

THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS.

SUPERIOR COURT

Brent Tweed, et al

v.

The Town of Nottingham, et al.

Docket No. 218-2019-CV-398

STATEMENT OF MATERIAL FACTS PURSUANT TO RULE 12(g)(2)

1. The plaintiff Brent Tweed is an individual with a residence located in the Town of Nottingham. Affidavit of Brent Tweed, Exhibit #4, ¶1.

2. Mr. Tweed is also a taxpayer in the Town of Nottingham with an equitable right and interest in the preservation of an orderly and lawful government within the taxing district. Affidavit of Brent Tweed, Exhibit #4, ¶2.

3. Mr. Tweed is also the sole shareholder and director of co-plaintiff G&F Goods, LLC, a Delaware limited liability company registered to do business in New Hampshire. Affidavit of Brent Tweed, Exhibit #4, ¶3.

4. G&F Goods, LLC, is a company in the business of making mail order purchases and sales. Affidavit of Brent Tweed, Exhibit #4, ¶4.

5. As such, G&F Goods has occasion to burn fossil fuels for transportation for business purposes and for heat at his place of business within the Town and to dispose of packaging and other waste material that may contain toxic substances is landfill or other disposal sites within the Town of Nottingham. Affidavit of Brent Tweed, Exhibit #4, ¶4.

6. G&F Goods, LLC further has occasion to use paint and cleaning supplies at its place of business, which it disposes of properly within the Town of Nottingham. Affidavit of Brent Tweed, Exhibit #4, ¶4.

7. Based on the breadth of the statute, Mr. Tweed is concerned that any resident of the Town of Nottingham may seek to enforce the provisions of ordinance against him and seek to have a fine of up to \$1000 imposed upon him. Affidavit of Brent Tweed, Exhibit #4, ¶5.

Respectfully Submitted
Brent Tweed; and
G&F Goods, LLC
By his attorneys,
Lehmann Law Office, PLLC

January 13, 2020 /s/ *Richard J. Lehmann*
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CERTIFICATION

I hereby certify that a copy of this pleading was this day forwarded to opposing counsel via the court's electronic service system.

/s/ Richard J. Lehmann

Richard J. Lehmann