

From: Libby Harris <libbyharris1@me.com>
Subject: Re: PUC Docket 17-5024 Motion to Quash
Date: June 25, 2018 at 8:40:07 AM EDT
To: Thomas Melone <thomas.melone@gmail.com>
Cc: mjmelone@allcous.com, "KHayden (khayden@pfclaw.com)" <khayden@pfclaw.com>, Merrill@greenmtlaw.com, James Porter <James.Porter@vermont.gov>, Donald Einhorn <Donald.Einhorn@vermont.gov>, "Clark, Jake" <jake.clark@vermont.gov>, Caroline McEver <caroline@mceverdesign.com>, Lora Block <lblock@sover.net>, Rob Woolmington <Rob@greenmtlaw.com>

Thomas,

Attorneys are under the obligation according to Rule 4.1 of the Vermont Rules of Professional Conduct not to make misrepresentations of law to unrepresented parties. Your statement about the requirements of VRCP Rule 26(h) was a misrepresentation. Rule 26(h) applies only to counsel, not to pro se litigants. Rule 26(h) says counsel only has to meet and confer prior to a motion under Rules 26 and 37, not a motion to quash which is made pursuant to Rule 45.

You have also violated Rules 4.3 and 4.4 of the Vermont Rules of Professional Conduct by this email to us. By the contents of your email you have cross the line of Professional Conduct.

We will not withdraw our motion to quash and if you persist we will request that Chelsea Solar be sanctioned.

We will wait for the Hearing Officer's response to our Motion to Quash. We will not be appearing in Burlington on June 29 for depositions.

Regarding Michael's email to Libby Harris offering to conduct the deposition of her in Bennington on June 28, please see the schedule for this case that begins discovery on June 29. Michael's request is outside of the schedule.

Libby Harris
David Griffin
Roberta Caslin
Caroline McEver