

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' First Set of  
Interrogatories**

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**PLEASE TAKE NOTICE** that Applicants, by and through their attorneys, Norfolk Beier PLLC, hereby demand that each Party separately answer under oath the interrogatories below, 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. “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.

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

H. “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.

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

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

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.

### **INTERROGATORIES**

1. State all factual bases for Your opposition to the Project.
2. Identify all statutes, regulations, or legal standards You contend the Project violates.
3. Describe in detail each alleged environmental impact the Project will cause, including its basis and supporting evidence.
4. Identify all studies, reports, or data upon which You rely.
5. Describe any alternative designs, locations, or mitigation measures You propose.
6. Identify all Communications with government agencies concerning the Project.
7. State whether You contend the Project poses risks to public health or safety, and describe the basis for such contention.
8. Identify all experts consulted, whether or not they will testify.
9. Describe any prior proceedings in which You have opposed similar projects.
10. State whether the hearing officer in this Hearing is a current or former member of Your organization, whether the hearing officer is currently paying or formerly paid dues or made donations to Your organization, and the years of the hearing officer's active membership in Your organization.
11. The following is to be answered by Adirondack Council only:
  - (a) State whether Rush Holt, Jr. is a current member of Your organization;
  - (b) State the years Rush Holt, Jr. paid dues or made a donation to Your organization;
  - (c) Describe Rush Holt, Jr.'s current participation in Your organization;

(d) State whether there has been any Communication 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