



CHARLES P. BAUER

214 N. Main Street
P.O. Box 1415
Concord, NH 03302-1415

Ph: (603) 228-1181
Direct: (603) 545-3651
Fax: (603) 224-7588
bauer@gcglaw.com

August 21, 2013

VIA FEDERAL EXPRESS

James I. Peale, Clerk
Cheshire County Superior Court
12 Court Street
Keene, NH 03431

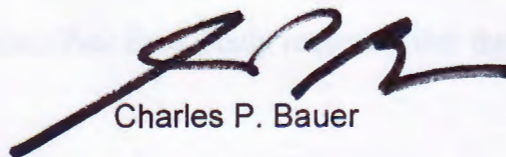
**Re: City of Keene v. James Cleaveland, et al.
Docket No.: 213-2013-CV-00098**

Dear Clerk Peale:

Enclosed for filing an Objection to Pete Eyre's Motion to Dismiss regarding the above-captioned case.

Thank you for your attention to this matter.

Very truly yours,



Charles P. Bauer

CPB:lbl
Enclosure

cc: Jon Meyer, Esquire
Peter Eyre, *Pro Se*
Thomas Mullins, Esquire

STATE OF NEW HAMPSHIRE

CHESHIRE, SS.

SUPERIOR COURT

CITY OF KEENE

v.

JAMES CLEAVELAND
GARRET EAN
KATE AGER
IAN BERNARD A/K/A IAN FREEMAN
GRAHAM COLSON
PETE EYRE

Docket No. 213-2013-CV-00098

OBJECTION TO PETE EYRE'S MOTION TO DISMISS

NOW COMES, the City of Keene ("Petitioner"), by its co-counsel, Gallagher, Callahan and Gartrell, P.C., and submits this Objection to Pete Eyre's Motion to Dismiss, and says as follows:

1. On August 12, 2013, Defendant Pete Eyre, orally requested that the Court dismiss him from this action.
2. To support his request, Mr. Eyre provided testimony under oath to the Court that he has not, and does not, engage in "Robin Hooding," i.e., taunting, interfering with, harassing, and intimidating the City's Parking Enforcement officers while they attempt to perform their employment duties. Mr. Eyre further asserted that he has not, and does not, aid or otherwise assist the other defendants in doing the same.
3. Mr. Eyre's trial testimony is contrary to and inconsistent with evidence provided by Plaintiffs at the hearing and documentary evidence discovered on youtube.com, which will be submitted as evidence to the Court at the resumption of the hearing.

4. Mr. Eyre admitted to the Court that he has, on at least one occasion, radioed the other defendants to notify them of PEO Givetz' location. Mr. Eyre's admission is evidence that he has actively assisted the other defendants to create a hostile work environment for the City's PEOs by assisting them in locating the PEOs.

5. Mr. Eyre further admitted that he created the website KeeneCopBlock.org, that the website is listed on a calling card that the defendants leave on individual's cars, and that he has not objected to the use of the website.

6. Since the evidentiary hearing, video evidence has been located that clearly demonstrates Defendant Eyre and Defendant Ean jointly engaged in taunting a City PEO while she attempts to perform her official duties. The videos can be found online at the following addresses:

Fr33manTVraw, 2012 12 28 KeeneParkingEnforcementConvo PeteEyre GarretEan
(located at: <http://www.youtube.com/watch?v=se-lwj2wDLQ>)

Fr33manTVraw, 2012 12 28 keeneparkingenforcement_x002
(located at: <http://www.youtube.com/watch?v=f7EqRwDohzc>)

A copy of the video files has also been attached on a CD for the Court's convenience.¹

7. The above evidence makes clear that Mr. Eyre was not candid with the Court when he claimed that he has no involvement with the defendants' "Robin Hooding" activities. Mr. Eyre has been directly involved in harassing and taunting the PEOs and has assisted the other defendants in doing the same.

8. Mr. Eyre, despite his representations to the Court, is involved and connected with the defendants' activities, and he is a proper party to this action.

WHEREFORE, the City of Keene respectfully requests that this Court:

¹ The City will introduce the videos as evidence at the continued evidentiary hearing.

- A. Deny Defendant Pete Eyre's Motion to Dismiss; and
- B. Grant such other and further relief as is just and equitable.

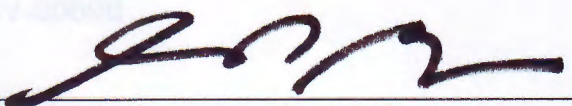
Respectfully submitted,

CITY OF KEENE

By Its Attorneys,

GALLAGHER, CALLAHAN & GARTRELL, P.C.
214 N. Main St., P.O. Box 1415
Concord, NH 03302-1415
(603) 228-1181

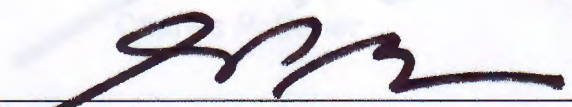
Dated: August 21, 2013

By: 
Charles P. Bauer, Esquire (#208)
Robert J. Dietel, Esq. (#19540)

CERTIFICATE OF SERVICE

I hereby certify that I have this date forwarded a copy of the foregoing to Peter Eyre, *Pro Se*, and Jon Meyer, Esquire, Counsel for Ian Bernard f/k/a Ian Freeman, Garret Ean, James Cleaveland, Kate Ager, and Graham Colson.

Dated: August 21, 2013

By: 
Charles P. Bauer, Esquire (#208)

Gallagher, Callahan & Gattrell, PC
214 N Main St
PO Box 1415
Concord NH 03302-1415



Peter Eyre
29 North Lincoln Street
Keene, NH 03431

Keene

Cleveland, et al.

Docket No:
213-2013-CV-00098