

ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE

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Concord, NH 03301

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December 22, 2023

**VIA EMAIL TO:** [ntelerski@fairfundingnh.org](mailto:ntelerski@fairfundingnh.org)  
Noah Telerski  
Fair Funding NH

Re: Right to Know request regarding ConVal School District v. State of New Hampshire and Steve Rand, et al. v. State of New Hampshire

Dear Mr. Telerski:

Thank you for your willingness to discuss your Right-to-Know request with me. I appreciate your recognition that the production of documents responsive to your original request would require significant time to review and redact privileged information, which is not subject to disclosure.

It is understood you are willing to accept a document prepared by the New Hampshire Department of Justice (NHDOJ) which informs you of the total amount of money spent by NHDOJ for the litigation of the *ConVal School District v. State of New Hampshire* and *Rand et al v. State of New Hampshire* cases since 2019. Specifically, we discussed:

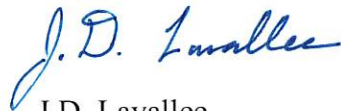
- (1) A document that provides the total payments made to outside counsel for each respective case; and
- (2) A document that provides the total, readily identifiable expense NHDOJ has incurred for each respective case. The total expense for each case will be calculated by reviewing our records for litigation costs incurred, which may include (but not be limited to) costs for expert witnesses, depositions, transcripts, and court fees.

As you know, the Right-to-Know law does not require NHDOJ to create a governmental record to answer a question. But the Right-to-Know law also does not prevent the creation of a record to answer a question. NHDOJ has created the enclosed table with the understanding that doing so will satisfy your request and avoids diverting

significant public resources needed to review and redact records. Accordingly, NHDOJ has determined the creation of this document is consistent with and supports the mission of the agency.

If you have any questions about the enclosed table of costs, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "J.D. Lavalley". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

J.D. Lavalley  
Senior Assistant Attorney General  
N.H. Department of Justice  
Civil Bureau  
1 Granite Place South  
Concord, NH 03301  
(603) 271-7986

Enclosure: Table of Costs

Table of New Hampshire Department of Justice Costs Associated with  
*ConVal School District v. State of New Hampshire*  
 and  
*Rand et al v. State of New Hampshire*

	<i>ConVal School District v. State of New Hampshire</i>	<i>Rand et al v. State of New Hampshire</i>
Outside Counsel Expenses to December 1, 2023	\$1,084,864.27	\$83,943.49
NHDOJ Expenses* to December 1, 2023	\$102,884.01	\$22,071.06

\*As discussed, NHDOJ expenses do not include calculation of NHDOJ staff time