

STATE OF VERMONT

SUPERIOR COURT
Orange Unit

CIVIL DIVISION
Docket No. 23-CV-02848

JOHN DURKEE, EXECUTOR OF)
THE ESTATE OF KENNETH H.)
BLAISDELL, JR.,)
Plaintiff,)
v.)
TRINI BRASSARD, COURTNEY)
BRASSARD, BRIAN FALZO, DANIEL)
BRASSARD, AND BRASSARD)
SUGARWORKS AND MAPLE)
SUPPLY, LLC,)
Defendants.)

AFFIDAVIT OF ELIZABETH WILLHITE

NOW COMES Elizabeth A. Willhite, Esq., and being duly sworn, hereby deposes and certifies pursuant to Rule 26(h) and Rule 11:

1. I am over the age of 18 and otherwise competent to testify.
2. I am an attorney at Primmer Piper Eggleston & Cramer PC, which represents Plaintiff John Durkee, Executor of the Estate of Kenneth H. Blaisdell, Jr. ("Plaintiff") in this matter. Richard Windish is lead counsel on this case and I am working with Attorney Windish to prosecute these claims.
3. On September 29, 2023, Plaintiff served Defendant Daniel Brassard with written discovery requests.
4. A year later, on February 28, 2025, Defendant provided incomplete responses.
5. On April 30, 2025, the Court issued an order compelling Defendants to produce financial records and addressing Defendants' concerns regarding the confidentiality of financial

documents and information. *See* April 30, 2025 Decision on Motion (the “Confidentiality Order”).

6. The Court ordered Defendants to provide copies of the requested Confidential Information to the party that has made the discovery request within 30 days of receipt of the Confidentiality Order. *See* Confidentiality Order at ¶ 2.

7. On June 11, Defendant Daniel Brassard produced his individual bank and credit card statements, many of which were redacted. Defendant did not produce the financials for Brassard Sugarworks and Maple Supply, LLC.

8. That same day, undersigned counsel responded to Mr. Brassard to inform him that redactions on account numbers were acceptable, but not on the memo line or account holder sections. Undersigned counsel requested that Mr. Brassard produce unredacted versions of these records within 15 days.

9. In response this request, on July 1, 2025, Mr. Brassard offered to provide an explanation of these payments but refused to provide (semi) un-redacted versions, claiming his right to withhold this information based on his belief that “[we] will contact the people using the same tone and hostile approach that you have used with me from day 1.” A true and accurate copy of the email is attached hereto as **Exhibit B**.

10. On July 11, undersigned counsel sent Mr. Brassard a Rule 26(h) letter to discuss the outstanding discovery requests. In this letter, Mr. Brassard was provided with the Bates label references for the production documents which must be produced in (semi) un-redacted form. A true and accurate copy of the letter is attached hereto as **Exhibit A**.

11. On July 21, Defendants provided the bank and credit cards statements for Brassard Sugarworks and Maple Supply, LLC.

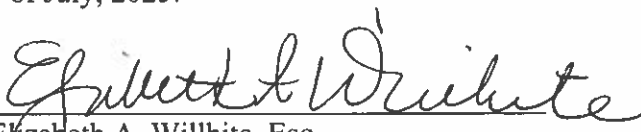
12. That same day, undersigned counsel again asked Defendants to produce (semi) un-redacted form of the financial documents referenced the July 11 letter.

13. Mr. Brassard responded to this email by first indicating that the records would come from the bank at a time that is “convenient” for the bank, and later admitted he burned the original copies of these records offering Plaintiff a 5-gallon bucket of ashes in response to these discovery requests.

14. The undersigned is unable to confer further with Defendant on these issues.

Further affiant sayeth not.

DATED at Burlington, Vermont, this 23rd day of July, 2025.


Elizabeth A. Willhite, Esq.

STATE OF VERMONT)
CHITTENDEN COUNTY)

Subscribed and sworn before me, this 23rd day of July 2025.


Maure Lenore Snell
Notary Public State of Vermont
Commission No. 0015876
Commission expires on: 1/31/27