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June 29, 2018

Via Electronic Mail

Hans Heussy, Esq.
Murphy Sullivan Kronk
275 College Street
P.O. Box 4485
Burlington, VT 05406-4485
HHuussy@mskvt.com

Re: *Public Records Request*

Dear Mr. Heussy:

I write in response to your public records act request dated June 13, 2018, which was received by the Attorney General's Office ("AGO") on June 18, 2018, and to which we provided an initial response on June 19, 2018. You have asked for:

- (1) The Act 250 proceedings related to Victory Hill Kennel, LLC (the "Kennel");
- (2) Any enforcement actions taken by the State with respect to Victory Hill Kennel, LLC related to alleged violations of Act 250 and/or the Kennel's Act 250 permit;
- (3) The issuance of a pet breeder's license to Greg Hovey and/or the Kennel;
- (4) The investigation into the Kennel undertaken by Ms. Skaskiw;
- (5) Any investigation into a kennel owned and operated by Ryan Hovey in Victory, Vermont; and
- (6) Any allegation of illegal hunting or poaching by Mr. Hovey.

The AGO has identified potentially responsive documents. All of the requested records are relevant to pending litigation in which the State is a party of record (and has moved to dismiss) and are exempt from production under the public records act. See 1 V.S.A. § 317(c)(14). Specifically, the records are relevant to *Hovey v. State of Vermont, et al.*, Docket No. 2:16-cv-266, in which you and your firm are counsel of record for Defendants Robert and Toni Flanagan. Therefore, your request is denied in full at this time.

Hans Heussy, Esq.

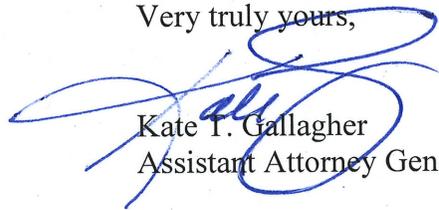
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Please be aware that additional exemptions also may apply, in whole or in part. Some of the documents may contain personal or corporate financial or proprietary information and be exempt pursuant to 1 V.S.A. §§ 317(c)(7) and (9). Many of the records will also be subject to statutory or common-law privileges, such as the attorney-client privilege and work product doctrine and are exempt from production pursuant to 1 V.S.A. § 317(c)(1)(3) and (4).

We hope this response has been helpful to you. To the extent you feel records have been withheld improperly, you may appeal to Deputy Attorney General Joshua Diamond.

Very truly yours,



Kate T. Gallagher
Assistant Attorney General

KTG/mg