

STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

DOCKET #07-E-0136

PROFESSIONAL FIREFIGHTERS OF NEW HAMPSHIRE

V.

LOCAL GOVERNMENT CENTER, INC.

NEW HAMPSHIRE MUNICIPAL ASSOCIATION, LLC.

LOCAL GOVERNMENT CENTER PROPERTY-LIABILITY TRUST, LLC.

LOCAL GOVERNMENT CENTER HEALTHTRUST, LLC

LOCAL GOVERNMENT CENTER WORKERS' COMPENSATION TRUST, LLC.

LGC REAL ESTATE, INC.

**PETITIONER'S MOTION FOR HEARING ON REMAND
AND OTHER RELIEF**

NOW COMES the Petitioner, Professional Firefighters of New Hampshire, ("PFFNH")
by and through its counsel, MOLAN, MILNER & KRUPSKI, PLLC, and hereby moves for
Motion for Hearing on Remand and Other Relief as follows:

1. This Right - To - Know case was decided by the Merrimack County Superior Court by rulings dated January 12, 2009 (on Petitioner's Motion for Summary Judgment) and February 19, 2009 (on Respondents' Motion for reconsideration) (Mangones, P.J.).
2. The New Hampshire Supreme Court recently affirmed the trial Court's decision on the merits and remanded the case to the Superior Court as to the award of attorney fees. See, Professional Firefighters of New Hampshire v. Local Government Center, Inc. & a., No. 2009-215, slip op. (January 29, 2010).

3. Petitioner now requests that the Superior Court schedule a hearing on the attorney fee issue.

4. Further, as the Superior Court's decision that an award of fees regarding a certain 91-A request previously adjudicated by the Rockingham County Superior Court (See, Professional Firefighters of New Hampshire v. HealthTrust, Inc. , No. 03-E-163, slip op. (May 3, 2005)) should be referred to Rockingham County has been affirmed, Petitioner now requests that the Rockingham County case (03-E-163) be consolidated with this remanded case in Merrimack County as the issues are similar and for purposes of judicial economy.

5. Finally, as the decision by the Supreme Court indicates that the award of fees was based on an incorrect premise made by the trial judge; Petitioner now requests that this remanded case, as consolidated, be specially assigned to Judge Mangones.

WHEREFORE, PFFNH respectfully requests that this Court:

- A. Schedule a hearing to decide the issue of attorney fees in this case;
- B. Consolidate this case with Rockingham County case 03-E-163;
- C. Specially assign this remanded case, as consolidated, to Judge Mangones; and/or
- D. Grant such other relief as is just.

DATED: February 12, 2010

Respectfully submitted,
PROFESSIONAL FIREFIGHTERS
OF NEW HAMPSHIRE

THROUGH COUNSEL,
Molan Milner & Krupski PLLC.

By: _____


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CERTIFICATION

I hereby certify that a copy of the foregoing was this date forwarded, via first class mail, postage prepaid, to Christopher H.M. Carter, Esquire, counsel for the Respondents.



Glenn R. Milner, Esquire