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VT SUPERIOR COURT  
WASHINGTON UNIT  
CIVIL DIVISION

SUPERIOR COURT  
WASHINGTON UNIT

CIVIL DIVISION

Docket No. 217-4-16 Wncv

DW- Stip-  
2018 AUG -8 A 9 05

STATE OF VERMONT,

THROUGH MICHAEL S. PIECIAK,  
IN HIS OFFICIAL CAPACITY  
AS COMMISSIONER OF THE  
VERMONT DEPARTMENT OF  
FINANCIAL REGULATION,

FILED

and

ATTORNEY GENERAL  
THOMAS J. DONOVAN, JR.,  
Plaintiffs,

v.

ARIEL QUIROS; WILLIAM STENGER;  
Q RESORTS, INC.; JAY PEAK, INC.;  
JAY PEAK HOTEL SUITES, L.P.; JAY  
PEAK HOTEL SUITES PHASE II, L.P.;  
JAY PEAK MANAGEMENT, INC.;  
JAY PEAK PENTHOUSE SUITES, L.P.;  
JAY PEAK GP SERVICES, INC.;  
JAY PEAK GOLF AND MOUNTAIN  
SUITES, L.P.; JAY PEAK GP SERVICES  
GOLF, INC.; JAY PEAK LODGE AND  
TOWNHOUSES, L.P.; JAY PEAK GP  
SERVICES LODGE, INC.; JAY PEAK  
SUITES STATESIDE, L.P.; JAY PEAK  
GP SERVICES STATESIDE, INC.;  
JAY PEAK BIOMEDICAL RESEARCH  
PARK, L.P.; and ANC BIO VERMONT  
GP SERVICES, LLC,  
Defendants.

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VT SUPERIOR COURT  
WASHINGTON UNIT  
CIVIL DIVISION

STIPULATION AND JUDGMENT ORDER

Plaintiffs in the above-entitled action, by and through their attorney, Kate T. Gallagher, Esq., Assistant Attorney General, and Defendant William Stenger, by and

through his attorney, David L. Cleary, Esq., in accord with a previously-executed Settlement Agreement, attached, hereby stipulate and agree as follows:

1. That the above-entitled matter as it relates to Defendant William Stenger, shall be dismissed with prejudice, in accord with V.R.C.P. 41, each party to bear their own costs and attorneys' fees.

2. In consideration of the agreements of the parties herein, and further specifically in consideration of William Stenger's request to contribute funds to be used for the economic development of the City of Newport, Vermont, which contribution is agreed to by the State of Vermont, it is herewith stipulated and agreed that the said William Stenger shall contribute the sum of One Hundred Thousand Dollars (\$100,000.00) to a fund maintained by the Agency of Commerce and Community Development, to be used for economic development in Newport, Vermont. It is agreed that the funds shall be contributed over a period of four (4) years following the date of the initial payment, which payment is to be made within twenty (20) days of the execution of the aforementioned Settlement Agreement, with annual contributions thereafter on July 1, 2019, July 1, 2020, July 1, 2021, and July 1, 2022.

3. William Stenger specifically acknowledges and agrees that the above-referenced and agreed-to contribution (totaling \$100,000), shall not be dischargeable in bankruptcy, and further stipulates and agrees that he will not seek to have the agreed-upon contribution discharged in bankruptcy.

4. Should William Stenger fail to make any of the aforementioned and agreed-upon contributions within ten (10) days of their scheduled due dates, then the entire payment

schedule will be accelerated to require payment of all funds immediately, with a default interest rate accruing from the date of default. Further, in the event of any such default, William Stenger will also be liable for all attorneys' fees and costs incurred to enforce this agreement, and to obtain payment in full.

6. This Stipulation and Judgment Order shall not affect any other claims in the litigation.

Dated at Montpelier, Vermont, this 7<sup>th</sup> day of August, 2018.

OFFICE OF THE VERMONT ATTORNEY  
GENERAL

By: 

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*Attorneys for Plaintiffs*

Dated at Rutland, Vermont, this 11 day of July, 2018.

CLEARY SHAHI & AICHER, P.C.

By: 

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*Attorneys for Defendant William Stenger*

Based upon the aforementioned stipulation and agreement of the Plaintiffs and Defendant William Stenger, it is herewith **SO ORDERED**.

Dated at Montpelier, Vermont, this 23<sup>rd</sup> day of August, 2018.

Mary Miles Teachout  
Hon. Mary Miles Teachout  
Presiding Judge