

State of Vermont
Superior Court – Environmental Division

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ENTRY REGARDING MOTION

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In re Stowe Highlands Lot Merger & Subdivision Application, **Docket No. 35-3-11 Vtec**
(On-The-Record appeal from Town of Stowe DRB lot merger and subdivision determinations)

Title: Motion to Seal records submitted for “in camera” review (Filing No. 4)

Filed: July 25, 2011

Filed By: Amanda Lafferty, Attorney for the Town of Stowe

Response in Opposition filed on 8/1/11 by Harold B. Stevens, Attorney for
Appellant/ Applicants
232511 Investments, Ltd.

 X Granted Denied Other

For all the same reasons detailed in the accompanying Entry Order addressing the objection to the record proffered by the Town of Stowe (“Town”), which objection was filed on behalf of Appellant/Applicant 232511 Investments, Ltd. (“Applicant”), the Court concludes that the documents submitted by the Town for an in camera review constitute confidential communications from the Town’s legal counsel concerning the legal proceedings of Applicant’s past and current applications for permit amendments for the development known as Stowe Highlands. The communications are privileged communications from an attorney to her client and may be protected from court discovery procedures, pursuant to V.R.C.P. 26 and 1 V.S.A. § 317(c)(4). We therefore **GRANT** the Town’s request and have sealed the requested documents, so as to prohibit them from being disclosed as a public record.

Thomas S. Durkin, Judge September 9 2011
Date

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Date copies sent to: _____ Clerk's Initials _____

Copies sent to:

Harold B. Stevens, Attorney for Appellant 232511 Investments, Ltd.
Amanda Lafferty and Joseph S. McLean, Attorneys for the Town of Stowe
Interested Person Leighton C. Detora Esq.