

R. Preston Conklin

v.

Town of Waterville Valley

Docket No. 23624-07PT

ORDER

This Order responds to the “Taxpayer’s” May 27, 2009 Request for Discovery Assistance (“Request”), which requested the board order the “Municipality” to provide the Taxpayer with discovery information requested on April 8, 2009 and May 18, 2009 pursuant to Tax 201.19.

The board grants the Motion and the Municipality is hereby placed in default for failure to provide the Taxpayer with discovery information. The Municipality is ordered, within twenty (20) days from the clerk’s date below, to comply with the Taxpayer’s request for discovery. If the Municipality fails to comply, the Taxpayer shall notify the board and the issue will be scheduled for a limited hearing.

In so ordering, the board notes in Commerford Nieder Perkins, LLC’s May 15, 2009 response that some information may not be available until a hearing is scheduled and material is prepared for the hearing. Nonetheless, the Town should respond to those items that they are in default of and able to provide at this time and when the supplemental information becomes available, it shall be provided to the Taxpayer. Tax 201.19(b); Superior Court Rule 35(e).

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

Paul B. Franklin, Chairman

Michele E. LeBrun, Member

Douglas S. Ricard, Member

CERTIFICATION

I hereby certify that a copy of the foregoing Order has this date been mailed, postage prepaid, to: R. Preston Conklin, PO Box 10, Waterville Valley, NH, 03215, Taxpayer; Chairman, Board of Selectmen, Town of Waterville Valley, PO Box 500, Waterville Valley, NH, 03215; and Mark Nieder, Commerford Nieder Perkins, LLC, 556 Pembroke Street Suite #1, Pembroke, NH, 03275, Contracted Assessing Firm.

Date: June 5, 2009

Melanie Ekstrom, Deputy Clerk