

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH

NH 11/16/08
SOB
MS

Carroll Superior Court
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RETURN FROM SUPERIOR COURT – STATE PRISON SENTENCE

Case Name: State v Lakes Region Water Company, Inc.
Case Number: 212-2008-CR-00315

Case No. DW 10-141
Exhibit No. Staff Adv #1
Witness Robert Montville
NH 03254-0389

Name: Lakes Region Water Company, Inc., PO Box 389 Moultonborough NH
DOB: January 01, 2008

Indictment Waiver Information Complaint Viol of Probation

Offense: New Hampshire Safe Drinking Water Act; Approval Charge ID: RSA: 485:10/485:16 Date of Offense: August 19, 2007

Disposition: Guilty/Chargeable By: Plea Jury Court T/N: _____

A finding of GUILTY/CHARGEABLE is entered.

Conviction: Felony Misdemeanor Probation Violation

1. The defendant is sentenced to the New Hampshire State Prison for not more than _____ YEAR(S)), nor less than _____ YEAR(S). There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year.
2. This sentence is to be served as follows:
 Stand Committed Commencing _____
3. _____ of the minimum sentence is suspended; _____ of the maximum is suspended. Suspensions are conditioned upon good behavior and compliance with all of the terms of this order. Any suspended sentence may be imposed after a hearing brought by the State within _____ years of today's date.
4. _____ of the sentence is deferred for a period of _____ conditioned upon good behavior and compliance with all the terms of this sentence. Thirty (30) days prior to the expiration of the deferred period, the defendant may petition the Court to show cause why the deferred commitment should not be imposed. Failure to petition within the prescribed time will result in the immediate issuance of a warrant for your arrest.
5. _____ of the minimum sentence may be suspended by the Court on application of the defendant provided the defendant demonstrates meaningful participation in a sexual offender program while incarcerated.
6. The sentence is consecutive to _____
 concurrent with _____
7. Pretrial confinement credit: _____ days.
8. The Court recommends to the Department of Corrections:
 - A. Drug and alcohol treatment and counseling.
 - B. Sexual offender program.
 - C. Sentence to be served at the House of Corrections.
 - D. _____

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Pursuant to RSA 499:10-a, the clerk shall notify the appropriate health care regulatory board if this conviction is for a felony and the person convicted is licensed or registered as a health care provider.

PROBATION

9. The defendant is placed on probation for a period of _____ year(s), upon the usual terms of probation and any special terms of probation determined by the Probation/Parole Officer.
Effective: Forthwith Upon Release _____
 The defendant is ordered to report immediately to the nearest Probation/Parole Field Office.
10. **Violation of probation, conditional discharge or any of the terms of this sentence may result in revocation of probation and imposition of any sentence within the legal limits for the underlying offense.**

OTHER CONDITIONS

11. The following conditions of this sentence are applicable whether sentence is suspended, deferred or imposed or whether there is no fine ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence.
- A. The defendant is fined \$ 100000.00, plus statutory penalty assessment to be paid:
 Now By _____
 As determined by the Probation/Parole Officer.
 \$50,000.00 of the fine is suspended, conditioned on good behavior and compliance with all terms of this order and compliance with laws governing supply of water to the public for domestic use, including Department of Environmental Services and Public Utilities Commission Rules and Orders. Any suspended sentence may be imposed after hearing brought by the State within 3 (three) years of today's date.
 Penalty Assessment suspended on all of the same conditions.
- B. The defendant is ordered to make restitution of \$ _____ plus statutory 17% administrative fee.
 Through the Dept. of Corrections as directed by the Probation/Parole Officer
 Through the Dept. of Corrections on the following terms: _____
 At the request of the defendant or the Dept. of Corrections, a hearing may be scheduled on the amount or method of payment of restitution.
 Restitution is not ordered because: _____
- C. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer.
- D. Under the direction of the Probation/Parole Officer, the defendant shall tour the
 New Hampshire State Prison
 House of Corrections
- E. The defendant shall perform _____ hours of community service under the direction of the Probation/Parole Officer.
- F. The defendant has waived sentence review in writing or on the record.
- G. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.
- H. Other: _____

September 08, 2009
Date

Steven M. Houran
Presiding Justice

Patricia A. Lenz
Clerk of Court

Case Name: State v Lakes Region Water Company, Inc.

Case Number: 212-2008-CR-00316

RETURN FROM SUPERIOR COURT - STATE PRISON SENTENCE

Pursuant to RSA 499:10-a, the clerk shall notify the appropriate health care regulatory board if this conviction is for a felony and the person convicted is licensed or registered as a health care provider.

PROBATION

9. The defendant is placed on probation for a period of _____ year(s), upon the usual terms of probation and any special terms of probation determined by the Probation/Parole Officer.
Effective: Forthwith Upon Release _____
 The defendant is ordered to report immediately to the nearest Probation/Parole Field Office.
10. **Violation of probation, conditional discharge or any of the terms of this sentence may result in revocation of probation and imposition of any sentence within the legal limits for the underlying offense.**

OTHER CONDITIONS

11. The following conditions of this sentence are applicable whether sentence is suspended, deferred or imposed or whether there is no sentence ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence.
- A. The defendant is fined \$ 100000.00, plus statutory penalty assessment to be paid:
 Now By _____
 As determined by the Probation/Parole Officer.
 50,000.00 of the fine is suspended, conditioned upon good behavior and compliance with all terms of this order and compliance with laws governing supply of water to the public for domestic use including Department of Environmental Services and Public Utilities Commission Rules and Orders. Any suspended sentence may be imposed after a hearing brought by the State within 3 (three) years of today's date.
 Penalty Assessment suspended on all of the same conditions.
- B. The defendant is ordered to make restitution of \$ _____ plus statutory 17% administrative fee.
 Through the Dept. of Corrections as directed by the Probation/Parole Officer
 Through the Dept. of Corrections on the following terms: _____
 At the request of the defendant or the Dept. of Corrections, a hearing may be scheduled on the amount or method of payment of restitution.
 Restitution is not ordered because: _____
- C. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer.
- D. Under the direction of the Probation/Parole Officer, the defendant shall tour the
 New Hampshire State Prison
 House of Corrections
- E. The defendant shall perform _____ hours of community service under the direction of the Probation/Parole Officer.
- F. The defendant has waived sentence review in writing or on the record.
- G. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.
- H. Other: Sentence is consecutive to sentence in 08-CR-315.

September 08, 2009
Date

Steven M. Houran
Presiding Justice

Patricia A. Lenz
Clerk of Court