exhibit Deposition of Forzley, # <u>5</u> Exhibit Groundwater Discharge Permit)(Gary, Patricia) Modified on 3/20/2014 to add Relationship to Motion <u>97</u> . (dae). Modified on 3/27/2014 to add: Refiled text.(dae). (Entered: 03/19/2014)
03/19/2014	<u>108</u>	Exhibit to Motion in Limine to Preclude Speculative Damages Supporting Total Loss Theory <u>96</u> by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit FOInitial Expert Report, # <u>2</u> Exhibit Haley and Aldrich Expert Report, # <u>3</u> Exhibit FOSupplemental Report, # <u>4</u> Exhibit Deposition of Forzley, # <u>5</u> Exhibit NH DES Permit, # <u>6</u> Exhibit Deposition of Cullen)(Gary, Patricia) Modified on 3/20/2014 to add: Relationship to Motion <u>96</u> .(dae). (Entered: 03/19/2014)
03/20/2014	<u>109</u>	Assented to MOTION to Extend Time to File Motions in Limine and Accompanying Exhibits filed by Wright–Pierce, Inc..(Gary, Patricia) (Entered: 03/20/2014)
03/20/2014		ENDORSED ORDER granting <u>109</u> Motion to Extend Time to File Motions in Limine and Accompanying Exhibits. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) (Entered: 03/20/2014)
03/20/2014		NOTICE of ECF Filing Error re: <u>105</u> , <u>106</u> , <u>107</u> , and <u>108</u> Exhibits filed by Wright–Pierce, Inc. Documents not linked. Documents should have been linked to Underlying Motions. NO ACTION REQUIRED – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603–225–1474.(dae) (Entered: 03/20/2014)
03/20/2014		ENDORSED ORDER. Text of Order: Plaintiff's response to Motion to Excuse Insurer from Trial Conference, Document #95 is due by March 25, 2014. Objections to all pending Motions In Limine, as well as Defendant's Motion to Strike, Document #99, are due by March 27, 2014. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 03/20/2014)
03/20/2014	<u>110</u>	PROCEDURAL ORDER: At the final pretrial when this matter will be discussed, counsel are to be prepared to submit photos of areas to be viewed. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 03/20/2014)
03/21/2014	<u>111</u>	Pretrial Statement Supplement to Final Pretrial Statement filed on March 18, 2013 (to include List of Exhibits) filed by Wright–Pierce, Inc.. (Malone, Kelly) (Entered: 03/21/2014)
03/21/2014	<u>112</u>	Pretrial Statement Supplement – List of Trial Exhibits filed by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 03/21/2014)
03/24/2014	<u>113</u>	Pretrial Statement Addendum to Supplemental Final Pretrial Statement <u>111</u> filed by Wright–Pierce, Inc.. (Gary, Patricia) Modified on 3/25/2014 to add: relationship to Doc. <u>111</u> (dae). (Entered: 03/24/2014)
03/24/2014	<u>114</u>	Proposed Jury Instructions Supplemental Requests for Jury Instructions <u>82</u> by Wright–Pierce, Inc.. (Gary, Patricia) Modified on 3/25/2014 to add: relationship to

		Doc. <u>82</u> .(dae). (Entered: 03/24/2014)
03/26/2014		ENDORSED ORDER granting <u>95</u> Motion to Excuse Insurer from Trial Conference. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) (Entered: 03/26/2014)
03/27/2014	<u>115</u>	Corrected Exhibit <i>FOInitial Report</i> to <u>97</u> MOTION in Limine to Exclude Evidence of Damages by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit FOSupplemental Report, # <u>2</u> Exhibit Forzley Deposition, # <u>3</u> Exhibit Cullen Deposition, # <u>4</u> Exhibit Pasakarnis Letter 1/30/2014, # <u>5</u> Exhibit Pasakarnis Letter 2/26/2014)(Gary, Patricia) Modified on 3/27/2014 to add: Corrected(dae). (Entered: 03/27/2014)
03/27/2014	<u>116</u>	Objection to <u>88</u> Pretrial Statement <i>Filed by Wolfeboro</i> filed by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 03/27/2014)
03/27/2014	<u>117</u>	Objection to <u>112</u> Pretrial Statement <i>Supplemental List of Trial Exhibits filed by Wolfeboro</i> filed by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 03/27/2014)
03/27/2014	<u>118</u>	Objection to <u>84</u> Proposed Voir Dire <i>Filed by Wolfeboro</i> filed by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 03/27/2014)
03/27/2014	<u>119</u>	Objection to <u>86</u> Proposed Jury Instructions <i>Filed by Wolfeboro</i> filed by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 03/27/2014)
03/27/2014	<u>120</u>	OBJECTION to <u>91</u> MOTION in Limine to Strike Defendant's Affirmative Defense of Mitigation and to Preclude Jury Instructions Regarding Same filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Memorandum of Law in Support of Objection, # <u>2</u> Exhibit S.W. Cole Emails, # <u>3</u> Exhibit S.W. Cole Report, # <u>4</u> Exhibit HAReport, # <u>5</u> Exhibit HAMemorandum, # <u>6</u> Exhibit FOReport, # <u>7</u> Exhibit Bowden Deposition, # <u>8</u> Exhibit Cullen Deposition, # <u>9</u> Exhibit Ford Deposition, # <u>10</u> Exhibit DiGenova Deposition, # <u>11</u> Exhibit Kastrinos Deposition, # <u>12</u> Exhibit Town's Supplemental Answers to Interrogatories, # <u>13</u> Exhibit DiGenova CV, # <u>14</u> Exhibit Kastrinos CV)(Gary, Patricia) (Entered: 03/27/2014)
03/27/2014	<u>121</u>	OBJECTION to <u>90</u> MOTION in Limine to Preclude Defendant's Expert, Richard Moore, From Testifying That the Site Can Be Repaired filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Memorandum of Law in Support of Objection, # <u>2</u> Exhibit S.W. Cole Report, # <u>3</u> Exhibit HAReport, # <u>4</u> Exhibit Richard Moore Report, # <u>5</u> Exhibit Wright–Pierce Memorandum, # <u>6</u> Exhibit Richard Moore Deposition, # <u>7</u> Exhibit (Affidavit) Affidavit of William Brown)(Gary, Patricia) (Entered: 03/27/2014)
03/27/2014	<u>122</u>	OBJECTION to <u>93</u> MOTION in Limine to Exclude the Haley and Aldrich Experts Or In The Alternative Limit Their Testimony filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Memorandum of Law in Support of Objection, # <u>2</u> Exhibit HAResumes, # <u>3</u> Exhibit Moore Resume, # <u>4</u> Exhibit Kastrinos Deposition, # <u>5</u> Exhibit DiGenova Deposition, # <u>6</u> Exhibit HAReport, # <u>7</u> Exhibit S.W. Cole Report, # <u>8</u> Exhibit FOReport, # <u>9</u> Exhibit Moore Deposition)(Gary, Patricia) (Entered: 03/27/2014)
03/27/2014	<u>123</u>	OBJECTION to <u>89</u> MOTION in Limine to Preclude WP's Experts From Offering Opinions Not Contained in Their Timely–Disclosed Reports filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Memorandum of Law in Support of Objection, # <u>2</u> Exhibit Proposed Discovery Plan, # <u>3</u> Exhibit HAInitial Report, # <u>4</u> Exhibit DiGenova Deposition, # <u>5</u> Exhibit HARemedial Plan, # <u>6</u> Exhibit HALetter)(Gary, Patricia) (Entered: 03/27/2014)
03/27/2014	<u>124</u>	OBJECTION to <u>92</u> MOTION in Limine to Strike Defendant's Affirmative Defenses Pertaining to Comparative Fault filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Memorandum of Law in Support of Objection, # <u>2</u> Exhibit Wright–Pierce Email, # <u>3</u> Exhibit NH DES Permit, # <u>4</u> Exhibit NH DES Email, # <u>5</u> Exhibit Phase 3 Report Appendix O, # <u>6</u> Exhibit Ford Deposition, # <u>7</u> Exhibit Wright–Pierce Email to NH DES, # <u>8</u> Exhibit David Ford Email Re: Pond, # <u>9</u> Exhibit Flow Data, # <u>10</u> Exhibit David Ford Email on Breakout, # <u>11</u> Exhibit NHPR Article, # <u>12</u> Exhibit Ford Email to Wright–Pierce, # <u>13</u> Exhibit HAReport, # <u>14</u> Exhibit Kastrinos Deposition, # <u>15</u> Exhibit DiGenova CV)(Gary, Patricia) (Entered: 03/27/2014)

03/27/2014	<u>125</u>	OBJECTION to <u>97</u> MOTION in Limine to Exclude Evidence of Damages filed by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit 1 – Answers to Interrogatories, # <u>2</u> Exhibit 2 – Supplemental Answers to Interrogatories, # <u>3</u> Exhibit 3 – Damages Spreadsheet)(Pasakarnis, Seth) (Entered: 03/27/2014)
03/27/2014	<u>126</u>	OBJECTION to <u>98</u> MOTION in Limine to To Preclude Evidence of Betterment Damages filed by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit 1– March 1, 2013 Letter, # <u>2</u> Exhibit 2 – April 9, 2013 Letter, # <u>3</u> Exhibit 3 – Answers to Interrogatories, # <u>4</u> Exhibit 4 – Supplemental Answers to Interrogatories, # <u>5</u> Exhibit 5 – Damages Spreadsheet, # <u>6</u> Exhibit 6 – WP Pitch, # <u>7</u> Exhibit 7 – Email that Site is a Gem, # <u>8</u> Exhibit 8 – Addendum to Bidding Specs, # <u>9</u> Exhibit 9 – SRF Email Compendium, # <u>10</u> Exhibit 10 – SRF Loan Application, # <u>11</u> Exhibit 11 – SRF Email)(Pasakarnis, Seth) (Entered: 03/27/2014)
03/27/2014	<u>127</u>	OBJECTION to <u>100</u> MOTION in Limine to to Preclude Evidence of Unactionable Claims filed by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit A – Feb. 4, 2007 Schwalbaum Email, # <u>2</u> Exhibit B – Feb. 7, 2007 Email Chain, # <u>3</u> Exhibit C – Feb. 8, 2007 Atherton Email, # <u>4</u> Exhibit D – Feb. 20, 2007 Cheseldine Email, # <u>5</u> Exhibit E – March 7, 2007 Email Chain, # <u>6</u> Exhibit F – June 19, 2009 Schwalbaum Memo, # <u>7</u> Exhibit G – Gary Smith Deposition Transcript)(Pasakarnis, Seth) (Entered: 03/27/2014)
03/27/2014	<u>128</u>	OBJECTION to <u>101</u> MOTION in Limine to to Preclude Untimely Produced Documents filed by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit 1 – Feb. 12, 2013 Pasakarnis Email, # <u>2</u> Exhibit 2 – March 1, 2013 Pasakarnis Letter, # <u>3</u> Exhibit 3 – April 9, 2013 Pasakarnis Letter, # <u>4</u> Exhibit 4 – Answers to Interrogatories, # <u>5</u> Exhibit 5 – Supplemental Answers to Interrogatories, # <u>6</u> Exhibit 6 – Damages Spreadsheet, # <u>7</u> Exhibit 7 – Feb. 13, 2014 Malone Letter, # <u>8</u> Exhibit 8 – Feb. 25, 2014 Cull Letter, # <u>9</u> Exhibit 9 – Feb. 26, 2014 Pasakarnis Letter, # <u>10</u> Exhibit 10 – Jan. 7, 2014 Malone Letter, # <u>11</u> Exhibit 11 – Feb. 21, 2014 Malone Letter, # <u>12</u> Exhibit 12 – Feb. 25, 2014 Gary Letter, # <u>13</u> Exhibit 13 – Rule 30(b)(6) Deposition Notice)(Pasakarnis, Seth) (Entered: 03/27/2014)
03/27/2014	<u>129</u>	OBJECTION to <u>99</u> MOTION to Strike filed by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 03/27/2014)
03/27/2014	<u>130</u>	OBJECTION to <u>96</u> MOTION in Limine to Preclude Evidence of Speculative Damages in Support of Total Loss Theory filed by Wolfeboro, NH, Town of. (Attachments: # <u>1</u> Exhibit 1 – October 23, 2013 NHDES Letter, # <u>2</u> Exhibit 2 – December 2, 2013 NHDES Letter, # <u>3</u> Exhibit 3 – FOFeb. 14, 2014 Report)(Pasakarnis, Seth) (Entered: 03/27/2014)
03/28/2014	<u>131</u>	///ORDER terminating as moot <u>94</u> Motion in Limine to Preclude Plaintiff's Claim of Breach of Warranty; denying <u>100</u> Motion in Limine to Preclude Evidence of Unactionable Claims. The plaintiff's claims for gross negligence, Count II, and breach of warranty, Count V, have been waived and withdrawn and, therefore, are dismissed. So Ordered by Judge Joseph A. DiClerico, Jr.(kad) Modified on 3/31/2014 to add: ///(dae). (Entered: 03/28/2014)
03/28/2014	<u>132</u>	MOTION Seal Confidential Document Attached to WP's Objection (Exhibit 5 to Document No. 123) filed by Wolfeboro, NH, Town of. Follow up on Objection on 4/14/2014.(Pasakarnis, Seth) (Entered: 03/28/2014)
03/28/2014	<u>133</u>	PROCEDURAL ORDER. The Consumer Protection Act claim under NH RSA 358–A will be submitted to the jury for advisory findings. The parties shall file proposed jury instructions and requests for findings and rulings on the Consumer Protection Act claim on or before Tuesday, April 1, 2014. (Proposed Jury Instruction and Request for Findings and Rulings Deadline set for 4/1/2014.) So Ordered by Judge Joseph A. DiClerico, Jr. (kad) (Entered: 03/28/2014)
03/28/2014	<u>134</u>	NOTICE of Attorney Appearance by Daniel Miville Deschenes on behalf of Wolfeboro, NH, Town of Attorney Daniel Miville Deschenes added to party Wolfeboro, NH, Town of(pty:pla).(Deschenes, Daniel) (Entered: 03/28/2014)
03/28/2014	<u>135</u>	ORDER granting <u>89</u> Motion in Limine to Preclude WP's Experts From Offering Opinions Not Contained in Their Timely–Disclosed Reports. So Ordered by Judge Joseph A. DiClerico, Jr.(kad) (Entered: 03/28/2014)

04/01/2014	<u>136</u>	ORDER denying <u>91</u> Motion in Limine to Strike Defendant's Affirmative Defense of Mitigation and to Preclude Jury Instructions Regarding Same; denying <u>92</u> Motion in Limine to Strike Defendant's Affirmative Defenses Pertaining to Comparative Fault. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) (Entered: 04/01/2014)
04/01/2014	<u>137</u>	ORDER terminating as moot <u>97</u> Motion in Limine to Exclude Evidence of Damages; denying <u>99</u> Motion to Strike; denying <u>101</u> Motion in Limine to Preclude Untimely Produced Documents. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) (Entered: 04/01/2014)
04/01/2014	<u>138</u>	Request for Findings of Fact and Rulings of Law <i>on Plaintiff's Consumer Protection Claim per Order of the Court dated March 28, 2014</i> by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 04/01/2014)
04/01/2014	<u>139</u>	Request for Findings of Fact and Rulings of Law <i>Concerning Wolfeboro's Consumer Protection Act Claim Pursuant to Court Order dated March 28, 2014</i> by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 04/01/2014)
04/02/2014	<u>140</u>	ORDER granting <u>90</u> Motion in Limine to Preclude Defendant's Expert, Richard Moore, From Testifying That the Site Can Be Repaired; granting to the extent of this order <u>93</u> Motion in Limine to Exclude the Haley and Aldrich Experts Or In The Alternative Limit Their Testimony. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) (Entered: 04/02/2014)
04/03/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. FINAL PRETRIAL CONFERENCE held on 4/3/2014. Order to Issue. (13 minutes in Courtroom Taped: 10:12; Remainder of Conference in Chambers) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone, Patricia Gary)(Total Hearing Time: 1 hour 53 minutes) (dae) (Entered: 04/03/2014)
04/04/2014	<u>141</u>	Complete Order Redocketed See <u>142</u> – ORDER denying <u>132</u> Motion to Seal Confidential Document Attached to WP's Objection. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) Modified on 4/4/2014 to add: redocketed text (dae). (Entered: 04/04/2014)
04/04/2014	<u>142</u>	ORDER denying <u>132</u> Motion to Seal Confidential Document Attached to WP's Objection (Exhibit 5 to Document No. 123). So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 04/04/2014)
04/04/2014	<u>143</u>	ORDER denying <u>96</u> Motion in Limine to Preclude Evidence of Speculative Damages in Support of Total Loss Theory; denying <u>98</u> Motion in Limine to Preclude Evidence of Betterment Damages. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) (Entered: 04/04/2014)
04/04/2014	<u>144</u>	Final Pretrial Order. Jury Selection/Trial set for 4/15/2014 09:30 AM before Judge Joseph A. DiClerico Jr. 3 challenges for plaintiff and 3 for defendant; 10 jurors to be seated. If a view is taken, it will probably be during or towards end of the trial. Plaintiff to file itemized list of amount of damages it is seeking for each count and bullet proffers re NHDES witnesses by 4/9/2014; Defendant's responses due 4/11/2014. Exhibits and List due by 4/8/2014; Objections 4/14/14. Counsel agree to use JERS – to be exchanged and submitted by 4/8/14. Will Call Witness List due by 4/11/2014. Glossary to be filed by 4/14/2014. Claims renumbered as outlined – Counts 1–5. Court to render verdict on NH RSA 358–A count after receiving advisory findings from jury or advisory verdict. So Ordered by Judge Joseph A. DiClerico, Jr. (Attachments: # <u>1</u> Exhibit Marking Instructions)(dae) (Entered: 04/04/2014)
04/09/2014	<u>145</u>	Submission as to Itemization of Damages Per Final Pre–Trial Order by Wolfeboro, NH, Town of (Attachments: # <u>1</u> Exhibit 1 – Supplemental Answers to Interrogatories (Damages Spreadsheet))(Pasakarnis, Seth) (Entered: 04/09/2014)
04/09/2014	<u>146</u>	Wolfeboro's "Bullet Proffers" for all NHDES Witnesses by Wolfeboro, NH, Town of (Attachments: # <u>1</u> Exhibit Joint Exhibit 160 – Locker Letter, # <u>2</u> Exhibit Plaintiff's Exhibit 1 – Memo to Ford, # <u>3</u> Exhibit Joint Exhibit 351 – Memo from Locker, # <u>4</u> Exhibit Joint Exhibit 17 – Locker Letter, # <u>5</u> Exhibit Joint Exhibit 47 – Hamkins Email, # <u>6</u> Exhibit Plaintiff's Exhibit 13 – DES 10–23–13 Letter, # <u>7</u>

		Exhibit Plaintiff's Exhibit 6 – DES 12–2–13 Letter, # <u>8</u> Exhibit Plaintiff's Exhibit 7 – Heirtzler Email to Ford, # <u>9</u> Exhibit Joint Exhibit 436 – Ford Email to Locker)(Pasakarnis, Seth) (Entered: 04/09/2014)
04/10/2014	<u>147</u>	ORDER re <u>85</u> Plaintiff's Proposed Special Verdict. Wright–Pierce to notify court if it agrees with proposed form or will file its own proposed verdict form. Notice of Compliance Deadline set for 4/14/2014, Noon. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 04/10/2014)
04/10/2014	<u>148</u>	PROCEDURAL ORDER re: <u>140</u> Order on Motions in Limine. Conclusion section of order incomplete with respect to testimony of John G. DiGenova. Ruling outlined. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 04/10/2014)
04/11/2014	<u>149</u>	Final Witness List by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 04/11/2014)
04/11/2014	<u>150</u>	Objection to <u>146</u> Miscellaneous Filing,, <i>Wolfeboro's "Bullet Proffers" For NH DES Witnesses</i> filed by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit August 27, 2013 DES Letter, # <u>2</u> Exhibit Auhust 29, 2013 DES Email, # <u>3</u> Exhibit Mitchell Locker Subpoena)(Gary, Patricia) (Entered: 04/11/2014)
04/11/2014	<u>151</u>	Final Witness List by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 04/11/2014)
04/11/2014	<u>152</u>	Objection to <u>145</u> Miscellaneous Filing <i>Wolfeboro's Submission For Damages</i> filed by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 04/11/2014)
04/13/2014	<u>153</u>	NOTICE of Mediation Hearing. Mediation Hearing set for 4/14/2014 11:00 AM before District Judge Landya B. McCafferty.(gla) (Entered: 04/13/2014)
04/14/2014	<u>154</u>	Objection to <u>112</u> Pretrial Statement <i>Wright–Pierce's Objection to Wolfeboro's Proposed Trial Exhibits</i> filed by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 04/14/2014)
04/14/2014	<u>155</u>	Proposed Special Verdict <i>Form</i> by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 04/14/2014)
04/14/2014	<u>156</u>	Joint Proposed Glossary of Terms by Wright–Pierce, Inc.(Gary, Patricia) Modified on 4/16/2014 to add: Joint (per counsel)(dae). (Entered: 04/14/2014)
04/14/2014		Minute Entry for proceedings held before District Judge Landya B. McCafferty. MEDIATION HEARING held on 4/14/2014. (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy)(Total Hearing Time: 4 hours 45 minutes) (dae) (Entered: 04/15/2014)
04/15/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 1 held on 4/15/2014. Jury Selection. Jury sworn. Exhibits read into the record. Court's preliminary instructions to jury. Opening statements. Plaintiff Case/Evidence begins. Witnesses Appearing: Linda Murray. (Court Reporter: Susan Bateman/AM, 1st PM; Sandra Bailey 2nd PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 5 hours 13 minutes) (dae) (Entered: 04/17/2014)
04/16/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 2 held on 4/16/2014. Juror #4 excused. Plaintiff's Evidence continued. Witness Appearing: David Ford. (Court Reporter: Diane Churas/AM; Susan Bateman/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 6 hours) (dae) (Entered: 04/17/2014)
04/17/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 3 held on 4/17/2014. Plaintiff's Case/Evidence continued. Witness Appearing: David Ford. (Court Reporter: Sandra Bailey/AM; Diane Churas/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 5 hours 29 minutes) (dae) (Entered: 04/18/2014)

04/18/2014	<u>157</u>	MOTION to Quash Subpoena filed by NH Department of Environmental Services. Follow up on Objection on 5/5/2014. (Attachments: # <u>1</u> Exhibit Attachment A – Letter to Harry Stewart, # <u>2</u> Exhibit (Affidavit) Attachment B – Affidavit of Harry Stewart)(Maloney, Mary) (Entered: 04/18/2014)
04/18/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 4 held on 4/18/2014. Plaintiff's Evidence continued. Witness Appearing: David Ford. (Court Reporter: Susan Bateman/AM; Sandra Bailey/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 5 hours 5 minutes) (dae) (Entered: 04/21/2014)
04/21/2014	<u>158</u>	PROCEDURAL ORDER re: <u>157</u> Motion to Quash. Wright–Pierce to respond by 4/24/14, 5 PM; NH DES and Wolfeboro to respond by 4/29/14, Noon. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 04/21/2014)
04/21/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 5 held on 4/21/2014. Plaintiff's Evidence continued. Witness Appearing: David Ford. (Court Reporter: Diane Churas) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 4 hours 24 minutes) (dae) (Entered: 04/22/2014)
04/21/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. IN CHAMBERS CONFERENCE held on 4/21/2014. (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 08) (dae) (Entered: 04/22/2014)
04/22/2014	<u>159</u>	OBJECTION to <u>157</u> MOTION to Quash Subpoena of <i>Harry Stewart</i> filed by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 04/22/2014)
04/22/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 6 held on 4/22/2014. Plaintiff's Evidence continued. Witnesses Appearing: David Ford, Russell Howe, Blake A. Martin. (Court Reporter: Sandra Bailey) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 6 hours 15 minutes) (dae) (Entered: 04/23/2014)
04/23/2014		NOTICE re: <u>157</u> MOTION to Quash Subpoena. Motion Hearing set for 4/25/2014 02:00 PM before Judge Joseph A. DiClerico Jr.(dae) (Entered: 04/23/2014)
04/23/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 7 held on 4/23/2014. Plaintiff's Evidence continued. Witnesses Appearing: Blake A. Martin, William Jesse Schwalbaum, Peter Atherton. (Court Reporter: Sandra Bailey – AM &PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 5 hours 43 minutes) (dae) (Entered: 04/24/2014)
04/24/2014	<u>160</u>	Exhibit <i>Bullet Proffers to Harry Stewart</i> to <u>159</u> Objection to Motion by Wright–Pierce, Inc..(Gary, Patricia) (Entered: 04/24/2014)
04/24/2014	<u>161</u>	REPLY to Objection to Motion re <u>157</u> MOTION to Quash Subpoena filed by NH Department of Environmental Services. (Attachments: # <u>1</u> Exhibit (Affidavit) Att. A – Harry's Reply Affidavit, # <u>2</u> Attachment to Exhibit Att. B – 10–23–13 Letter from Paul Heirtzler to Atty Malone, # <u>3</u> Attachment to Exhibit Att. C – 12–2–13 Letter from Paul Heirtzler to Atty Cull, # <u>4</u> Attachment to Exhibit Att. D – 1–8–14 e–mail from Paul Heirtzler to David Ford)(Maloney, Mary) (Entered: 04/24/2014)
04/24/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 8 held on 4/24/2014. Plaintiff's Evidence continued. Witnesses Appearing: Peter Atherton, Melissa Hamkins, Deposition of Clifford Lippitt read. (Court Reporter: Diane Churas/AM; Susan Bateman/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 5 hours 43 minutes) (dae) (Entered: 04/25/2014)
04/25/2014	<u>162</u>	MOTION to Quash Subpoena filed by USA. Attorney T. David Plourde added to party USA(pty:mov). Follow up on Objection on 5/12/2014. (Attachments: # <u>1</u> Memorandum of Law)(Plourde, T.) (Entered: 04/25/2014)

04/25/2014		NOTICE re: <u>162</u> MOTION to Quash Subpoena as to Dan Arsenault. Motion Hearing set for 4/25/2014 02:00 PM before Judge Joseph A. DiClerico Jr. This hearing will follow the Hearing on NH DES Motion to Quash Subpoena <u>157</u> .(dae) (Entered: 04/25/2014)
04/25/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 9 held on 4/25/2014. Plaintiff's evidence continued. Witnesses Appearing: Deposition of Clifford Lippitt read, Rene Pelletier. (Court Reporter: Diane Churas) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 3 hours 23 minutes) (dae) (Entered: 04/25/2014)
04/25/2014		Minute Order for proceedings held before Judge Joseph A. DiClerico, Jr. Motions argued. Oral Orders granting <u>157</u> MOTION to Quash Subpoena and granting <u>162</u> MOTION to Quash Subpoena. (Court Reporter: Diane Churas) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone) (Movant: Mary Maloney – NH Attorney General's Office; Movant: T. David Plourde – US Attorney's Office/EPA)(Total Hearing Time: 34 minutes) (dae) (Entered: 04/25/2014)
04/25/2014	<u>163</u>	Exhibit List by USA. (dae) (Entered: 04/25/2014)
04/28/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 10 held on 4/28/2014. Plaintiff's evidence continued. Witnesses Appearing: Paul Heitzler, Gary Smith, Neil Cheseldine, Jean Benoit. (Court Reporter: Diane Churas – AM &PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 5 hours 38 minutes) (dae) (Entered: 04/29/2014)
04/29/2014	<u>164</u>	MEMORANDUM OPINION: Re: Motion to Quash Subpoena as to Dan Arsenault, EPA <u>162</u> . To the extent Wright–Pierce has any controlling law that is contrary to what the court has cited in this memorandum order, it may submit it to the court in a memorandum not to exceed seven pages. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 04/29/2014)
04/29/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. IN CHAMBERS CONFERENCES held on 4/29/2014. (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 13 minutes) (dae) (Entered: 04/30/2014)
04/29/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 11 held on 4/29/2014. Plaintiff's evidence continued. Witnesses Appearing: Jean Benoit. (Court Reporter: Sandra Bailey/AM; Susan Bateman/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 5 hours 6 minutes) (dae) (Entered: 04/30/2014)
04/30/2014	<u>165</u>	MEMORANDUM OPINION re: granting of <u>157</u> NHDES Motion to Quash. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 04/30/2014)
04/30/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. IN CHAMBERS CONFERENCE held on 4/30/2014. (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 15 minutes) (dae) (Entered: 05/01/2014)
04/30/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 12 held on 4/30/2014. Plaintiff's evidence continued. Witnesses Appearing: Christopher Cullen, Robert Donald Bowden, Jr. (Court Reporter: Diane Churas/AM; Sandra Bailey/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 5 hours 26 minutes) (dae) (Entered: 05/01/2014)
05/01/2014	<u>166</u>	MOTION for Judgment as a Matter of Law filed by Wright–Pierce, Inc.. Follow up on Objection on 5/19/2014. (Attachments: # <u>1</u> Memorandum of Law in Support of Directed Verdict)(Gary, Patricia) (Entered: 05/01/2014)
05/01/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. IN CHAMBERS CONFERENCE held on 5/1/2014. (Pltfs Atty: Rhian Cull, Seth

		Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 7 minutes) (dae) (Entered: 05/02/2014)
05/01/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 13 held on 5/1/2014. Plaintiff's evidence continued. Plaintiff rests. Defendant's Oral Motion for Directed Verdict. Plaintiff's Oral Objection. Defendant's evidence commenced. Witnesses Appearing: Robert Donald Bowden, Jr., William Brown. (Court Reporter: Susan Bateman/AM; Diane Churas/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 5 hours 31 minutes) (dae) (Entered: 05/02/2014)
05/02/2014	<u>167</u>	Exhibit 1 to <u>166</u> MOTION for Judgment as a Matter of Law by Wright–Pierce, Inc.. (Attachments: # <u>1</u> Exhibit Exhibit 2 to Motion for Judgment as Matter of Law, # <u>2</u> Exhibit Exhibit 3 to Motion for Judgment as Matter of Law, # <u>3</u> Exhibit Exhibit 4 to Motion for Judgment as Matter of Law, # <u>4</u> Exhibit Exhibit 5 to Motion for Judgment as Matter of Law)(Gary, Patricia) (Entered: 05/02/2014)
05/02/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. IN CHAMBERS CONFERENCES held on 5/2/2014. (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 19 minutes) (dae) (Entered: 05/05/2014)
05/02/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 14 held on 5/2/2014. Defendant's evidence continued. Witness Appearing: William Brown. (Court Reporter: Sandra Bailey/AM; Susan Bateman/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 4 hours 47 minutes) (dae) (Entered: 05/05/2014)
05/05/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 15 held on 5/5/2014. Defendant's evidence continued. Witnesses Appearing: William Brown, Richard Moore. (Court Reporter: Diane Churas/AM; Sandra Bailey/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 5 hours 30 minutes) (dae) (Entered: 05/06/2014)
05/05/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. IN CHAMBERS CONFERENCE held on 5/5/2014. (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 8 minutes) (dae) (Entered: 05/06/2014)
05/06/2014	<u>168</u>	OBJECTION to <u>166</u> MOTION for Judgment as a Matter of Law filed by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 05/06/2014)
05/06/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 16 held on 5/6/2014. Defendant's evidence continued. Witnesses Appearing: Richard Moore, John DiGenova. (Court Reporter: Susan Bateman/AM; Diane Churas/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 3 hours 21 minutes) (dae) (Entered: 05/07/2014)
05/06/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. IN CHAMBERS CONFERENCE held on 5/6/2014. (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 17 minutes) (dae) (Entered: 05/07/2014)
05/07/2014	<u>169</u>	MOTION for Judgment as a Matter of Law filed by Wolfeboro, NH, Town of. Follow up on Objection on 5/27/2014.(Pasakarnis, Seth) (Entered: 05/07/2014)
05/07/2014	<u>170</u>	Request for Findings of Fact and Rulings of Law <i>for Wolfeboro's 358–A Claim, as Amended to Conform to the Evidence at Trial</i> by Wolfeboro, NH, Town of. (Pasakarnis, Seth) (Entered: 05/07/2014)
05/07/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 17 held on 5/7/2014. Defendant's evidence continued. Defendant rested. Defendant's oral motion for Directed Verdict; Plaintiff's oral objection. Plaintiff's oral motion for Judgment as a Matter of Law on Affirmative Defenses;

		Defendant's oral objection. Witnesses Appearing: John Kastrinos. (Court Reporter: Sandra Bailey/AM; Susan Bateman/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 3 hours 8 minutes) (dae) (Entered: 05/08/2014)
05/07/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. IN CHAMBERS CONFERENCES held on 5/7/2014. (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 1 hour) (dae) (Entered: 05/08/2014)
05/07/2014		///Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. IN CHAMBERS CONFERENCE held on 5/7/2014. Re: Defendant's Rule 50 motion(s), taken under advisement. Re: Plaintiff's Rule 50(a) Motion on Affirmative Defenses of Comparative Fault and Mitigation, granted. (Court Reporter: Susan Bateman) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 3 minutes) (dae) (Entered: 05/08/2014)
05/07/2014		///ORAL ORDER granting <u>169</u> Plaintiff's Motion for Judgment as a Matter of Law Pursuant to Rule 50(a) as to Defendant's Comparative Fault and Mitigation Defenses. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 05/08/2014)
05/08/2014	<u>171</u>	Request for Findings of Fact and Rulings of Law <i>Amended</i> by Wright–Pierce, Inc.. (Gary, Patricia) (Entered: 05/08/2014)
05/08/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. IN CHAMBERS CONFERENCE held on 5/8/2014. (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 35 minutes) (dae) (Entered: 05/09/2014)
05/08/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 18 held on 5/8/2014. Closing arguments. Objections to closings. Court charges jury. Jury retires to deliberate. Objections to Court charge. Jury deliberations. Jury Question #1. (Court Reporter: Diane Churas/AM; Sandra Bailey/PM) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 2 hours 21 minutes) (dae) (Entered: 05/09/2014)
05/08/2014	<u>172</u>	Court's Instructions to Jury. (dae) (Entered: 05/09/2014)
05/08/2014	<u>173</u>	Attorney Certification of Electronic Exhibits Submitted for Presentation Using the Jury Evidence Recording System (JERS). (dae) (Entered: 05/09/2014)
05/08/2014	<u>174</u>	Jury Question No. 1 with Court's written response. (dae) (Entered: 05/09/2014)
05/09/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. JURY TRIAL – Day 19 concluded on 5/9/2014. Jury returns with verdict for the plaintiff. (Court Reporter: Susan Bateman) (Pltfs Atty: Rhian Cull, Seth Pasakarnis, Daniel Deschenes) (Defts Atty: John Dennehy, Kelly Malone)(Total Hearing Time: 7 minutes) (dae) (Entered: 05/09/2014)
05/09/2014	<u>175</u>	JURY VERDICT – finding for the plaintiff. (dae) (Entered: 05/09/2014)
05/09/2014	<u>176</u>	Exhibit List by Town of Wolfeboro, NH. (dae) (Entered: 05/09/2014)
05/09/2014	<u>177</u>	Exhibit List by Wright–Pierce, Inc.(dae) (Entered: 05/09/2014)
05/09/2014	<u>178</u>	Joint Exhibit List by Town of Wolfeboro, NH and Wright–Pierce, Inc. (dae) (Entered: 05/09/2014)
05/12/2014	<u>179</u>	MOTION to Stay <i>Decision on Consumer Protection Act Claim</i> filed by Wright–Pierce, Inc.. Follow up on Objection on 5/30/2014. (Attachments: # <u>1</u> Exhibit Pretrial Conference Order, # <u>2</u> Exhibit Special Verdict Form)(Gary, Patricia) (Entered: 05/12/2014)
05/12/2014	<u>180</u>	ORDER denying <u>166</u> Defendant's Motion for Judgment as a Matter of Law and defendant's oral motion renewing its motion for judgment as a matter of law. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 05/12/2014)

05/12/2014		ENDORSED ORDER denying <u>179</u> Motion to Stay Decision on Consumer Protection Act Claim. <i>Text of Order: Denied.</i> So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 05/12/2014)
05/15/2014	<u>181</u>	///ORDER: The court finds and rules in favor of Wolfeboro on Count V, Wolfeboro's claim under the Consumer Protection Act, RSA chapter 358-A. The court awards actual damages in the amount of \$7,658,532.42. Wolfeboro shall notify the court as outlined on or before May 20, 2014 as to double damages. Wolfeboro shall file a properly supported motion as outlined on or before May 30, 2014 as to award of costs of the suit. So Ordered by Judge Joseph A. DiClerico, Jr.(ko) Modified on 10/10/2014 to add: /// (dae). (Entered: 05/15/2014)
05/16/2014	<u>182</u>	TRANSCRIPT of Proceedings for Jury Trial, Day 17 – Afternoon Session (Witness: John Kastrinos) held on May 7, 2014. Court Reporter: Susan Bateman, Telephone # 603–225–1453. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90–day period. If you would like to order a copy, please contact the court reporter at the above listed phone number. NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request. Redaction Request Follow Up 6/9/2014. Redacted Transcript Follow Up 6/19/2014. Release of Transcript Restriction set for 8/14/2014.(dae) Modified on 5/21/2014 to add: Witness text(dae). (Entered: 05/19/2014)
05/20/2014	<u>183</u>	NOTICE of Intent to Seek Additional Damages Pursuant to RSA 358–A:10 and an Award of Its Costs of Suit, Including Attorneys' and Experts' Fees by Wolfeboro, NH, Town of.(Pasakarnis, Seth) (Entered: 05/20/2014)
05/20/2014		ENDORSED ORDER re: <u>183</u> Notice of Intent to Seek Additional Damages Pursuant to RSA 358–A:10 and an Award of Its Costs of Suit, Including Attorneys' and Experts' Fees. <i>Text of Order: Reviewed.</i> So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 05/20/2014)
05/20/2014	<u>184</u>	TRANSCRIPT of Proceedings for Jury Trial, Day 5 – Morning Session (Witness: David Ford) held on April 21, 2014. Court Reporter: Diane Churas, Telephone # 603–225–1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90–day period. If you would like to order a copy, please contact the court reporter at the above listed phone number. NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request. Redaction Request Follow Up 6/13/2014. Redacted Transcript Follow Up 6/23/2014. Release of Transcript Restriction set for 8/18/2014.(dae) (Entered: 05/21/2014)
05/20/2014	<u>185</u>	TRANSCRIPT Excerpt of Proceedings for Jury Trial, Day 9, Witness: Rene Pelletier held on April 25, 2014. Court Reporter: Diane Churas, Telephone # 603–225–1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90–day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.

		<p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 6/13/2014. Redacted Transcript Follow Up 6/23/2014. Release of Transcript Restriction set for 8/18/2014.(dae) (Entered: 05/21/2014)</p>
05/20/2014	<u>186</u>	<p>TRANSCRIPT Excerpt of Proceedings for Jury Trial, Day 10, Witness: Paul Heirtzler held on April 28, 2014. Court Reporter: Diane Churas, Telephone # 603-225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 6/13/2014. Redacted Transcript Follow Up 6/23/2014. Release of Transcript Restriction set for 8/18/2014.(dae) (Entered: 05/21/2014)</p>
05/20/2014	<u>187</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 15 – Morning Session (Witness – William Brown) held on May 5, 2014. Court Reporter: Diane Churas, Telephone # 603-225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 6/13/2014. Redacted Transcript Follow Up 6/23/2014. Release of Transcript Restriction set for 8/18/2014.(dae) (Entered: 05/21/2014)</p>
05/20/2014	<u>188</u>	<p>TRANSCRIPT of Proceedings for In Chambers Conference held on May 8, 2014. Court Reporter: Diane Churas, Telephone # 603-225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 6/13/2014. Redacted Transcript Follow Up 6/23/2014. Release of Transcript Restriction set for 8/18/2014.(dae) (Entered: 05/21/2014)</p>
05/20/2014	<u>189</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 4 – Afternoon Session (Witness: David Ford) held on April 18, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript</p>

		<p>through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 6/13/2014. Redacted Transcript Follow Up 6/23/2014. Release of Transcript Restriction set for 8/18/2014.(dae) (Entered: 05/21/2014)</p>
05/20/2014	<u>190</u>	<p>TRANSCRIPT Excerpt of Proceedings for Jury Trial, Day 6 – Afternoon Session (Witnesses: David Ford and Blake Martin) held on April 22, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 6/13/2014. Redacted Transcript Follow Up 6/23/2014. Release of Transcript Restriction set for 8/18/2014.(dae) (Entered: 05/21/2014)</p>
05/20/2014	<u>191</u>	<p>TRANSCRIPT Excerpt of Proceedings for Jury Trial, Day 7 (Witness: Blake Martin) held on April 23, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 6/13/2014. Redacted Transcript Follow Up 6/23/2014. Release of Transcript Restriction set for 8/18/2014.(dae) (Entered: 05/21/2014)</p>
05/20/2014	<u>192</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 15 – Afternoon Session (Witnesses: William Brown and Richard Moore) held on May 5, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 6/13/2014. Redacted Transcript Follow Up 6/23/2014. Release of Transcript Restriction set for 8/18/2014.(dae) (Entered: 05/21/2014)</p>

05/20/2014	<u>193</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 17 – Morning Session (Witness: James Kastrinos) held on May 7, 2014. Court Reporter: Sandra Bailey, Telephone # 603–225–1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90–day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 6/13/2014. Redacted Transcript Follow Up 6/23/2014. Release of Transcript Restriction set for 8/18/2014.(dae) (Entered: 05/21/2014)</p>
05/30/2014	<u>194</u>	<p>MOTION for Attorney Fees <i>and Costs of Suit</i> filed by Wolfeboro, NH, Town of. Follow up on Objection on 6/16/2014. (Attachments: # <u>1</u> Memorandum of Law Memo Supporting Motion for Costs of Suit Including Attorneys' Fees, # <u>2</u> Exhibit (Affidavit) Affidavit of Rhian M.J. Cull in Support of Motion for Costs of Suit and Attorneys' Fees, # <u>3</u> Exhibit Legal Bills (Part 1 of 6), # <u>4</u> Exhibit Legal Bills (Part 2 of 6), # <u>5</u> Exhibit Legal Bills (Part 3 of 6), # <u>6</u> Exhibit Legal Bills (Part 4 of 6), # <u>7</u> Exhibit Legal Bills (Part 5 of 6), # <u>8</u> Exhibit Legal Bills (Part 6 of 6))(Pasakarnis, Seth) (Entered: 05/30/2014)</p>
05/30/2014	<u>195</u>	<p>MOTION For Award of Treble Damages Pursuant to RSA 358–A filed by Wolfeboro, NH, Town of. Follow up on Objection on 6/16/2014. (Attachments: # <u>1</u> Memorandum of Law Memo of Law in Support of Motion for Treble Damages Pursuant to 358–A)(Pasakarnis, Seth) (Entered: 05/30/2014)</p>
06/10/2014	<u>196</u>	<p>MOTION for Leave to File Notice of Withdrawal filed by Wright–Pierce, Inc.. Follow up on Objection on 6/27/2014. (Attachments: # <u>1</u> Exhibit Notice of Withdrawal)(Gary, Patricia) (Entered: 06/10/2014)</p>
06/10/2014	<u>197</u>	<p>NOTICE of Attorney Appearance by Peter S. Cowan on behalf of Wright–Pierce, Inc. Attorney Peter S. Cowan added to party Wright–Pierce, Inc.(pty:dft).(Cowan, Peter) (Entered: 06/10/2014)</p>
06/10/2014	<u>198</u>	<p>Assented to MOTION to Extend Time to Object/Respond to July 11, 2014 <i>to Plaintiff's Pending Motions for Treble Damages and for an Award of Costs</i> filed by Wright–Pierce, Inc..(Cowan, Peter) (Entered: 06/10/2014)</p>
06/10/2014	<u>199</u>	<p>NOTICE of Attorney Appearance by John–Mark Turner on behalf of Wright–Pierce, Inc. Attorney John–Mark Turner added to party Wright–Pierce, Inc.(pty:dft).(Turner, John–Mark) (Entered: 06/10/2014)</p>
06/11/2014		<p>ENDORSED ORDER granting <u>198</u> Motion to Extend Time to Object/Respond to <u>195</u> Motion for Award of Treble Damages, <u>194</u> Motion for Attorney Fees and Costs. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr. Follow up on Objection on 7/11/2014.(gla) (Entered: 06/11/2014)</p>
06/11/2014		<p>ENDORSED ORDER granting <u>196</u> Motion for Leave to File Withdrawal. Text of Order: Granted. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) (Entered: 06/11/2014)</p>
06/11/2014	<u>200</u>	<p>NOTICE of Attorney Withdrawal by Patricia B. Gary on behalf of Wright–Pierce, Inc.(Gary, Patricia) (Entered: 06/11/2014)</p>
06/25/2014	<u>201</u>	<p>MOTION to Dismiss <i>For Lack of Subject Matter Jurisdiction</i> filed by Wright–Pierce, Inc.. HEARING REQUESTED. Follow up on Objection on 7/14/2014. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Exhibit (Affidavit) A–William Brown, # <u>3</u> Attachment to Exhibit A–1 Presentation 10/4/02, # <u>4</u> Attachment to Exhibit A–2 Memo 8/7/06, # <u>5</u> Attachment to Exhibit A–3 Memo 9/24/02, # <u>6</u> Attachment to Exhibit A–4 Organizational Chart, # <u>7</u> Attachment to Exhibit A–5 Mid–year 2011 update, # <u>8</u> Attachment to Exhibit A–6 Reflections 2011, # <u>9</u> Attachment to Exhibit A–7 Mid–year 2012 update, # <u>10</u> Attachment to</p>

		Exhibit A–8 Zweig letter 4/2/12, # <u>11</u> Attachment to Exhibit A–9 Email 4/2/12, # <u>12</u> Attachment to Exhibit A–10 Memo 8/14/09, # <u>13</u> Attachment to Exhibit A–11 CEO Succession Planning, # <u>14</u> Exhibit (Affidavit) B–John Nelson, # <u>15</u> Exhibit (Affidavit) C–Daphne Anderson, # <u>16</u> Exhibit (Affidavit) D–Denyse Anderson, # <u>17</u> Exhibit (Affidavit) E–Connie Taggart, # <u>18</u> Exhibit (Affidavit) F–Richard Davee)(Cowan, Peter) (Entered: 06/25/2014)
06/26/2014		NOTICE of In Chambers Hearing. Status/Scheduling Conference set for 7/9/2014 02:00 PM before Judge Joseph A. DiClerico Jr.(dae) (Entered: 06/26/2014)
07/01/2014		RESCHEDULING NOTICE of Hearing – by agreement of counsel. Scheduling Conference reset for 7/8/2014 02:00 PM (from 7/9/14) before Judge Joseph A. DiClerico Jr. (dae) (Entered: 07/01/2014)
07/02/2014	<u>202</u>	Joint Assented to MOTION to Stay filed by Wright–Pierce, Inc..(Cowan, Peter) (Entered: 07/02/2014)
07/03/2014		ENDORSED ORDER on <u>202</u> Motion to Stay. Text of Order: The court will discuss this motion with counsel at the conference on July 8. In the interim all work on motions is temporarily stayed. So Ordered by Judge Joseph A. DiClerico, Jr.(gla) (Entered: 07/03/2014)
07/03/2014		Duplicate entry – Disregard. ENDORSED ORDER re: <u>202</u> Joint Assented to Motion to Stay. Text of Order: Court will discuss this motion with counsel at conference on July 8. In the interim all work on motions is temporarily stayed So Ordered by Judge Joseph A. DiClerico, Jr.(dae) Modified on 7/3/2014 to add: Duplicate entry text.(dae). (Entered: 07/03/2014)
07/08/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. SCHEDULING/STATUS CONFERENCE held on 7/8/2014. (Pltfs Atty: Rhian Cull, Daniel Deschenes) (Defts Atty: Peter Cowan, John–Mark Turner) (Other: Andrew Dunn briefly at end of conference)(Total Hearing Time: 28 minutes) (dae) (Entered: 07/08/2014)
07/08/2014	<u>203</u>	PROCEDURAL ORDER granting <u>202</u> Motion to Indefinitely Stay Further Proceedings. Counsel will report via teleconference with the court at 30 day intervals on the progress of settlement discussions. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 07/10/2014)
07/09/2014		NOTICE of Hearing. Telephone Status Conference set for 8/7/2014 11:00 AM before Judge Joseph A. DiClerico Jr. The court will initiate the call.(dae) (Entered: 07/09/2014)
07/14/2014	<u>204</u>	TRANSCRIPT of Proceedings for Jury Trial, Day 1, Morning Session and First Half of Afternoon Session held on April 15, 2014. Court Reporter: Susan Bateman, Telephone # 603–225–1453. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90–day period. If you would like to order a copy, please contact the court reporter at the above listed phone number. NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request. Redaction Request Follow Up 8/7/2014. Redacted Transcript Follow Up 8/18/2014. Release of Transcript Restriction set for 10/14/2014.(dae) (Entered: 07/15/2014)
07/14/2014	<u>205</u>	TRANSCRIPT of Proceedings for Jury Trial, Day 2, Afternoon Session held on April 16, 2014. Court Reporter: Susan Bateman, Telephone # 603–225–1453. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90–day period. If you would like to order a copy,

		<p>please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/7/2014. Redacted Transcript Follow Up 8/18/2014. Release of Transcript Restriction set for 10/14/2014.(dae) (Entered: 07/15/2014)</p>
07/14/2014	<u>206</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 4, Morning Session held on April 18, 2014. Court Reporter: Susan Bateman, Telephone # 603-225-1453. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/7/2014. Redacted Transcript Follow Up 8/18/2014. Release of Transcript Restriction set for 10/14/2014.(dae) (Entered: 07/15/2014)</p>
07/14/2014	<u>207</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 5, Afternoon Session held on April 24, 2014. Court Reporter: Susan Bateman, Telephone # 603-225-1453. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/7/2014. Redacted Transcript Follow Up 8/18/2014. Release of Transcript Restriction set for 10/14/2014.(dae) (Entered: 07/15/2014)</p>
07/15/2014	<u>208</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 2, Morning Session held on April 16, 2014. Court Reporter: Diane Churas, Telephone # 603-225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/8/2014. Redacted Transcript Follow Up 8/18/2014. Release of Transcript Restriction set for 10/14/2014.(dae) (Entered: 07/15/2014)</p>
07/16/2014	<u>209</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 3, Afternoon Session held on April 17, 2014. Court Reporter: Diane Churas, Telephone # 603-225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only</p>

		<p>attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/11/2014. Redacted Transcript Follow Up 8/21/2014. Release of Transcript Restriction set for 10/17/2014.(dae) (Entered: 07/17/2014)</p>
07/18/2014	<u>210</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 8, Morning Session held on April 24, 2014. Court Reporter: Diane Churas, Telephone # 603 225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/11/2014. Redacted Transcript Follow Up 8/21/2014. Release of Transcript Restriction set for 10/17/2014.(dae) (Entered: 07/21/2014)</p>
07/30/2014	<u>211</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 11, Afternoon Session held on April 29, 2014. Court Reporter: Susan Bateman, Telephone # 603-225-1453. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/25/2014. Redacted Transcript Follow Up 9/5/2014. Release of Transcript Restriction set for 10/30/2014.(dae) (Entered: 07/31/2014)</p>
07/30/2014	<u>212</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 13, Morning Session held on May 1, 2014. Court Reporter: Susan Bateman, Telephone # 603-225-1453. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/25/2014. Redacted Transcript Follow Up 9/5/2014. Release of Transcript Restriction set for 10/30/2014.(dae) (Entered: 07/31/2014)</p>

07/30/2014	<u>213</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 14, Afternoon Session held on May 2, 2014. Court Reporter: Susan Bateman, Telephone # 603-225-1453. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/25/2014. Redacted Transcript Follow Up 9/5/2014. Release of Transcript Restriction set for 10/30/2014.(dae) (Entered: 07/31/2014)</p>
07/30/2014	<u>214</u>	<p>TRANSCRIPT of Proceedings for Jury Verdict held on May 9, 2014. Court Reporter: Susan Bateman, Telephone # 603-225-1453. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/25/2014. Redacted Transcript Follow Up 9/5/2014. Release of Transcript Restriction set for 10/30/2014.(dae) (Entered: 07/31/2014)</p>
07/31/2014	<u>215</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 1, Last Afternoon Session held on April 15, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/25/2014. Redacted Transcript Follow Up 9/5/2014. Release of Transcript Restriction set for 10/30/2014.(dae) (Entered: 08/01/2014)</p>
07/31/2014	<u>216</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 3, Morning Session held on April 17, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p>

		Redaction Request Follow Up 8/25/2014. Redacted Transcript Follow Up 9/5/2014. Release of Transcript Restriction set for 10/30/2014.(dae) (Entered: 08/01/2014)
07/31/2014	<u>217</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 6 held on April 22, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/25/2014. Redacted Transcript Follow Up 9/5/2014. Release of Transcript Restriction set for 10/30/2014.(dae) (Entered: 08/01/2014)</p>
07/31/2014	<u>218</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 7 held on April 23, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/25/2014. Redacted Transcript Follow Up 9/5/2014. Release of Transcript Restriction set for 10/30/2014.(dae) (Entered: 08/01/2014)</p>
07/31/2014	<u>219</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 11, Morning Session held on April 29, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/25/2014. Redacted Transcript Follow Up 9/5/2014. Release of Transcript Restriction set for 10/30/2014.(dae) (Entered: 08/01/2014)</p>
08/05/2014	<u>220</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 16, Morning Session held on May 6, 2014. Court Reporter: Susan Bateman, Telephone # 603-225-1453. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p>

		<p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/29/2014. Redacted Transcript Follow Up 9/8/2014. Release of Transcript Restriction set for 11/3/2014.(dae) (Entered: 08/05/2014)</p>
08/05/2014	<u>221</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 9 held on April 25, 2014. Court Reporter: Diane Churas, Telephone # 603 225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/29/2014. Redacted Transcript Follow Up 9/8/2014. Release of Transcript Restriction set for 11/3/2014.(dae) (Entered: 08/05/2014)</p>
08/05/2014	<u>222</u>	<p>TRANSCRIPT of Proceedings for Motion Hearing held on April 25, 2014, Afternoon. Court Reporter: Diane Churas, Telephone # 603 225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 8/29/2014. Redacted Transcript Follow Up 9/8/2014. Release of Transcript Restriction set for 11/3/2014.(dae) (Entered: 08/05/2014)</p>
08/06/2014	<u>223</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 10 held on April 28, 2014. Court Reporter: Diane Churas, Telephone # 603 225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 9/2/2014. Redacted Transcript Follow Up 9/11/2014. Release of Transcript Restriction set for 11/6/2014.(dae) (Entered: 08/06/2014)</p>
08/06/2014	<u>224</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 12, Afternoon Session held on April 30, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript</p>

		<p>through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 9/2/2014. Redacted Transcript Follow Up 9/11/2014. Release of Transcript Restriction set for 11/6/2014.(dae) (Entered: 08/07/2014)</p>
08/06/2014	<u>225</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 14, Morning Session held on May 2, 2014. Court Reporter: Sandra Bailey, Telephone # 603-225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 9/2/2014. Redacted Transcript Follow Up 9/11/2014. Release of Transcript Restriction set for 11/6/2014.(dae) (Entered: 08/07/2014)</p>
08/07/2014		<p>Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. TELEPHONE CONFERENCE held on 8/7/2014. (Pltfs Atty: Rhian Cull) (Defts Atty: Peter Cowan)(Total Hearing Time: 5 minutes) (dae) (Entered: 08/07/2014)</p>
08/07/2014	<u>226</u>	<p>PROCEDURAL ORDER. Stay of proceedings remains in effect. Counsel to report to court via teleconference on 9/9/14. So Ordered by Judge Joseph A. DiClerico, Jr.(dae) (Entered: 08/07/2014)</p>
08/07/2014	<u>227</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 12, Morning Session held on April 30, 2014. Court Reporter: Diane Churas, Telephone # 603 225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 9/2/2014. Redacted Transcript Follow Up 9/11/2014. Release of Transcript Restriction set for 11/6/2014.(dae) (Entered: 08/11/2014)</p>
08/14/2014	<u>228</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 13, Afternoon Session held on May 1, 2014. Court Reporter: Diane Churas, Telephone # 603 225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p>

		Redaction Request Follow Up 9/8/2014. Redacted Transcript Follow Up 9/18/2014. Release of Transcript Restriction set for 11/13/2014.(dae) (Entered: 08/14/2014)
08/14/2014	<u>229</u>	<p>TRANSCRIPT of Proceedings for Day 16, Afternoon Session held on May 6, 2014. Court Reporter: Diane Churas, Telephone # 603 225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 9/8/2014. Redacted Transcript Follow Up 9/18/2014. Release of Transcript Restriction set for 11/13/2014.(dae) (Entered: 08/14/2014)</p>
08/14/2014	<u>230</u>	<p>TRANSCRIPT of Proceedings for Jury Trial, Day 18 held on May 8, 2014. Court Reporter: Diane Churas, Telephone # 603 225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number.</p> <p>NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request.</p> <p>Redaction Request Follow Up 9/8/2014. Redacted Transcript Follow Up 9/18/2014. Release of Transcript Restriction set for 11/13/2014.(dae) (Entered: 08/15/2014)</p>
09/02/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. TELEPHONE CONFERENCE held on 9/2/2014. (Pltfs Atty: Rhian Cull) (Defts Atty: Peter Cowan)(Total Hearing Time: 5 minutes) (dae) (Entered: 09/02/2014)
09/23/2014		NOTICE of Hearing. Telephonic Status Conference set for 10/2/2014 02:00 PM before Judge Joseph A. DiClerico Jr. The court will initiate the call.(dae) (Entered: 09/23/2014)
10/02/2014		Minute Entry for proceedings held before Judge Joseph A. DiClerico, Jr. TELEPHONE CONFERENCE held on 10/2/2014. (Pltfs Atty: Rhian Cull) (Defts Atty: Peter Cowan)(Total Hearing Time: 5 minutes) (dae) (Entered: 10/02/2014)
10/02/2014		Rhian Cull advised case settled. Agreement for entry of judgment or a stipulation of dismissal to be filed within 30 days or the court will dismiss the case with prejudice. Case Settlement Deadline 11/6/2014.(dae) (Entered: 10/02/2014)
10/02/2014		Motions terminated as case has settled: <u>194</u> MOTION for Attorney Fees <i>and Costs of Suit</i> filed by Wolfeboro, NH, Town of, <u>195</u> MOTION For Award of Treble Damages Pursuant to RSA 358-A filed by Wolfeboro, NH, Town of, <u>201</u> MOTION to Dismiss <i>For Lack of Subject Matter Jurisdiction</i> filed by Wright-Pierce, Inc. (dae) (Entered: 10/02/2014)
10/09/2014	<u>231</u>	STIPULATION of Dismissal <i>With Prejudice</i> by Wright-Pierce, Inc.(Cowan, Peter) (Entered: 10/09/2014)
10/10/2014	<u>232</u>	JUDGMENT is hereby entered in accordance with: <u>88</u> Plaintiff's Pretrial Statement, <u>131</u> Order, Oral Order dated May 7, 2014, <u>175</u> Jury Verdict, <u>181</u> Order, <u>231</u> Stipulation of Dismissal. Approved by Joseph A. DiClerico, Jr., US District Judge; Signed by Daniel J. Lynch, Clerk of Court. (Case Closed) Case

		<p>includes a claim under the NH Consumer Protection Act. A copy of the Judgment has been sent to the NH Attorney General via an automatic Notice of Electronic filing.(dae) (Entered: 10/10/2014)</p>
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