

In the Matter of the Application of

APA Project No. 2021-0276

UNCONVENTIONAL CONCEPTS, INC. and MICHAEL
HOPMEIER,

APA Hearing Officer
David N. Greenwood

**Applicants' Demands for
Production of Documents
and Things**

PLEASE TAKE NOTICE that Applicants, by and through their attorneys, Norfolk Beier PLLC, hereby demand that each Party separately produce and deliver documents and things as set forth hereinbelow to the law firm of Norfolk Beier PLLC, 55 Barn Road, Suite 201, Lake Placid, New York 12946, in accordance with the Second Revised Scheduling Order, dated March 13, 2026.

DEFINITIONS

A. "Document" or "Documents" means all writings, records, communications, electronically stored information (ESI), and tangible things, whether printed, typed, handwritten, recorded, or reproduced by any other mechanical process, including but not limited to: letters, emails, text messages, contracts, agreements, invoices, checks, receipts, photographs, recordings, memos, notes, reports, files, calendars, diaries, logs, account statements, computer files, and social media content. The term includes drafts, non-identical copies, and any attachments or enclosures.

B. "Communication" means any exchange of information, whether written, oral, or electronic, including but not limited to emails, text messages, telephone calls, voicemail, in-person conversations, letters, and memoranda.

C. "Person" means any natural Person, corporation, partnership, limited liability company, association, government entity, or other legal or business entity.

D. “You” or “Your” refers to the Party to whom this demand is directed, including all agents, representatives, employees, attorneys, and anyone acting on their behalf.

E. “Relating to,” “regarding,” “concerning,” or “pertaining to” means in whole or in part, constituting, containing, embodying, reflecting, identifying, stating, referring to, dealing with, or in any way relevant to the subject matter of the request.

F. “Project” means APA Project No. 2021-0276.

G. “Hearing” means the Adirondack Park Agency (APA) public hearing on the Project.

H. “Identify”:

i. When referring to a Person, means to provide the Person’s full name, last known address, telephone number, and relationship to any party to this public hearing.

ii. When referring to a document, means to state its date, type, author(s), recipient(s), subject matter, and present location or custodian.

I. “Parties” refers to Applicants, Intervenors, and APA Staff in this public hearing, including any officers, directors, agents, employees, and attorneys acting on their behalf.

J. “And” or “or” shall mean “and/or” and shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the request any information that might otherwise be construed to be outside its scope.

K. “Any” includes the word “all” and vice versa.

L. “Including” shall mean including, without limitation, the specific matter of Documents described.

M. “State the basis,” “detail all facts,” “state all facts,” explain in detail,” “state in detail,” or words of like meaning, when used with reference to a particular subject, allegation, claim, assertion, or contention, means to (a) state the facts and circumstances upon which it is

based, in whole or in part, or which relate to or pertain to it; (b) identify all Documents which discuss, relate, or refer to it; and (c) identify all Persons who have knowledge of and/or information concerning it including the circumstances under which they came to have such knowledge.

N. The singular of a noun or pronoun shall include within its meaning the plural form of the noun or pronoun and vice versa; the masculine form of a pronoun shall include within its meaning the feminine and neuter forms of the pronoun and vice versa; and the use of any tense of any verb shall include within its meaning all other tenses of the verb.

O. If any of the parties responding to this demand has possession, custody or control of the originals of the Documents demanded, then the originals shall be produced. If the responding parties do not have the original of the Documents demanded, produce one identical copy of each original. In addition, produce any and all non-identical copies and drafts of each original.

P. If copies and drafts exist of Documents, the production of which has been demanded herein, produce and submit for inspection and copying each and every copy and draft which differs in any way from the original Documents or from any other copy or draft. All Documents in any way attached or accompanying a document which has been demanded herein should also be produced.

Q. If any Documents covered by this demand are withheld from production, furnish a list of all such Documents withheld, containing a complete description of each such document, as well as the date; author(s); signer(s); recipient(s) of copies; the name and title of every Person known to have seen, or been told of the contents of said document; and state the ground or grounds upon which it is being withheld. If the refusal to produce any document is based upon a claim that

the document is subject to a privilege, state as to such document the nature and basis of the claim of privilege.

R. This demand shall be deemed continuing to the full extent permitted under the applicable laws and rules. If any responsive Documents come into Your possession, custody or control after the service of Your responses hereto, said additional Documents shall be delivered to the undersigned as soon as possible thereafter.

S. All Documents produced pursuant to this demand shall be produced in separate groups responsive to each separate demand and, to the extent possible, in the form and order in which they were kept until being produced.

T. If any document otherwise covered by this demand is no longer in the possession, custody or control of the party responding to this demand, the present custodian of said document shall be identified and the date of the transfer of possession, custody or control shall, to the extent possible, be set forth.

U. If any document otherwise covered by this demand has been destroyed, it shall be identified with all possible specificity as to subject matter, author, date of creation and circulation; and the date of, manner of, and reason for its destruction shall be provided, together with the name and title (if any) of the Person(s) who destroyed it or authorized its destruction.

V. In responding to the document and information demands appearing below, furnish all Documents and information available, including those in the possession of Your agents, representatives, attorneys, accountants and employees and not merely such Documents as You may have within Your immediate control. If You are unable to respond in full to any particular document or information demand after exercising due diligence to obtain all the Documents and information demanded, so state; furnish the Documents and information that are available; and

indicate in writing Your inability to provide the rest of the Documents and information that are responsive to the demand, setting forth whatever information, knowledge or belief You have concerning the unavailable Documents and information.

DOCUMENTS AND THINGS DEMANDED

1. All Documents supporting any contention that the Project will result in adverse environmental impacts.
2. All expert reports, opinions, or analyses prepared or relied upon regarding the Project and for presentation of evidence in the Hearing.
3. All Communications (including but not limited emails) between You and any third party relating to the Project or this Hearing.
4. All Documents relating to any studies, modeling, or data used to evaluate environmental impacts of the Project.
5. All Documents supporting any claim that the Project fails to comply with applicable statutes, regulations, or permit criteria.
6. All Documents relating to alternative projects or mitigation measures You contend are preferable.
7. All Documents You intend to rely upon at the Hearing.
8. All Documents reflecting funding sources, sponsorship, or financial support related to Your participation in this proceeding.
9. All Documents reflecting current and past membership in Your organization, including lists of names of current and past members from 1990 to present.
10. The following are to be responded to by Adirondack Council only:

(a) All Documents reflecting current and past membership in Your organization, of Rush Holt, Jr. from 1990 to present.

(b) All Communications between Rush Holt, Jr. and any member, officer, employee, and staffperson of Your organization relating to the Project and Hearing.

PLEASE TAKE FURTHER NOTICE, that You are under a continuing obligation under to amend and supplement Your responses to these demands as necessary to make them correct and complete.

Dated: Lake Placid, New York
April 8, 2026

Norfolk Beier PLLC



By: _____

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To: Service List