

From: [Diamond, Joshua](#)
To: [Gregory Nagurney](#)
Cc: [Mishaan, Jessica](#)
Subject: Fulton Public Records Appeal
Date: Tuesday, March 29, 2022 8:14:29 PM
Attachments: [20220329 Fulton PRA Appeal Letter \(002\).pdf](#)
[20220311 RE_Question.pdf](#)
[20220314 FW_Recording.pdf](#)
[20220314 Question.pdf](#)
[20220314 RE_Question - urgent.pdf](#)
[20220316-17 RE_Assistance.pdf](#)

Dear Greg:

Attached please find the Vermont Attorney General's Office decision in response to Mr. Fulton's public records appeal.

Regards, Josh

Joshua R. Diamond, Deputy Attorney General
Vermont Attorney General's Office
109 State Street
Montpelier, Vermont 05609
802-595-8317
joshua.diamond@vermont.gov

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THOMAS J. DONOVAN, JR.
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JOSHUA R. DIAMOND
DEPUTY ATTORNEY GENERAL

SARAH E.B. LONDON
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STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001

March 29, 2022

Gregory Nagurney, Esq.
Burke Law
77 College Street, 2nd Floor
Burlington, VT 05402

By email to: [REDACTED]

Re: Determination of Public Records Act Appeal, per 1 V.S.A. § 318(c)

Dear Mr. Nagurney:

Your client, William Fulton, appealed the response he received to his public records request earlier this month. In his appeal, he asserts that "...the records redacted or withheld as exempt under 1 V.S.A. § 316 (c)(3) and (4) show evidence of government wrongdoing and/or evidence of a crime (possible violation of 18 U.S.C. [§] 242) and are not exempt." I have reviewed the records in question and disagree that they show any wrongdoing or were withheld in error.

However, in the interest of government transparency and without waiver of any applicable privilege or exemption, we are producing the records previously withheld or redacted. Please find them attached.

Sincerely,

/s/

Joshua R. Diamond
Deputy Attorney General

Attachments.

From: [Purvee, Meghan](#)
To: [Murphy, Laura](#); [Kane, Ryan](#)
Subject: RE: Question
Date: Friday, March 11, 2022 12:17:49 PM

Will do

Due to the coronavirus (COVID-19), the Vermont Department of Forests, Parks and Recreation, Agency of Natural Resources are taking additional safety measures to protect our employees, partners and customers. I am currently working remotely and may be contacted via email or phone.

Meghan A. Purvee, Esq. | General Counsel (she/her/hers)
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Davis 2, 1 National Life Dr | Montpelier, VT 05620-3801
802-279-7870 (cell) meghan.purvee@vermont.gov (email)
<http://fpr.vermont.gov/>

Meghan A. Purvee
General Counsel
Department of Forests, Parks and Recreation
1 National Life Drive, Davis 2
Montpelier, VT 05620-3801

From: Murphy, Laura <Laura.Murphy@vermont.gov>
Sent: Friday, March 11, 2022 12:07 PM
To: Purvee, Meghan <Meghan.Purvee@vermont.gov>; Kane, Ryan <Ryan.Kane@vermont.gov>
Subject: RE: Question

Hi Meghan, I am free now, do you want to call me on Teams?
Laura

From: Purvee, Meghan <Meghan.Purvee@vermont.gov>
Sent: Friday, March 11, 2022 12:03 PM
To: Murphy, Laura <Laura.Murphy@vermont.gov>; Kane, Ryan <Ryan.Kane@vermont.gov>
Subject: Question

Laura and/or Ryan:
Do either of you have a few minutes to talk? I have a UVA question that I think you could help with.
Between now and 2 if possible.
Meghan

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From: [Purvee, Meghan](#)
To: [Spottswood, Eleanor](#)
Cc: [McDougall, Robert](#); [McNamara, Ed](#)
Subject: FW: Recording
Date: Monday, March 14, 2022 11:17:59 AM

Due to the coronavirus (COVID-19), the Vermont Department of Forests, Parks and Recreation, Agency of Natural Resources are taking additional safety measures to protect our employees, partners and customers. I am currently working remotely and may be contacted via email or phone.

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From: Thompson, Keith <Keith.Thompson@vermont.gov>
Sent: Monday, March 14, 2022 9:53 AM
To: Purvee, Meghan <Meghan.Purvee@vermont.gov>
Subject: FW: Recording

Can you help me respond?

Keith Thompson | Private Lands Program Manager
Vermont Department of Forests, Parks and Recreation
1 National Life Drive, Davis 2 | Montpelier, VT 05620
802-498-5169
vtforest.com

Due to the coronavirus (COVID-19), the Vermont Department of Forests, Parks and Recreation is taking additional community protection measures. Many staff are now working remotely and may not be available in person. We encourage you to communicate electronically or via phone. Learn more about [COVID-19](#) and stay connected with us at VTforest.com.

From: Bill Fulton <[REDACTED]>

Sent: Monday, March 14, 2022 9:47 AM

To: Thompson, Keith <Keith.Thompson@vermont.gov>

Cc: Gregory Nagurney <[REDACTED]>; gtill@leg.state.vt.us;
TSquirrel@leg.state.vt.us; msirotkin@leg.state.vt.us; tchittenden@leg.state.vt.us;
pbaruth@leg.state.vt.us; Virginia Lyons <VLyons@leg.state.vt.us>; Christopher Pearson
<CPearson@leg.state.vt.us>; kramhinsdale@leg.state.vt.us

Subject: Recording

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Mr. Thompson

This is my second request to you.

Please clarify the Departments position on the recording of its employees and agents while executing their official duties.

Was what was said by your agency council during my hearing the official position of the Department?

Should I continue to not receive a satisfactory response either way. I will be forced to notify the media of this event and take certain legal actions to protect my First Amendment rights.

The use of color of law to suppress the constitutional rights of those subject to your enforcement actions or the appearance of such is of great concern. Not only to myself, but any citizen whom may be subject to your departments actions.

While it appears you and your department have chosen not to take this matter seriously let me be clear that I view this and any issue involving constitutionality guaranteed rights as very grave.

I was informed by my council that your attorney had requested a copy of the meeting. Please inform your attorney that a copy will be made available should it be demanded during the discovery phase of any future legal actions I may choose to pursue.

Further please provide the Vermont State Bar number for your council as she advertised herself as an attorney during our interactions.

Respectfully

William F Fulton

Sent from Samsung Galaxy smartphone.
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From: [Purvee, Meghan](#)
To: [McDougall, Robert](#)
Subject: Question
Date: Monday, March 14, 2022 10:42:01 AM

Good morning Rob. Do you have a couple of minutes to talk? I have an urgent matter that I need to discuss. Thanks.

Meghan

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1 National Life Drive, Davis 2
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From: [McDougall, Robert](#)
To: [Spottswood, Eleanor](#)
Subject: RE: Question - urgent
Date: Monday, March 14, 2022 10:55:00 AM

Yes. I'm talking to her now, so I'll pass that on.

From: Spottswood, Eleanor <Eleanor.Spottswood@vermont.gov>
Sent: Monday, March 14, 2022 10:55 AM
To: McDougall, Robert <robert.mcdougall@vermont.gov>
Subject: FW: Question - urgent

Is this the same matter that you just sent me an invite for? I'll tell Meghan I can talk with her after 12:30.

Ella

Eleanor L.P. Spottswood
Assistant Attorney General
Chief, Civil Division
Vermont Attorney General's Office
802-793-1646
eleanor.spottswood@vermont.gov

From: Purvee, Meghan <Meghan.Purvee@vermont.gov>
Sent: Monday, March 14, 2022 10:39 AM
To: Spottswood, Eleanor <Eleanor.Spottswood@vermont.gov>
Subject: Question - urgent

Eleanor:

I have a question about a communication that the Department of Forests, Parks and Recreation received that I would like to speak with you about as soon as possible. Please let me know if you are able to talk this morning. Thank you.

Meghan

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From: [Purvee, Meghan](#)
To: [Kehne, Melanie](#)
Subject: RE: Assistance
Date: Thursday, March 17, 2022 10:21:25 AM

Good morning Melanie. Any chance we can move our meeting to 11:00 today? I just received some emails that pertain to this matter that I would like to discuss.

Meghan

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Meghan A. Purvee
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From: Kehne, Melanie <Melanie.Kehne@vermont.gov>
Sent: Wednesday, March 16, 2022 4:27 PM
To: Purvee, Meghan <Meghan.Purvee@vermont.gov>
Subject: RE: Assistance

Thanks, Meghan! See you tomorrow.

Melanie

Melanie Kehne
Assistant Attorney General
(802) 752-9138

From: Purvee, Meghan <Meghan.Purvee@vermont.gov>
Sent: Wednesday, March 16, 2022 4:23 PM
To: Kehne, Melanie <Melanie.Kehne@vermont.gov>
Subject: RE: Assistance

Thank you Melanie. I will also see if Keith Thompson, the UVA program manager is available to join

us. If not, we can start the discussions. I too am looking forward to working with you!
Meghan

Due to the coronavirus (COVID-19), the Vermont Department of Forests, Parks and Recreation, Agency of Natural Resources are taking additional safety measures to protect our employees, partners and customers. I am currently working remotely and may be contacted via email or phone.

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From: Kehne, Melanie <Melanie.Kehne@vermont.gov>
Sent: Wednesday, March 16, 2022 4:12 PM
To: Purvee, Meghan <Meghan.Purvee@vermont.gov>
Subject: RE: Assistance

Hi Meghan, that would be great. Thanks for offering to meet and provide the background and issues. Let's meet at 2 and get started.

I'm really looking forward to working with you again!

Melanie

Melanie Kehne
Assistant Attorney General
(802) 752-9138

From: Purvee, Meghan <Meghan.Purvee@vermont.gov>
Sent: Wednesday, March 16, 2022 3:42 PM
To: Kehne, Melanie <Melanie.Kehne@vermont.gov>
Subject: Assistance

Hi Melanie! Rob told me that you will be able to assist the Department on a consultation basis with any questions we may have related to the Fulton UVA appeal. I do have a couple of questions and

thought I could give you the background of the issues. My schedule is open tomorrow from 10:00 – 12:00 and 2:00 – 4:00 and if you have some time during these blocks I would love to talk for a bit. Let me know and I can schedule a Teams meeting if you want. Hope you are well!
Meghan

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