

Alexander J. LaRosa

From: ACliburn@DOOLaw.com
Sent: Monday, November 10, 2025 4:28 PM
To: Alexander J. LaRosa
Cc: Cooper Hayes; 'Alexander Wing'
Subject: RE: Tinmouth - Schedule [MSKVT-MSKVT.FID19436]

AJ:

That's a fair read. I took it that your response to our (prediscovery) supplementary filing would be your opportunity to refute the bases on which we choose to supplement. But I see where you're coming from. We'll see what Faber does. Subject to further refinement and of changes in plans, I intend to depose Kevin Delaney, Louis Hodgetts, Aaron Marcus, and Lee Toomey.

Sincerely,

Andrew D. Cliburn, Esq.
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From: Alexander J. LaRosa <ajlarosa@mskvt.com>
Sent: Monday, November 10, 2025 4:08 PM
To: ACliburn@DOOLaw.com
Cc: Cooper Hayes <chayes@mskvt.com>; 'Alexander Wing' <Alexander.Wing@vermont.gov>
Subject: RE: Tinmouth - Schedule [MSKVT-MSKVT.FID19436]

Andrew –

I don't read the Commission's order wherein it identifies that the schedule should include certain deadlines to accommodate the items set-off as items 1, 2, 3, and 4 as suggesting an order or specific process. I view it as a list of things that need to be covered – *i.e.* “in no particular order.” I don't see how I can file supplemental evidence without discovery on the Town and Department. ITW's supplemental evidence may reasonably include statements made by either in discovery or documents discovered through the discovery process.

I don't object to waiting to see what Greg Faber asks the parties to do.

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From: ACliburn@DOOLaw.com <ACliburn@DOOLaw.com>
Sent: Monday, November 10, 2025 3:59 PM
To: Alexander J. LaRosa <ajlarosa@mskvt.com>; 'Michael Swain' <Michael.Swain@vermont.gov>
Cc: Cooper Hayes <chayes@mskvt.com>; 'Alexander Wing' <Alexander.Wing@vermont.gov>
Subject: RE: Tinmouth - Schedule [MSKVT-MSKVT.FID19436]

All,

Thanks for starting the discussion, AJ. I read the remand order to create a stepwise process in which the Town will file “supplemental evidence” to buttress its recommendation, an opportunity for ITW to file responsive materials re same, then we proceed to discovery, following which we file SJ papers. I also think it’s appropriate to wait for Gregg to issue an order requesting proposed schedules of the above before we lock in anything, if for nothing else than out of respect. Further, it may be necessary to make some arguments on the scope of the remand/schedule if we can’t all agree—the order is a little unusual in some respects. Happy to entertain other thoughts.

Sincerely,

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From: Alexander J. LaRosa <ajlarosa@mskvt.com>
Sent: Monday, November 10, 2025 1:30 PM
To: Michael Swain <Michael.Swain@vermont.gov>
Cc: acliburn@doolaw.com; Cooper Hayes <chayes@mskvt.com>; Alexander Wing <Alexander.Wing@vermont.gov>
Subject: Re: Tinmouth - Schedule [MSKVT-MSKVT.FID19436]

Thank you.

On Nov 10, 2025, at 1:29 PM, Swain, Michael <Michael.Swain@vermont.gov> wrote:

Good afternoon A.J.,

I believe you meant to include my colleague Alex Wing. I have copied him here.

Best,
Michael

From: Alexander J. LaRosa <ajlarosa@mskvt.com>
Sent: Monday, November 10, 2025 12:27 PM
To: acliburn@doolaw.com <acliburn@doolaw.com>; Swain, Michael <Michael.Swain@vermont.gov>;
Cooper Hayes <chayes@mskvt.com>
Subject: Tinmouth - Schedule [MSKVT-MSKVT.FID19436]

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Good afternoon –

As you all saw the PUC's order remanding Tinmouth to the Hearing Officer for further proceedings, I'd like to get a schedule completed this week. I desire (as of now) to: take a 30(b)(6) equivalent deposition of a representative of the Town of Tinmouth and the Department and serve written discovery on the Town and Department. I could get written discovery served before Thanksgiving therefore giving you all till the end of the year to complete it (a little more than 30 days is quite reasonable here given the holiday season). I would like to take depositions in January.

Please advise what you'd like so that we can build an appropriate schedule.

Thank you,

A.J. LaRosa

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