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Jan. 30, 2013

Dean Shalhoup
Telegraph Reporter
603-594-6443
dshalhoup@nashuatelegraph.com

Bruce Bowler
Chairman, Board of Selectmen
Town of Amherst
2 Main St.
Amherst, NH 03031

Dear Bruce,

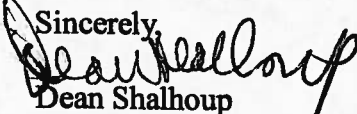
Pursuant to N.H. RSA 91-A ("the Right-to-Know Law"), the Telegraph hereby requests access to, or copies of, all electronic communications (e-mails) sent and received by the following town employees during all of 2012 and in January 2013:

Bruce Bowler, selectman chairman
James O'Mara, town administrator
Torrey Demanche, administrative assistant
James Hebert, finance director (from May 2012 on, when he was hired)
Bruce Berry, public works director

Courts have ruled that public town and city boards and committees must, except in the narrowest cases, provide the public with access to communications between town officials regarding the business of the town.

If you have any questions about the scope of this request, please contact me as soon as possible. Otherwise, please let me know within five business days--which I calculate to be Feb. 7, 2013--in accordance with the requirements of the state Right-to-Know Law, when these documents will be available for my inspection in either electronic or written form.

Thank you for your prompt attention to this matter. I look forward to hearing from you.

Sincerely,

Dean Shalhoup



TOWN OF AMHERST

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Tel: 603/673-6041
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February 7, 2013

Dean Shalhoup
Telegraph Reporter
PO Box 1008
Nashua NH 03061

Dear Mr. Shalhoup,

This correspondence is sent in response to your RSA 91-A request dated January 30, 2013, post marked January 31, 2013 and received in my office on February 1, 2013 seeking access to, or copies of, all electronic communications (e-mails) sent and received by Bruce Bowler, James O'Mara, Torrey Demanche, James Hebert, and Bruce Berry for the calendar year 2012 and the month of January 2013.

Pursuant to and consistent with NHRSA 91-A, IV, I am acknowledging receipt of your request and respectfully advising you that we cannot comply with that request in the initial, 5 business day, time period for reason of the fact that the request is very general and broad, compliance with which is made more difficult by reason of the fact that email records are not maintained in a manner that allows us to locate, separate and print all of the requested documents in the 5 business day time indicated. Additionally, while the collection of documents when located will likely be generally releasable, it is clear that some of those documents may contain material that is privacy protected, the inadvertent release of which could violate privacy rights of others and subject the town to liability. Accordingly, I am sure you understand that we must reserve the right to review these documents to determine if any such circumstances exist and, if so, to redact such information accordingly, prior to such release.

Regrettably, current staffing levels do not permit me to direct this effort to be done by anyone but myself and I will not be able to determine the amount of time necessary to accomplish that task for approximately 30 business days (March 22, 2013) which is the minimum amount of time reasonably necessary just to determine the extent of documents included in the request, location and collation of which requires consultation with our Information Technology provider and the initiation of a document by document search of the emails contained in the electronic records. At that time, we will respond with an estimate of the time and corresponding expense necessary to process this request. Assuming you are willing, at that time, to provide a deposit for half of that cost, we will make arrangements to complete the task and provide you with a specified completion date.

Sincerely,



James O'Mara, Jr

James O'Mara, Jr.

jomara@amherstnh.gov

(603) 673-6041 x210