

## HARD COPY DOCUMENTS VAUGHN INDEX

The exempt hard copy documents all fall into one or both of the following two categories:

- (a) Any notes or other materials made for personal use that do not have an official purpose, including but not limited to, notes and materials made prior to, during, or after a governmental proceeding.
- (b) Preliminary drafts, notes, and memoranda and other documents not in their final form and not disclosed, circulated, or available to a quorum or a majority of the members of a public body.

RSA91-A:5, VIII and IX.

### **Mary Sartwell:**

Handwritten note for personal use during a conference with the PR firm;  
preliminary draft of PR announcement.

This item totals two pages.

### **Craig Bulkley:**

Handwritten notes for personal use made during:

conferences with Vendors;

Evaluation Committee (EC) conferences with counsel;

discussions with individual members of the EC and/or counsel;

conferences with the EC, counsel and one or two commissioners;

conferences with one or two commissioners;

conferences with one or two commissioners and counsel;

conferences with EC, counsel, Vendors and Commissioners;

telephone calls with Vendors, EC members, counsel, and/or other state officers, e.g. Dred;

conferences with other state officers, e.g. Dred;

negotiations with Exel; and,

review of Proposals and other material submitted by Vendors.

There are also preliminary drafts of contract documents.

This item totals about 32 pages.

**Attorney Stephen Judge:**

The handwritten notes for personal use/preliminary drafts were created during the following:

a conference with the PR firm;

conferences with Vendors;

Evaluation Committee (EC) conferences with counsel;

discussions with individual members of the EC and counsel;

conferences with the EC, counsel and one or two commissioners;

conferences with one or two commissioners and counsel;

conferences with EC, counsel, Vendors and Commissioners;

telephone calls with Vendors, EC members, counsel, and/or other state officers, e.g. Dred;

conferences with other state officers and counsel, e.g. Dred, Attorney General's Office;

negotiations with Exel; and,

review of Proposals and all other material submitted by each Vendor.

There are also preliminary drafts of contract documents.

In addition to the exemptions listed above, Attorney Judge's handwritten notes and preliminary drafts are also exempt because they are

(a.) Records pertaining to ... confidential... information ....

RSA 91-A:5, IV.

The confidential information is attorney work product and attorney client privilege contained in the same exempt categories described above as follows:

Consultation with counsel-EC as a group or individually- -attorney work product and/or attorney client privilege;

Consultation with counsel-one or two Commissioners- -attorney work product and/or attorney client privilege

Preliminary drafts of documents-attorney work product;

Facts communicated from the client-attorney client privilege.

This item consists of about 84 pages.

Index compiled by Attorney Stephen J. Judge.