

THE STATE OF NEW HAMPSHIRE

STRAFFORD, SS

SUPERIOR COURT

Docket No. _____

New Hampshire Right to Life
P.O. Box 421, Merrimack, NH 03054

&

Jackie Pelletier
1 Wakefield Street, Suite 204
Rochester, NH 03867-1913

v.

New Hampshire Director of Charitable Trusts Office
33 Capitol Street
Concord, NH 03301

&

New Hampshire Attorney Generals Office
33 Capitol Street
Concord, NH 03301

&

New Hampshire State Board of Pharmacy
121 South Fruit Street
Concord, NH 03301-2412

&

New Hampshire Department of Health & Human Services
129 Pleasant Street
Concord, NH 03301-3857

VERIFIED PETITION FOR INJUNCTIVE RELIEF PURSUANT TO RSA 91-A

I. Preliminary Statement

Openness in the conduct of public business is essential to a democratic society. The purpose of [RSA 91-A] is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their

accountability to the people. RSA 91-A:1.

This action arises out of state agencies' repeated failures to comply with New Hampshire's Right to Know Law, RSA 91-A, *et seq.* by producing requested documents or providing an intelligible justification for any redactions or withholdings. The requests involve various state documents regarding New Hampshire's abortion clinics.

Under RSA 7:28, several of the abortion clinics are required to file financial statements with the Director of Charitable Trusts. Planned Parenthood spent more than \$500,000 on Governor Hassan's election campaign¹ and will receive more than \$1,000,000 in state and federal grants but the state refuses to produce Planned Parenthood's audited financial statements as required by RSA 7:28. The Attorney General's Office has collected information regarding the use of sidewalks outside abortion clinics but has refused to produce the requested documents or even identify the basis for its non-disclosure. Finally, the New Hampshire Board of Pharmacy has launched a disciplinary investigation into Planned Parenthood failures to comply with pharmaceutical statutes, but it unlawfully refuses to produce documents in its licensing file or even identify the basis for the non-disclosure. Public documents do not become exempt from disclosure "merely because a piece of paper has wended its way into an investigative dossier created in anticipation of enforcement action." *Murray v. New Hampshire Div. of State Police, Special Investigation Unit*, 154 N.H. 579, 583, 913 A.2d 737, 741 (2006). Rather, the Board of Pharmacy was required to justify its disclosure in a manner "clear enough to permit a court to ascertain how each category of documents, if disclosed, could interfere with the investigation." *Id.* The state has not even tried to make that showing.

The Supreme Court has recognized that when "a public entity seeks to avoid disclosure of material under the Right to Know Law, that entity bears a heavy burden to shift the balance

¹ See attached as Exhibit I.

toward non-disclosure.” *Hampton Police Assoc. v. Town of Hampton*, 162 N.H. 7, 11-12 (2011). Rather than take this obligation seriously, the Respondents have refused to produce public documents or even provide adequate justification for non-disclosure. The documents must be produced.

II. Parties

1. Petitioner NHRTL is a non-profit organization with an address of P.O Box 421, Merrimack, New Hampshire 03054.
2. NHRTL has members in all ten counties of New Hampshire, including Strafford County.
3. Petitioner Jackie Pelletier is an individual residing at 1 Wakefield Street, Suite 204, Rochester, NH 03867-1913.
4. The New Hampshire Director of Charitable Trusts Office is a public body of the state of New Hampshire with an address of 33 Capitol Street, Concord, NH 03301.
5. The New Hampshire Attorney General’s Office is a public body of the state of New Hampshire with an address of 33 Capitol Street, Concord, NH 03301.
6. The New Hampshire Board of Pharmacy is a public body of the state of New Hampshire with an address of 121 South Fruit Street, Concord, NH 03301-2412.
7. The New Hampshire Department of Health and Human Services is a public body of the state of New Hampshire with an address of 129 Pleasant Street, Concord, NH 03301-3857.

III. Jurisdiction and Venue

8. This Court has jurisdiction over this matter pursuant to RSA 91-A:7.
9. Pursuant to RSA 91-A:7, proceedings under RSA 91-A shall have priority on the Court’s calendar.

10. Venue is proper in this Court pursuant to RSA 507:9 because a Petitioner is a resident of this County.

IV. Factual Allegations

a. Financial Statements & Community Benefit Plans

11. The New Hampshire Director of Charitable Trusts Office [hereinafter DCT] is responsible for enforcing the requirements of RSA 7:19 through RSA 7:32.
12. Pursuant to RSA 7:28 entities under the jurisdiction of the DCT must make certain reports to the DCT.
13. Pursuant to RSA 7:28, III-a and III-b, entities with revenue in excess of \$500,000 per year must annually submit to the DCT a financial statement.
14. Planned Parenthood of Northern New England [PPNNE] is registered as a charitable trust and is subject to the requirements of RSA 7:28.
15. In September 2010, the DCT informed PPNNE that it was required to submit annual audited financial statements as its revenues exceeded \$1,000,000. See attached as Exhibit A.
16. Subsequent to this 2010 letter, PPNNE future failures to file would be knowing and therefore constitute a felony pursuant to RSA 7:32-b.
17. The DCT received 990 tax forms from PPNNE indicating revenues of \$18,864,447 in 2009, \$17,505,464 in 2010, \$18,760,667.00 in 2011 and \$18,981,250.00 in 2012. See attached as Exhibit B.
18. The DCT was required by RSA 7:28 to obtain from PPNNE a financial statement for the years 2009, 2010, 2011, 2012 and 2013.

19. On September 11, 2014, the president of NHRTL, Kurt Wuelper, visited the DCT office and reviewed DCT's file on PPNNE.
20. NHRTL was provided with a copy of the DCT's 2009 financial statement for PPNNE.
21. NHRTL specifically requested but was denied access to DCT's financial statements from PPNNE for the years 2010, 2011, 2012 or 2013.
22. If DCT received financial statements from PPNNE but did not produce them to NHRTL, this would be a violation of RSA 91-A.
23. If DCT did not receive financial statements from PPNNE it would constitute a knowing violation and therefore a felony under RSA 7:32-b.
24. Concord Feminist Health Center [CFHC] aka New Hampshire Women's Health Services is subject to the requirements of RSA 7:28.
25. CFHC's revenue in 2012 was \$811,893.00. See attached as Exhibit J.
26. The DCT was required by RSA 7:28, II-a to obtain a financial statement from CFHC for 2012 and 2013 as CFHC's revenue exceeds the \$500,000 threshold for which financial statements are required.
27. NHRTL requested DCT provide a 2012 and 2013 financial statement for CFHC but DCT did not make one available as required by RSA 91-A.
28. The Joan Lovring Center, aka Feminist Health Center of Portsmouth, [hereinafter Lovring] is subject to the requirements of RSA 7:28.
29. Pursuant to RSA 7:32-e and RSA 7:32-f, the DCT was required to obtain Community Benefits Plans and Community Needs Assessments from CFHC & Lovring.

30. In fact, RSA 7:32-g provides that “the director of charitable trusts shall make all community benefits plans available to the public and, where practicable, shall place the reports on an internet site or webpage.”
31. The DCT has violated RSA 91-A by not making these plans available when requested by NHRTL.

b. Attorney General Office’s Abortion Clinic Documents

32. On July 28, 2014, petitioners requested documents from the Attorney General’s Office regarding its communications with abortion clinics and documents regarding abortion clinics. See attached as Exhibit C.
33. On September 4, 2014, the Attorney General’s Office [AGO] responded producing some documents but refusing to produce other documents. See attached as Exhibit D.
34. Pursuant to RSA 91-A:4(IV), a denial of a public records request must include written reasons for such denial.
35. AGO’s response vaguely cites the entire exemption provision and states that the withheld “information includes, ***but is not limited to***, personal contact information and attorney work product.” (emphasis added) See Exhibit D.
36. On September 4, 2014, Petitioners requested the AGO identify what categories of documents it was withholding and the basis for the AGO’s reasoning.
37. The AGO refused to respond.
38. The AGO did not provide any rationale for its withholdings.
39. Where the AGO has been given an opportunity to give rationales for its withholdings but has refused to do so, the AGO has waived any applicable exemptions and must produce

all responsive documents. *Union Leader Corp. v. New Hampshire Hous. Fin. Auth.*, 142 N.H. 540 (1997).

c. Board of Pharmacy Documents

40. On July 14, 2014, petitioners submitted a Right to Know Request to the New Hampshire Board of Pharmacy Pursuant to RSA 91-A. See attached at Exhibit E.
41. Petitioners requested Board of Pharmacy documents related to the six Planned Parenthood clinics licensed under RSA 318:42(VII).
42. BOP produced some documents but refused to produce other documents claiming an exemption under RSA 91-A:5 and RSA 318:30, I. See attached at Exhibit F.
43. Petitioners requested the BOP identify what documents were being withheld and the basis for the withholding under RSA 91-A:5 but BOP refused to provide the basis for its withholdings.
44. BOP's blanket request for an exemption does not meet the BOP's burden to justify non-disclosure.
45. When seeking to withhold documents on the basis of a pending disciplinary investigation, "The key question in the analysis is whether revelation of the documents could reasonably be expected to interfere with enforcement proceedings." *Murray v. New Hampshire Div. of State Police, Special Investigation Unit*, 154 N.H. 579, 583 (2006).
46. BOP has refused to even identify the category of documents it is withholding to allow the petitioner and the Court a meaningful opportunity to evaluate its claimed exemption. "The categorization should be clear enough to permit a court to ascertain how each category of documents, if disclosed, could interfere with the investigation." *Murray v.*

New Hampshire Div. of State Police, Special Investigation Unit, 154 N.H. 579, 583 (2006).

47. Some documents withheld by the BOP were not unique to any disciplinary investigation.
48. Having failed to justify its claimed exemption, the BOP must produce all of the responsive documents.

d. Pharmaceutical Protocols

49. Pursuant to RSA 318:42(VII)(a), PPNNE was required to submit to the BOP a written pharmaceutical protocol approved by HHS.
50. Petitioners requested a copy of the protocol from the AGO, the BOP and HHS.
51. A heavily redacted copy of the protocol was produced. See attached at Exhibit G.
52. There is no statutory basis for state's redactions to the protocol.
53. Protocols such as these describing how public moneys will be spent and how clinics subsidized with government grants will be run outweigh any privacy interest Planned Parenthood and the State may have in keeping how they operate their abortion clinics secret. See *Profl Firefighters of N.H. v. Local Gov't Ctr.*, 159 N.H. 699 (2010)(private employee's privacy interest in their salary information is outweighed by public interest where LGC is largely subsidized by public funds); *Union Leader Corp. v. N.H. Retirement Sys.* 162 N.H. 673 (N.H. 2011)(retiree's privacy interest in their pensions is outweighed by public interest where information could be used in determining corruption).
54. The BOP, AGO & HHS violated RSA 91-A in refusing to produce an unredacted copy of the statutorily required protocols.

V. Request for Injunction Requiring Immediate Production of All Documents Previously Requested and Invalidation of Action Taken at Non-Public Meetings

55. As described in more detail above, petitioners have requested certain governmental records and documents, all of which should have been released pursuant to the Right to Know Law without the initiation of this action.
56. Pursuant to RSA 91-A:4, IV, the respondents needed to respond to all of petitioners requests within five days.
57. The respondents have refused and/or failed to produce these documents or to adequately justify their redaction or non-disclosure.
58. The petitioners have repeatedly requested that the respondents provide justifications for their non-disclosure but the respondents have unreasonably refused. See, e.g., attached at Exhibit H.
59. “The judicial remedy of summary disclosure may be appropriate where a public agency has improperly withheld agency records, cf. *Coastal States Gas Corp. v. Department of Energy*, 644 F.2d at 974, including when an agency has failed, after adequate notice, to supply the court with a proper *Vaughn* index, see *Church of Scientology Intern.*, 30 F.3d at 240. ... Imposition of heavy penalties for violating the Right-to-Know Law may be appropriate to ensure the broadest possible access to public records.” *Union Leader Corp. v. New Hampshire Hous. Fin. Auth.*, 142 N.H. 540, 551 (1997).
60. According, petitioners requests a mandatory injunction requiring production of all the government records that it has previously requested within five days of the date this Court grants the instant Petition.

VI. Request for Attorney's Fees

61. The Respondents knew, or should have known, that the records requested by Petitioners should have been disclosed pursuant to New Hampshire's Right to Know Law.
62. The Respondents knew or should have known that it was required to provide an intelligible basis for any exemptions it asserted.
63. Accordingly, NHRTL is statutorily entitled to recover its costs and reasonable attorney's fees incurred in bringing this lawsuit. Upon the Court's granting of this Petition, NHRTL will submit a request for fees and costs.

WHEREFORE, Petitioners respectfully requests that this Court:

- A. Order that Respondents produce all responsive documents without redaction; or, in the alternative,
- B. Order Respondents to provide a *Vaughn* index of all documents it seeks to redact or withhold stating the basis for the redaction or withholding;
- C. Rule and find that Petitioner is entitled to its reasonable attorney's fees; and
- D. Grant such further relief as is reasonable and just.

VERIFICATION

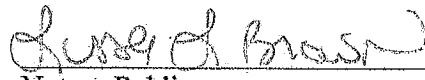
I, Kurt Wuelper, President of New Hampshire Right to Life, hereby affirm that the above facts are true to the best of my knowledge and belief.



Kurt Wuelper

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD

Subscribed and sworn to before me this 17th day of October, 2014.

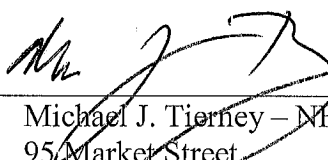


Notary Public
My Commission Expires:

LISSA L. BROWN, Notary Public
My Commission Expires July 24, 2018

Date: 10-20-14

Respectfully submitted,
**New Hampshire Right to Life &
Jackie Pelletier**
By their Attorneys,
Wadleigh, Starr & Peters, P.L.L.C.

By: 
Michael J. Tierney – NHBA# 17173
95 Market Street
Manchester, NH 03101
(603) 669-4140
mtierney@wadleighlaw.com

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EXHIBIT A

ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY
ATTORNEY GENERAL



ORVILLE B. "BUD" FITCH II
DEPUTY ATTORNEY GENERAL

September 10, 2010

COPY

Creston Lea - President
Planned Parenthood of Northern New England
183 Talcott Road, Suite 101
Willston, VT 05495

Re: Audit
Registration #2729

Dear Creston:

While reviewing the file for PPNNE, I find that this is a NH corporation with revenues that exceed \$1,000,000 annually and is therefore required to provide a copy of their latest audited financial statement in addition to the 990. Please forward a copy of the 2009 audit at your earliest convenience.

Please contact me if you have questions.

Sincerely,

Christine L. Gauntt, Investigative Paralegal
Charitable Trusts Unit
(603) 271-3591
christine.gauntt@doj.nh.gov

CLG

EXHIBIT B

Form **990**

Return of Organization Exempt From Income Tax

OMB No. 1545-0047

2010

Department of the Treasury
Internal Revenue Service

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

Open to Public Inspection

The organization may have to use a copy of this return to satisfy state reporting requirements.

A For the 2010 calendar year, or tax year beginning and ending

B Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	C Name of organization Planned Parenthood of Northern New England, Inc. Doing Business As		D Employer identification number 03-0222941
	Number and street (or P.O. box if mail is not delivered to street address) 183 Talcott Road	Room/suite 101	E Telephone number 802-878-7716
	City or town, state or country, and ZIP + 4 Williston, VT 05495		G Gross receipts \$ 18,545,919. H(a) Is this a group return for affiliates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No H(b) Are all affiliates included? <input type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach a list. (see instructions)
	F Name and address of principal officer: Steve Trombley same as C above		H(c) Group exemption number

I Tax-exempt status: 501(c)(3) 501(c) () (insert no.) 4947(a)(1) or 527
J Website: www.ppnne.org
K Form of organization: Corporation Trust Association Other
L Year of formation: 1965 **M** State of legal domicile: VT

Part I Summary		Prior Year	Current Year
Activities & Governance	1 Briefly describe the organization's mission or most significant activities: <u>Reproductive Health and Education</u>		
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets.		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	20
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	20
	5 Total number of individuals employed in calendar year 2010 (Part V, line 2a)	5	292
	6 Total number of volunteers (estimate if necessary)	6	36
	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0.
b Net unrelated business taxable income from Form 990-T, line 34	7b	0.	
Revenue	8 Contributions and grants (Part VIII, line 1h)	5,674,893.	5,863,758.
	9 Program service revenue (Part VIII, line 2g)	12,905,128.	11,350,138.
	10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	195,456.	278,173.
	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	2,800.	13,395.
	12 Total revenue - add lines 8 through 11 (must equal Part VIII, column (A), line 12)	18,778,277.	17,505,464.
Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)	0.	175,883.
	14 Benefits paid to or for members (Part IX, column (A), line 4)	0.	0.
	15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	10,601,760.	10,634,606.
	16a Professional fundraising fees (Part IX, column (A), line 11e)	13,070.	21,303.
	b Total fundraising expenses (Part IX, column (D), line 25) <u>658,678.</u>		
	17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24f)	7,885,835.	7,360,055.
	18 Total expenses. Add lines 13-17 (must equal Part IX, column (A), line 25)	18,500,665.	18,191,847.
19 Revenue less expenses. Subtract line 18 from line 12	277,612.	-686,383.	
Net Assets or Fund Balances	20 Total assets (Part X, line 16)	Beginning of Current Year 12,496,915.	End of Year 13,192,975.
	21 Total liabilities (Part X, line 26)	2,456,118.	3,215,262.
	22 Net assets or fund balances. Subtract line 21 from line 20	10,040,797.	9,977,713.

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here	Signature of officer <i>Heather Bushey</i>	Date 7/25/2011
	Type or print name and title Heather Bushey, CFO	

Paid	Print/Type preparer's name Barbara J. McGuan, CPA	Preparer's signature Barbara J. McGuan,	Date 07/19/11	Check if self-employed <input type="checkbox"/>	PTIN
	Preparer Use Only	Firm's name Berry Dunn McNeil & Parker, LLC	Firm's EIN	Phone no. (207) 775-2387	
	Firm's address P.O. Box 1100 Portland, ME 04104-1100				

May the IRS discuss this return with the preparer shown above? (see instructions) Yes No

FOR PUBLIC INSPECTION

Form **990**
 Department of the Treasury
 Internal Revenue Service

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

OMB No 1545-0047

2011

Open to Public Inspection

The organization may have to use a copy of this return to satisfy state reporting requirements

A For the 2011 calendar year, or tax year beginning 01-01-2011 and ending 12-31-2011

- B** Check if applicable:
 Address change
 Name change
 Initial return
 Terminated
 Amended return
 Application pending

C Name of organization
 Planned Parenthood of Northern New England Inc
 Doing Business As
 Number and street (or P O box if mail is not delivered to street address) Room/suite
 128 Lakeside Avenue Suite 301
 City or town, state or country, and ZIP + 4
 Burlington, VT 05401

D Employer identification number
 03-022941
E Telephone number
 (802) 448-9700
G Gross receipts \$ 21,313,622

F Name and address of principal officer
 Steve Trombley
 128 Lakeside Avenue Suite 301
 Burlington, VT 05401

H(a) Is this a group return for affiliates? Yes No
H(b) Are all affiliates included? Yes No
 If "No," attach a list (see instructions)
H(c) Group exemption number ▶

I Tax-exempt status 501(c)(3) 501(c) () (insert no) 4947(a)(1) or 527
J Website: ▶ www.ppnne.org

K Form of organization Corporation Trust Association Other ▶ **L** Year of formation 1965 **M** State of legal domicile VT

Part I Summary

Activities & Governance	1 Briefly describe the organization's mission or most significant activities Reproductive Health and Education		
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	20
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	20
	5 Total number of individuals employed in calendar year 2011 (Part V, line 2a)	5	273
	6 Total number of volunteers (estimate if necessary)	6	400
	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
b Net unrelated business taxable income from Form 990-T, line 34	7b	0	
Revenue	8 Contributions and grants (Part VIII, line 1h)	Prior Year	Current Year
	9 Program service revenue (Part VIII, line 2g)	5,863,758	3,899,202
	10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	11,350,138	13,437,016
	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	278,173	1,415,825
	12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	17,505,464	18,760,667
	Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)	175,883
14 Benefits paid to or for members (Part IX, column (A), line 4)		0	0
15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10)		10,634,606	10,660,449
16a Professional fundraising fees (Part IX, column (A), line 11e)		21,303	17,389
b Total fundraising expenses (Part IX, column (D), line 25) ▶ 858,859			
17 Other expenses (Part IX, column (A), lines 11a–11d, 11f–24e)		7,360,055	8,015,778
18 Total expenses Add lines 13–17 (must equal Part IX, column (A), line 25)	18,191,847	18,723,616	
19 Revenue less expenses Subtract line 18 from line 12	-686,383	37,051	
Net Assets or Fund Balances	20 Total assets (Part X, line 16)	Beginning of Current Year	End of Year
	21 Total liabilities (Part X, line 26)	13,192,975	14,310,685
	22 Net assets or fund balances Subtract line 21 from line 20	3,215,262	4,805,634
		9,977,713	9,505,051

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on information furnished by filer.

Sign Here
 Signature of officer: Heather Bushey CFO
 Type or print name and title

Paid Preparer's Use Only
 Preparer's signature: Barbara J McGuan CPA Date: 2012-08-13
 Firm's name (or yours if self-employed), address, and ZIP + 4: Berry Dunn McNeil & Parker LLC, PO Box 1100, Portland, ME 041041100

May the IRS discuss this return with the preparer shown above? (see instructions)

Form **990**

Return of Organization Exempt From Income Tax

OMB No 1545-0047

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

2012

Department of the Treasury
Internal Revenue Service

The organization may have to use a copy of this return to satisfy state reporting requirements

Open to Public Inspection

A For the 2012 calendar year, or tax year beginning 01-01-2012, 2012, and ending 12-31-2012

B Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	C Name of organization Planned Parenthood of Northern New England Inc Doing Business As		D Employer identification number 03-0222941
	Number and street (or P O box if mail is not delivered to street address) Room/suite 128 Lakeside Avenue Suite 301		E Telephone number (802) 448-9700
	City or town, state or country, and ZIP + 4 Burlington, VT 05401		G Gross receipts \$ 21,217,083
	F Name and address of principal officer Steve Trombley 128 Lakeside Avenue Suite 301 Burlington, VT 05401		H(a) Is this a group return for affiliates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No H(b) Are all affiliates included? <input type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach a list (see instructions) H(c) Group exemption number
I Tax-exempt status <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c) () (insert no) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527			
J Website: www.ppnne.org			
K Form of organization <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other			L Year of formation 1965
			M State of legal domicile VT

Part I Summary

Activities & Governance	1 Briefly describe the organization's mission or most significant activities Reproductive Health and Education			
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets			
	3 Number of voting members of the governing body (Part VI, line 1a)		3	20
	4 Number of independent voting members of the governing body (Part VI, line 1b)		4	20
	5 Total number of individuals employed in calendar year 2012 (Part V, line 2a)		5	255
	6 Total number of volunteers (estimate if necessary)		6	125
7a Total unrelated business revenue from Part VIII, column (C), line 12		7a	0	
b Net unrelated business taxable income from Form 990-T, line 34		7b	0	
Revenue			Prior Year	Current Year
	8 Contributions and grants (Part VIII, line 1h)		3,899,202	5,089,532
	9 Program service revenue (Part VIII, line 2g)		13,437,016	13,676,880
	10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)		1,415,825	172,129
	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)		8,624	42,709
	12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)		18,760,667	18,981,250
Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)		30,000	77,000
	14 Benefits paid to or for members (Part IX, column (A), line 4)		0	0
	15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)		10,660,449	10,875,058
	16a Professional fundraising fees (Part IX, column (A), line 11e)		17,389	22,994
	b Total fundraising expenses (Part IX, column (D), line 25) 1,007,248			
	17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)		8,015,778	8,633,805
18 Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)		18,723,616	19,608,857	
19 Revenue less expenses Subtract line 18 from line 12		37,051	-627,607	
Net Assets or Fund Balances			Beginning of Current Year	End of Year
	20 Total assets (Part X, line 16)		14,310,685	15,188,526
	21 Total liabilities (Part X, line 26)		4,805,634	5,794,019
22 Net assets or fund balances Subtract line 21 from line 20		9,505,051	9,394,507	

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than a member of the firm) has any knowledge

Sign Here	***** Signature of officer
	Heather Bushey CFO Type or print name and title
Paid Preparer Use Only	Print/Type preparer's name Barbara J McGuan CPA
	Firm's name Berry Dunn McNeil & Parker LLC
	Firm's address PO Box 1100 Portland, ME 041041100

May the IRS discuss this return with the preparer shown above? (see instructions)

EXHIBIT C

WADLEIGH, STARR & PETERS, P.L.L.C.

WILLIAM C. TUCKER
EUGENE M. VAN LOAN III, Of Counsel
JOHN E. FRIBERG, Sr.
JAMES C. WHEAT
RONALD J. LAJOIE
KATHLEEN N. SULLIVAN, Of Counsel
JEFFREY H. KARLIN
DONALD J. PERRAULT
MARC R. SCHEER
GREGORY G. PETERS
ROBERT E. MURPHY, Jr.
DEAN B. EGGERT
MICHAEL R. MORTIMER
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mtierney@wadleighlaw.com

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CHARLES F. CLEARY
CHRISTINE GORDON
JENNIFER L. ST. HILAIRE
TODD J. HATHAWAY
STEPHEN J. JUDGE
STEPHEN L. BOYD
ALISON M. MINUTELLI
MICHAEL J. TIERNEY
JAMES D. KEROUAC
PIERRE A. CHABOT
JOSEPH G. MATTSON
IRIS J. LOWERY
EMILY G. BOLTON

July 28, 2014

Elizabeth A. Lahey, Esq.
Nancy J. Smith, Esq.
New Hampshire Attorney General's Office
33 Capitol Street
Concord, NH 03301
Via regular mail and e-mail

Re: Request for Public Documents Pursuant to RSA 91-A

Dear Elizabeth and Nancy:

Please accept this letter as a request for public documents from the Attorney General's Office under RSA 91-A. This request includes all documents, no matter what form, including, but not limited to, printed documents, electronic documents, e-mails, or any other form of documents. In addition, this request is being sent to you on behalf of the New Hampshire Attorney General's Office in its entirety. Therefore, the request pertains to documents and communications sent or received by anyone in the Attorney General's Office and is not limited to you both individually.

Please let us know when we may inspect or provide us copies with the following documents:

1. Any communications between June 1, 2014 and the date of production by, from or regarding the following entities:
 - a. Planned Parenthood of Northern New England;
 - b. Concord Feminist Health Center;
 - c. Loving Health Center;

WADLEIGH, STARR & PETERS, P.L.L.C.

July 28, 2014

Page 2

- d. Any other abortion clinic¹;
 - e. Jennifer Frizzell;
 - f. Jennifer Castle;
 - g. Dalia Vidunas;
 - h. Linda Griebisch;
 - i. Ken Bartholomew; or
 - j. Any other person representing one of the aforementioned individuals or a reproductive health facility
2. Any and all documents in the possession of the Attorney General's Office regarding any reproductive health facility, including, but not limited to Planned Parenthood of Northern New England, Concord Feminist Health Center, or the Lovering Health Center.
 3. The following documents:
 - a. Security logs from Manchester Planned Parenthood.
 - b. Security video footage from July 10 and July 17, 2014 from Manchester Planned Parenthood.
 - c. Planned Parenthood Northern New England Training Materials.
 - d. Planned Parenthood Northern New England Submission to New Hampshire Legislature regarding SB 319.
 - e. Photographs of New Hampshire reproductive health care facilities.
 - f. SB 319-FN as introduced.
 - g. SB 319-FN as amended by the House.
 - h. DVDs containing security camera footage from July 10, 2014 and July 17, 2014 outside the Manchester Clinic.
 - i. An Incident Report Summary, dated March 28, 2013 and prepared by PPNNE's private security guard.

¹ The search for documents should include documents referring to the aforementioned abortion clinics, regardless of the specific name used. For example, the Lovering Health Center is sometimes referred to as the Joan G. Lovering Health Center, the Greenland Clinic or the Feminist Health Center. Likewise, Planned Parenthood of Northern New England is sometimes referred to as just Planned Parenthood, Planned Parenthood New England, PPNNE, Planned Parenthood New England-Keene Health Center, Planned Parenthood New England-Manchester Health Center and Planned Parenthood-Lebanon.

WADLEIGH, STARR & PETERS, P.L.L.C.

July 28, 2014

Page 3

4. Any and all documents in the possession of the Attorney General's Office regarding abortion clinic buffer zones, reproductive health center patient safety zones, RSA 132:37 to 39 in New Hampshire or in any other State.

Pursuant to RSA 91-A:4, please let us know when we may inspect the aforementioned records or when you expect to provide us with copies of the aforementioned records. If documents are stored in electronic format, we will, pursuant to RSA 91-A:4(v), gladly accept documents in electronic format. They may be sent to me at mtierney@wadleighlaw.com

Please do not hesitate to contact me if you have any questions or concerns.

Very truly yours,



Michael J. Tierney

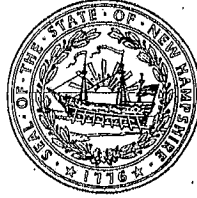
MJT/pd

EXHIBIT D

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOSEPH A. FOSTER
ATTORNEY GENERAL



ANN M. RICE
DEPUTY ATTORNEY GENERAL

September 4, 2014

Michael J. Tierney, Esquire
Wadleigh, Starr & Peters
95 Market Street
Manchester, NH 03101

Re: Right to Know Request to NH Attorney General's Office

Dear Attorney Tierney:

The Department of Justice received your July 28, 2014 Right-To-Know request. I attach to this letter the documents being provided to you in response to that request.

Please note that some documents have been redacted or withheld because they contain information that is exempt from disclosure under RSA 91-A. Pursuant to RSA 91-A:5, IV, the following records are exempt from disclosure:

Records pertaining to internal personnel practices; confidential, commercial, or financial information; test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examinations; and personnel, medical, welfare, library user, videotape sale or rental, and other files whose disclosure would constitute invasion of privacy. Without otherwise compromising the confidentiality of the files, nothing in this paragraph shall prohibit a public body or agency from releasing information relative to health or safety from investigative files on a limited basis to persons whose health or safety may be affected.

After reviewing the documents and analyzing the information contain therein, we have redacted and withheld the information that we determined is exempt from disclosure pursuant to the above statutory language. This information includes, but is not limited to, personal contact information and attorney work product.

It is also my understanding that you have spoke with Assistant Attorney General Lisa English, who is the Director of the Charitable Trusts Unit, about records from her Unit that may be responsive your request. She conducted a search of the charities registered with the State and

yield 990 hits with the code "health." Attorney English offered you the opportunity to come in and review the relevant registry files, which you declined. We therefore have not produced any documents from the Charitable Trust Unit. If you would like to review these registry files in the future, please let me know and I can work with Attorney English to arrange a time.

Given the breadth of your request, we will continue to review the documents in our possession and produce any additional documents pursuant to RSA 91-A. If you have any questions, please feel free to contact me.

Sincerely,



Elizabeth A. Lahey
Attorney

EXHIBIT E

WADLEIGH, STARR & PETERS, P.L.L.C.

WILLIAM C. TUCKER
EUGENE M. VAN LOAN III, Of Counsel
JOHN E. FRIBERG, Sr.
JAMES C. WHEAT
RONALD J. LAJOIE
KATHLEEN N. SULLIVAN, Of Counsel
JEFFREY H. KARLIN
DONALD J. PERRAULT
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MICHAEL J. TIERNEY
JAMES D. KEROUAC
PIERRE A. CHABOT
JOSEPH G. MATTSON
IRIS J. LOWERY
EMILY G. BOLTON

July 14, 2014

James M. Queenan
New Hampshire Board of Pharmacy
57 Regional Drive
Concord, NH 03301-8518
Via regular mail and e-mail: pharmacy.board@nh.gov

Mary Ann Dempsey, Esq.
New Hampshire Attorney General's Office
33 Capitol Street
Concord, NH 03301
Via regular mail and e-mail: MaryAnn.Dempsey@doj.nh.gov

Re: Right to Know Request under RSA 91-A

Dear Mr. Queenan:

Please accept this letter as a Right to Know request under RSA 91-A.

Would you please provide us with copies of all of Planned Parenthood of Northern New England's 2014-2015 LRDD licenses for its six New Hampshire clinics. Those being:

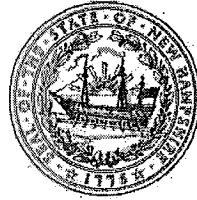
24 Pennacook Street, Manchester, NH 03104	7058
108 High Street, Exeter, NH 03833	7052
89 S. Main Street, W. Lebanon, NH 03784	7047
4 Birch Street, Derry, NH 03038	7053
136 Pleasant Street, Claremont, NH 03743	7048
8 Middle Street, Keene, NH 03431	7060

In addition, please send us any documents related to these clinics either sent or received by the Board of Pharmacy since July 1, 2013.

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOSEPH A. FOSTER
ATTORNEY GENERAL



ANN M. RICE
DEPUTY ATTORNEY GENERAL

July 31, 2014

Michael J. Tierney, Esq.
Wadleigh, Starr & Peters, PLLC
95 Market Street
Manchester, NH 03101

Re: Right to Know Request under RSA 91-A

Dear Mr. Tierney:

Attached are copies of the documents responsive to your request under RSA 91-A. Please be advised that we have made redactions and have not included documents that are exempt from disclosure under RSA 91-A:5 and RSA 318:30, I.

Sincerely,

A handwritten signature in cursive script that reads "Amanda C. Godlewski".

Amanda C. Godlewski

Attorney

Civil Bureau

Telephone: (603) 271-1225

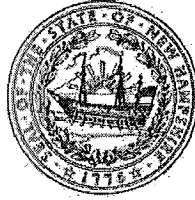
Fax: (603) 271-6277

EXHIBIT F

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOSEPH A. FOSTER
ATTORNEY GENERAL



ANN M. RICE
DEPUTY ATTORNEY GENERAL

July 31, 2014

Michael J. Tierney, Esq.
Wadleigh, Starr & Peters, PLLC
95 Market Street
Manchester, NH 03101

Re: Right to Know Request under RSA 91-A

Dear Mr. Tierney:

Attached are copies of the documents responsive to your request under RSA 91-A. Please be advised that we have made redactions and have not included documents that are exempt from disclosure under RSA 91-A:5 and RSA 318:30, I.

Sincerely,

A handwritten signature in cursive script that reads "Amanda C. Godlewski".

Amanda C. Godlewski

Attorney

Civil Bureau

Telephone: (603) 271-1225

Fax: (603) 271-6277

EXHIBIT G

MEDICATION DISPENSING

[Handwritten Signature]
Pharm. Serv. Spec.
Office of Medical
Business + Policy
N. H. D. H. H. S.

Author	Health Center Operations
Approved By	Health Center Operations Team
Scope	All PPNNE Health Centers
Effective Date	January 2, 2012, February 1, 2012 Williston and Burlington
Revision Date(s)	June 15, 2011

CONFIDENTIAL

POLICY

Planned Parenthood of Northern New England (PPNNE) complies with state and federal prescription drug dispensing law.

PROCEDURE

8
9/14/12

✓
9/24/12

ORIGINS/RATIONALE

To document PPNNE's dispensing procedures and compliance with state and federal laws and regulations.

ATTACHMENTS/REFERENCED MATERIALS

9/14/12

New Hampshire Professional Dispensing List

	,PA	NH	07/31/14
	,NP	NH	07/31/14
	,NP	NH	08/31/15
	,NP	NH	09/30/13
	,NP	NH	10/31/13
	,PA	NH	10/31/13
	,CNM	NH	12/31/13
	,NP	NH	12/31/13
	NP	NH	12/31/13
	,NP	NH	12/31/13
	,NP	NH	03/31/15
	,CNM	NH	01/31/13
	,PA/NH	NH	01/31/15
	,NP	NH	01/31/13
	MD	NH	10/31/13
	,NP	NH	12/31/13
	,CNM	NH	12/31/13
	,MD	NH	02/28/15
	MD	NH	11/30/13
	,MD	NH	11/30/14

RN's that Dispense

Name	State	License #	License Exp	Supervised By
	,RN	NH	03/04/13	,NP
	,RN	NH	05/07/14	,NP

CONFIDENTIAL

CONFIDENTIAL



PHARMACEUTICAL SERVICES

I. PHARMACEUTICAL SERVICES

A handwritten signature in black ink, appearing to read 'J. L. ...'.

PHARMACEUTICAL SERVICES
1-A-2 REVISED DECEMBER 2011

Pharm. Serv. Spec.
Office of Medicaid Review
+ Policy
NH D&HS

CONFIDENTIAL

PHARMACEUTICAL SERVICES
I-A-2 REVISED DECEMBER 2011

 Planned Parenthood®
of Northern New England

CS
9/17/12

087
9/14/12

PHARMACEUTICAL SERVICES
I-A-2 REVISED DECEMBER 2011

 Planned Parenthood®
of Northern New England

[Handwritten signature]
9/14/12

CONFIDENTIAL

W. v.
9/14/12

CONFIDENTIAL

PHARMACEUTICAL SERVICES
I-A-2 REVISED DECEMBER 2011

 Planned Parenthood
of Northern New England

0514
9/17/12

CONFIDENTIAL

21
9/14/12

CONFIDENTIAL

9/14/12

This page has been left blank intentionally.

CONFIDENTIAL

EXHIBIT H

Michael Tierney

From: Godlewski, Amanda C <Amanda.Godlewski@doj.nh.gov>
Sent: Friday, August 01, 2014 11:14 AM
To: Michael Tierney; Dempsey, MaryAnn; Pauline Desfosses; pharmacy.board@nh.gov
Subject: RE: Right to Know Request under RSA 91-A

Attorney Tierney,

We have identified the categories for the exemption and, absent a court order, are not required to provide a Vaughn Index. *See Murray v. N.H. Div. of State Police*, 154 N.H. 579, 583 (2006). Accordingly, I respectfully decline your request.

Additionally, our review indicates that the notations redacted are consistent with information previously redacted, and therefore, we maintain that exemption.

Amanda C. Godlewski
Attorney
Civil Bureau
Attorney General's Office
33 Capitol Street
Concord, NH 03301
Tel. 603-271-1225
Fax. 603-223-6277
amanda.godlewski@doj.nh.gov

The information contained in this electronic message and any attachments to this message may contain confidential or privileged information and is intended for the exclusive use of the addressee(s). Please notify the Attorney General's Office immediately at (603) 271-3658 or reply to justice@doj.nh.gov <<mailto:justice@doj.nh.gov>> if you are not the intended recipient and destroy all copies of this electronic message and any attachments.

From: Michael Tierney [mailto:mtierney@wadleighlaw.com]
Sent: Thursday, July 31, 2014 2:14 PM
To: Godlewski, Amanda C; Dempsey, MaryAnn; Pauline Desfosses; pharmacy.board@nh.gov
Subject: RE: Right to Know Request under RSA 91-A

Ms. Godlewski:

Thank you for your response.

Would you please let me know what documents are being withheld under RSA 318:30 or RSA 91-A:5 and if under RSA 91:5, what part of RSA 91-A:5?

Also, on the applications, there appears to be notations redacted above where it says "Renewal Application" that was not redacted in previous years' requests. Would you please let me know the basis of those redactions?

Feel free to call me with any questions.

Thanks,

Michael

Michael J. Tierney, Esq.

EXHIBIT I

The Telegraph

It's Your Community.

This is a printer friendly version of an article from www.nashuatelegraph.com
To print this article if a print dialogue does not open automatically, open the File menu and choose Print.

[Back](#)

Published: Sunday, September 30, 2012

Hassan edges ahead in race for NH governor

Kevin Landrigan

The race for an open seat for governor was always going to get competitive, but in less than two weeks, Democratic nominee Maggie Hassan, of Exeter, has gone from being credible to the one out in front.

A pair of independent polls at week's end had Hassan punching out a visible, although by no means comfortable, edge over Republican nominee Ovide Lamontagne.

The latter poll from Public Policy Polling – an outfit that has done polling for Democrats in the past – has Hassan leading with 51 percent to 44 percent for Lamontagne.

The survey of 862 likely voters puts Hassan just ahead of the margin of error of plus or minus 3.3 percent.

This came a day after the Wall Street Journal/NBC News poll had it much tighter, 47 percent for Hassan and 45 percent for Lamontagne.

An internal poll done for the New Hampshire Democratic Party earlier last week had Hassan leading by two points and with Lamontagne suffering from much higher negatives among voters than Hassan had.

On the flip side, Rasmussen Reports, which has done polling for Republicans in the past, had Lamontagne up 48-44 percent.

What has changed to give Hassan the advantage?

Well, the Democratic Governors Association has to get some credit with its blitzkrieg attack ad buy against Lamontagne as a "Tea Party Republican" and past lobbyist for "Big Tobacco."

But Hassan seems to be getting a bit of a wave from the recent boomlet for President Barack Obama, since in all of these surveys, Lamontagne is tracking closely with Republican presidential nominee Mitt Romney.

On the campaign trail, Lamontagne has also allowed his theme to be merged often with Romney's, as he frequently calls for repeal of Obamacare and brings in GOP governors Chris Christie, Bobby Jindal and others who are anxious to talk as much against Obama as they do against Hassan.

To this point, Lamontagne has distanced himself from the GOP nominee on only one occasion.

This came during the first debate on New Hampshire Public Radio when he disassociated himself from the secret video in which Romney declared last May that "47 percent" of Americans won't vote for him because they're dependent on government and consider themselves victims.

Lamontagne campaign manager Jim Merrill isn't pushing any panic buttons.

"Polls will go up and polls will come down in this race," he said. "We always knew it was going to be close, and sure, some Democratic-leaning polls might have Maggie up and some from our side show Ovide in front.

"I can assure you none of this is driving our strategy, which is to convince voters Ovide Lamontagne is the more capable, strong leader to help bring the state fully out of this recession."

It's just a guess, but don't be shocked if Lamontagne does his own "I'm New Hampshire" sunny-side presentation on TV ads to one that tries to label Hassan as an extreme, tax-and-spend liberal.

This is always a risk for a candidate who was the favorite throughout the race and now finds himself in danger of losing that status.

It's important to keep in mind in this yo-yo of polling results that both of these candidates aren't really even known by as much as a third of the likely voting public.

There may be more than one shift in either direction back and forth over the next several weeks as voters learn more.

But what's significant about these polls is they could help pump momentum – read plenty of \$\$\$\$ – into Hassan campaign coffers that have badly needed it after the campaign spent almost all it had to win the primary.

Remember one thing about the not-so-super-large community of campaign finance donors in this state when it comes to the governor's office: The worst thing most of them want is to not have backed the winner.

So it isn't out of the realm of possibility that Hassan could start receiving checks from some Lamontagne donors in the business community who at least try to hedge their bets.

It happened for then-Democratic candidate John Lynch, who, once his candidacy started reaching critical mass, donors for then-Gov. Craig Benson came rushing to the rescue with open checkbooks.

Blame game

The latest poll for PPP also had good news for Democrats in general, but a warning sign for one.

Asked whether Republicans or Democrats were responsible for the gridlock in Washington, 52 percent of likely voters fingered the GOP, while only 34 percent blamed Obama and the minority on Capitol Hill.

It's little surprise, then, that in the friendlier confines of the 2nd Congressional District, Democrat Annie Kuster leads Republican Congressman Charles Bass by the identical Hassan-Lamontagne score: 51 percent to 44 percent.

But the picture is less rosy in the rematch with former Democratic Congresswoman Carol Shea-Porter and Republican Congressman Frank Giunta.

Shea-Porter is in a virtual dead heat, with 48 percent to 47 percent for Guinta.

Meanwhile, Shea-Porter refused to back down from the conclusion of The Telegraph's PolitiFact that found her anti-Guinta ad on veterans wasn't entirely accurate.

"PolitiFact generally does good work, although there has been at times surprised and legitimate disagreement with their judgments, and their judgment about our ad on vets has really astounded us, since WMUR fact-checked and said, 'There was at least one instance where Guinta made a vote that would cut benefits,'" Shea-Porter campaign spokeswoman Naomi Andrews said.

"We respectfully disagree with PolitiFact, since we have repeatedly verified and listed our sources ... and we stand by our ad."

Infusion of support

Abortion-rights advocates for state offices will get an unprecedented voter contact effort in the closing five weeks of the race.

Later this week, Planned Parenthood of Northern New England's Action Fund will announce a \$500,000 campaign of direct mail, phone calls and canvassing on behalf of Hassan and "select" Democratic hopefuls for the Executive Council.

The three most targeted council hopefuls will no doubt be Colin Van Ostern, of Concord, in District 2, Chris Pappas, of Manchester, in District 3 and former Councilor Debora Pignatelli in District 5.

Those are the Democrats' best hopes for victory. Plus, they happen to be the very seats that comprised the 3-2 vote of the council in spring 2011 to reject family planning and screening contracts for Planned Parenthood.

The Obama administration stepped in and agreed to administer these contracts despite the council's vote.

Lamontagne's statement that he, too, would support defunding Planned Parenthood as the council did unless the group set up an "independent entity" to offer abortion services convinced the organization to go all in for Nov. 6.

How big is this big? Try 10 times its typical voter canvassing and call efforts on behalf of legislative and state candidates in the past.

Policy director Jennifer Frizzell said the experience with the council fight and the stakes in the presidential race on this issue also has them in a better position than ever to mobilize their supporters to the polls.

"We are more sophisticated with this effort than in the past," Frizzell said.

"We are focused like a laser on exactly the right voters."

Media advertising will at best be limited, since it's less effective than more targeted strategy, she said.

"If we meet all of our budget goals, we may be on the radio," Frizzell said.

"The reality is we don't think going on TV would be effective if we could buy the time and it's not even available to us. Even with selected cable buys and radio, as well, you are being more blunt and less focused."

Kevin Landrigan can be reached at 321-7040 or klandrigan@nashuatelegraph.com. Also, follow Landrigan on Twitter (@Klandrigan).

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EXHIBIT J

Form **990**
 Department of the Treasury
 Internal Revenue Service

Return of Organization Exempt From Income Tax
 Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)
 The organization may have to use a copy of this return to satisfy state reporting requirements

OMB No 1545-0047
2012
Open to Public Inspection

A For the 2012 calendar year, or tax year beginning 01-01-2012, 2012, and ending 12-31-2012

<input type="checkbox"/> Check if applicable <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	C Name of organization NEW HAMPSHIRE WOMEN'S HEALTH SERVICES INC		D Employer identification number 23-7368251
	Doing Business As		
	Number and street (or P O box if mail is not delivered to street address)	Room/suite	E Telephone number (603) 225-2736
	City or town, state or country, and ZIP + 4 CONCORD, NH 03301		G Gross receipts \$ 811,893
F Name and address of principal officer DALIA VIDUNAS 38 SOUTH MAIN STREET CONCORD, NH 03301		H(a) Is this a group return for affiliates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I Tax-exempt status <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c) () (insert no) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527		H(b) Are all affiliates included? <input type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach a list (see instructions)	
J Website: WWW.FEMINISTHEALTH.ORG		H(c) Group exemption number	
K Form of organization <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other		L Year of formation 1974	M State of legal domicile NH

Part I Summary

Activities & Governance	1 Briefly describe the organization's mission or most significant activities TO PROVIDE WOMEN WITH HIGH QUALITY AND COMPASSIONATE HEALTH CARE EDUCATION AND REFERRAL INFORMATION IN A SAFE AND RESPECTFUL ENVIRONMENT AS WELL AS ADVOCATE FOR SEXUAL AND REPRODUCTIVE RIGHTS FOR ALL		
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	8
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	8
	5 Total number of individuals employed in calendar year 2012 (Part V, line 2a)	5	20
	6 Total number of volunteers (estimate if necessary)	6	16
	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
7b Net unrelated business taxable income from Form 990-T, line 34	7b	0	
Revenue	8 Contributions and grants (Part VIII, line 1h)	Prior Year	Current Year
	9 Program service revenue (Part VIII, line 2g)	46,916	47,788
	10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	721,066	698,647
	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	1,167	1,379
	12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	774,021	811,893
Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)	0	0
	14 Benefits paid to or for members (Part IX, column (A), line 4)	0	0
	15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	0	491,765
	16a Professional fundraising fees (Part IX, column (A), line 11e)	0	0
	b Total fundraising expenses (Part IX, column (D), line 25) 10,956		
17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)	0	307,993	
18 Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)	0	799,758	
19 Revenue less expenses Subtract line 18 from line 12	774,021	12,135	
Net Assets or Fund Balances	20 Total assets (Part X, line 16)	Beginning of Current Year	End of Year
	21 Total liabilities (Part X, line 26)	415,492	426,104
	22 Net assets or fund balances Subtract line 21 from line 20	21,031	13,323
		394,461	412,781

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here
 Signature of officer: _____
 Type or print name and title: **CLAIRE EBEL TREASURER**

Paid Preparer Use Only
 Print/Type preparer's name: MARILYN L CHANDLER CPA
 Preparer's signature: _____
 Firm's name: CHARLENE T VALLEE CPA PLLC
 Firm's address: 30 SOUTH MAIN STREET SUITE 207
 CONCORD, NH 03301

May the IRS discuss this return with the preparer shown above? (see instructions)