

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

|                             |   |                 |
|-----------------------------|---|-----------------|
| T-PEG, INC and              | ) |                 |
| TIMBERPEG EAST, INC.,       | ) |                 |
| Plaintiffs,                 | ) |                 |
|                             | ) |                 |
| vs.                         | ) | No. 03-CV-462-M |
|                             | ) |                 |
| VERMONT TIMBER WORKS, INC., | ) |                 |
| Defendant.                  | ) |                 |

DEFENDANT'S REPLY MEMO SUPPORTING ITS  
MOTION FOR SUMMARY JUDGMENT

As shown below, plaintiffs' opposition to summary judgment rests entirely on smoke and mirrors: (1) they attempt to have the Court confuse the April 2001 copyrighted drawings which VTW never saw with different, 1999 drawings which VTW apparently did see but which are not the subject of this case; (2) they attempt to bootstrap their own employee's self-serving statement into a phoney finding of "substantial similarity;" (3) they attempt to rely on non-copyrightable elements of "dimension" and "footprint," an argument which they previously conceded; and (4) they completely mischaracterize statements of VTW and its counsel, which in no way "admit" that VTW had access to the registered drawings at issue here.

Timberpeg East ignores (and excerpts out) clear statutory language showing it lacks standing.

Plaintiffs concede that they are aware of no facts saving their state claims from preemption.

1. No Dispute That Plaintiffs Did Not Design A Timber Frame;  
Whereas VTW Never Designed Anything But A Timber Frame

The Objection is remarkable in that plaintiffs do not dispute VTW's Undisputed Fact 9, that their Registered Design contains "no drawing of a timber frame" at all. (VTW Br. At 7) Of course, a perusal of it (VTW's MSJ Appx, Ex. 1) makes this obvious.

This is reinforced by the deposition admissions of plaintiffs' "Chief of Design" Jonathan Vincent. (VTW's MSJ Appx., Ex. 12 at 98-99)

Nor do plaintiffs claim that VTW designed or built anything other than the timberframe.

Thus, it is uncontested that (a) the only thing that VTW designed, drew or built was the frame for a portion of the house, and (b) no frame was designed by plaintiffs.<sup>1</sup>

2. December 1999 Plans And September 2001 Plans Irrelevant;<sup>2</sup>  
Any Access To *1999 Plans Or September 2001 Plans*  
Does Not Constitute Evidence Of Access To *April 2001 Plans*

Plaintiffs attempt to confuse the Court with reference to other “plans” which are not before the Court.

This case is based solely on the April 2001 “Registered Plans” filed with the U.S. Copyright Office as Certificate of Registration No. VAu 510-781. Cplt., ¶16-17.<sup>3</sup> Plaintiffs now concede that the “[April 2001 plans] form the basis of this action.” (Obj. at 5) This is not merely a matter of plaintiffs’ election; it is mandated by Section 411 of the Copyright Act, which requires registration of the applicable work prior to institution of an infringement suit.

Plaintiffs refer indiscriminately to preliminary Isbitski plans completed December 29, 1999 (Obj. at 4-5), and to September 2001 plans (Obj. at 6) as if they were all a part of the same case. These prior and subsequent plans were never registered, have not been referenced in the

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<sup>1</sup> Plaintiffs have submitted (Appx, Ex. D, Tab 1) a set of later, *September 2001 Plans* with their Objection. VTW is moving to strike that reference as the September 2001 Plans are different from the Registered Plans, were never registered with the Copyright Office, and are not properly at issue in this case. Nonetheless, even that version of the plans failed to include a drawing of the timber frame. Because the print is so small as to hide the information on plaintiffs’ exhibit, attached as Exhibit 23 to this memorandum is an enlargement of the cover page showing (1) revision date of 9/05/01 and (2) box for “Frame Drawings” not checked.

<sup>2</sup> Simultaneously with this Reply Memo, VTW is filing its motion to strike references to the (un-registered) 1999 plans and September 2001 plans.

<sup>3</sup> Because plaintiffs refused initially to provide VTW a copy of the registered plans, or to attach it to the complaint, VTW was forced to submit a request to admit in order identify the plans which were actually registered. Plaintiffs now admit that the sole design they ever registered with the Copyright Office is the five-page design created in April 2001 and attached at Ex. 1 of VTW’s MSJ Appendix. See Req. to Admit Nos. 1 & 2, Ex. 10

Complaint, and are not a part of this suit (except that the 1999 Plans are apparently what Isbitski showed VTW in December 2000 as the example of what he did not want).

3. Neither VTW Nor Its Counsel “Admitted” Access To the April 2001 Registered Plans

Plaintiffs attempt to confuse the April 2001 Plans with (1) the 1999 Plans and (2) the September 2001 Plans to improperly give an innuendo of “access” to the April 2001 (Registered) Plans at issue here. Thus, they argue (Obj. at 18) that

Isbitski went to Timberpeg in 1999, after which he received the first set of architectural plans. He shared those plans [i.e., the 1999 Plans which are not registered and not the subject of this suit] with VTW in late 2000.

Emphasis added. Since this suit claims infringement of the 2001 Plans, not the 1999 Plans, this “access” is irrelevant. Indeed, plaintiffs concede (Obj. at 5) that the 2001 (Registered) Plan was a “new” plan as compared to the 1999 Plan. Plaintiffs’ suggestion that the access to the 1999 Plans is access for purposes of this case is simply bad faith argument.

Similarly, they state (Obj. at 6) that they “sent the construction plans [i.e., the September 2001 Plans to Mr. Isbitski on or about September 19, 2001], obviously hoping the Court will erroneously think the construction plans are the registered plans at issue in this case. They are not, and plaintiffs’ argument is irrelevant and purposely misleading.

Likewise, plaintiffs assert (Obj. at 16-17) that the letters of VTW’s three counsel “establish that VTW had access to Timberpeg’s copyrighted architectural plans.” Emphasis added. As plaintiffs well know, the letters do not state that VTW saw the April 2001 Plans, (Ex. H, I, J), and are completely consistent with the agreed fact that VTW was apparently shown the December 1999 preliminary drawings in December 2000.<sup>4</sup>

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<sup>4</sup> Moreover, the claim (Obj. at 10) that the alternative arguments in counsel’s letter and Motion to Dismiss (“if VTW copied anything, it was the generic, non-original portion, i.e., the layout”) constitute binding admissions is preposterous.

4. There Could Not Have Been “Access” To A Frame Design Since Plaintiffs Never Designed A Frame

By repeatedly using the term “timberframe” in connection with its floorplan, plaintiffs try to suggest that the Registered Plans contained some “timberframe” which was capable of being “copied.” Nothing could be further from the truth.

Even if VTW did have access to the Registered (April 2001) Plans – which it did not – this was not access to a frame design which it could have “copied.” A simple look at the plans (MSJ Appx, Ex. 1) confirms this. The Registered Plans have no frame. Plaintiffs admit that they did not design a timber frame.

Their suggestion that “access” to the floorplan – with no frame – enabled VTW to “copy” a frame is a simply ludicrous manipulation of the Copyright Act. After all, the whole notion of a possible inference of copying based on “access” is because the infringer can copy what is in his possession. Here, the notion that VTW “copied” its frame design (MSJ Appx., Ex. 2) from any sheet in the Registered Plans (MSJ Appx., Ex. 1), is simply impossible.

Moreover, even if plaintiffs copyrighted the preliminary plan for the entire house, that would not prevent VTW from designing “individual units comprising a larger structure.” Yankee Candle Co., Inc. v. New England Candle Co., 14 F. Supp. 154, 160 (D. Mass. 1998) (candle store within mall; also indicates that individual offices within copyrighted office building not prohibited); Ale House Management, Inc. v. Raleigh Ale House, Inc., 205 F. 3d 137, 143 (4<sup>th</sup> Cir. 2000) (island- or peninsula-shaped bar within larger structure).

5. Plaintiffs Misstate VTW’s Testimony

Without quoting the testimony but with a “see” citation, plaintiffs claim (Obj. at 7) that VTW “admitted, on a wall by wall basis, the footprint reflected in his shop drawings matches timberframed portion of the footprint in the Timberpeg architectural drawings.” This is a

complete falsification of Friant’s testimony, which was based on counsel’s hypothetically changing the drawings completely and simply asking whether 29 foot portions on one were the same distance as 29 foot portions on the other, etc. To the contrary, Friant testified:

The footprints on the two drawing are different. . . . ‘Is the footprint the same not counting this?’ ‘But not counting this is it the same?’ I’m not going to answer that question. I mean, either we look at the drawing or we don’t look at the drawing.

Dep. at 136, Ex. B.

6. A Timber Frame Cannot Be “Substantially Similar” Or “Strikingly Similar” To A House Floorplan

In analyzing “substantial similarity,” a Court has to look at the “overall look and feel,” but has to “filter out those elements of [a] design it view[s] as unprotectible ideas.” Sturdza v. United Arab Emirates, 281 F. 3d 1287, 1299, 1203 (D.C. Cir. 2002); Boisson v. Banian, Ltd., 273 F. 3d 262 (2d Cir. 2001). Also, “copyright protection does not extend to what are known as *scenes faire*, i.e., [components] which are as a practical matter indispensable, or at least standard, in the treatment of a given topic, . . . or elements that are dictated by external factors such as particular business practices.” Sturdza, supra, 281 F. 3d at 1296. See also Nimmer On Copyright §§13.03[A][1][c] (“total concept and feel”); 13.03[B][2][b] (“unprotected expression” versus ideas); 13.03[B][4] (“*scenes faire*”); and 13.03[F] (“successive filtering”).

Applying the above principles, the only so-called “common elements” identified by plaintiffs (Obj. at 6-7) are (1) the so-called “footprint,” as to which they take only a small portion and still admit to “differences,” (2) “overall dimensions,” as to which they also admit differences, and (3) “post locations,” as to which they admit “a few minor exceptions.”<sup>5</sup>

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<sup>5</sup> Moreover, timberframes do not have walls, do not constitute “footprints” as such, and do not enclose rooms at all, as testified by Friant. It is entirely up to the owner to define the spaces – independently of the frame – by putting in walls, windows, doors, etc., wherever he wants. (Friant Dep. at 33-39, Ex. 24, attached)

Moreover, while shapes or dimension showing creativity might be protectible as having creative content, here the overall gross (partial) footprint, dimensions and post locations – a New England “salt box” with shed addition and standard dimensions in even numbers of feet – constitute unprotectible components which are either “functionally required,” *scenes faire*, or non original expressions. Plaintiffs’ own expert conceded as much, and plaintiffs waived a claim as to these components, at deposition:

Q. [T]he standard New England salt box, do you assert copyright in the shape known as the New England salt box? [objection omitted]

A. We claim copyright of the architectural works that we have drawn in our office which might, indeed, look like a New England salt box, it doesn’t mean that we are claiming it’s uniquely ours. [objection omitted] Salt box has been around since before copyright.

Q. How long has the salt box been around?

A. In New England since probably mid 1600s. . . .

Q. [You don’t claim to have invented] a shed addition?

A. A shed addition, no, we didn’t invent that. . . .

\* \* \*

Q. [B]y filing these plans with the Copyright Office, is it your understanding that you’re preventing anybody else from building a building with a 12 by 12 pitch [the pitch here]?

A. No. . . . We are not copyrighting the pitch alone.

\* \* \*

Q. What about dimensions of a building. . . . Would you agree with me that the concept of a building as being 40 feet by 44 feet is not a work of visual art with creative contents?

A. Dimensions alone, no.

VTW’s MSJ Appx., Ex. 2, pp. 35-43 (emphasis added)

Moreover, the Court can take judicial notice of the lack of creative originality of plaintiffs' saltbox-with-shed-addition, dimensions 40 feet by 44 feet. A historical example of another saltbox-with-shed-addition, dimensions 40 feet by 44 feet, which pre-dates plaintiffs' "copyrighted" version by some 350 years, can be found in Newcastle, New Hampshire (Ex. 25), and viewed – together with drawings – on the National Register Of Historic Places web site, [http://www.loc.gov/rr/print/list/175\\_sal3.html](http://www.loc.gov/rr/print/list/175_sal3.html). Nor did plaintiffs "create" the concept of 8 foot or 9 foot ceilings – they are standard features.

At the end of the day, there is simply no way any jury could hold plaintiffs' floorplans – with no frame drawing at all – in one hand, and VTW's timber frame in the other, and conclude the "protectible portions" of the floorplans – i.e., none – have substantially similar "overall look and feel" as VTW's frame.

7. As A Mere "Non-Exclusive Licensee," Timberpeg East Lacks Standing

Timberpeg East contends (Obj. at 22-24) it has standing based on a purported inter-company "non-exclusive" license agreement with T-Peg (Tab A and Ex. 1). Plaintiffs failed to produce this document in the first rounds of discovery, but claim they found it subsequently in an unexecuted version. It is black-letter law that a non-exclusive licensee lacks standing to sue, so thankfully there is no need to litigate whether the document is genuine.<sup>6</sup>

Plaintiffs paraphrase Section 501(b) of the Copyright Act to omit the critical qualifier, "exclusive." (Obj. at 23) The statute actually states:

The legal or beneficial owner of an exclusive right under a copyright is entitled, subject to the requirement of section 411 [i.e., registration with the Copyright Office], to institute an action for any infringement . . . .

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<sup>6</sup> In addition, under Section 204 of the Copyright Act, "a transfer of ownership, other than by operation of law, is not valid unless an instrument of conveyance, of a note or memorandum of the transfer, is in writing and signed by the owner of the rights conveyed or such owner's duly authorized agent." 17 U.S.C. §204 (emphasis added).

As a matter of law Timberpeg East, Inc. does not own an exclusive copyright interest in the Registered Design. VTW is entitled to summary judgment as against Timberpeg East.<sup>7</sup>

8. The State Claims Are Pre-Empted

Plaintiffs concede (Obj. at 24) that the Copyright Act preempts equivalent state law claims.

Plaintiffs contend (Obj. at 24) that it is “premature” to grant judgment until after the copyright claims are disposed of, citing Intown Enterprises, Inc. v. Barnes, 721 F. Supp. 1263 (N.D. Ga. 1989). That is a misleading citation of Intown Enterprises, which does not mention the term “premature,” or the concept of timing, at all. The case simply dismissed the state law claims, and every indication is that this was the first time defendant requested it. 721 F. Supp. at 1267.

None of the numerous cases dismissing state claims as pre-empted by the Copyright Act -- cited by VTW at pp. 18-20 of its principal memo -- delayed the dismissals until ruling on the merits of the copyright claims.

9. No Evidence Of “Unlawful Act” Under Consumer Protection Act

Plaintiffs state (Obj. at 24) that “questions of fact preclude judgment” on the Consumer Protection Act claim, but they have not listed any.<sup>8</sup> This is insufficient for the claim to survive summary judgment.

None of the thirteen defined categories of “unlawful acts” is met, RSA 358-A:2, and plaintiffs have not defined any other act separate from the alleged copyright violation.

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<sup>7</sup> Timberpeg East also suggests (Obj. at 23), without analysis, that it might be “viewed as an equitable or beneficial owner” by virtual of the (alleged) non-exclusive license. As explained by Nimmer, the statute is not referring to some loopy-geese notion of “beneficial ownership,” but the “reference is intended to the general law of trusts.” There is no evidence or even suggestion in this case that T-Peg, the owner identified in the Copyright Office, established a formal trust for the benefit of Timberpeg East. No trust document has been produced.

<sup>8</sup> Nor has it filed any Statement Of Material Disputes as required by Rule 7.3 of this Court.

10. No Evidence Of “Unfair Competition”

Similarly, plaintiffs state (Obj. at 24) that “questions of fact preclude judgment” on the Consumer Protection Act claim, but they have not listed any.<sup>9</sup> This is insufficient for the claim to survive summary judgment.

Plaintiffs ask the Court (Obj. at 25) to “infer” a ridiculous scenario – for which they concede they have no shred of evidence – that VTW knowingly allowed Isbitski to file the Timberpeg drawings with the Town of Salisbury to get a building permit. But this flies in the face of clear evidence that VTW’s personnel were never even aware that Isbitski had filed anything with the Town. See Ex. 17 & 18 in VTW’s MSJ Appendix.

There is no evidence supporting unfair competition, and VTW is entitled to summary judgment as a matter of law.

CONCLUSION

VTW is entitled to judgment on all counts.

Date: October 2, 2004

VERMONT TIMBER WORKS, INC.  
Defendant,

By: W. E. Whittington  
Its Attorney

W. E. Whittington (Bar No. 6916)  
Whittington Law Associates, PLLC  
35 South Main Street  
Hanover, NH 03755  
(603) 643-2755

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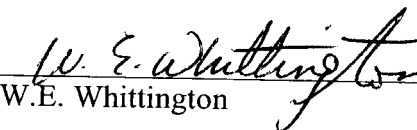
<sup>9</sup> Nor has it filed any Statement Of Material Disputes as required by Rule 7.3 of this Court.

CERTIFICATION (CORRECTED) OF SERVICE

I hereby certify that an executed original of **Defendant's Reply Memo Supporting Its Motion for Summary Judgment** was sent via FedEx on October 2, 2004 to the New Hampshire District Court, and that a Certification (**corrected**) of Service was sent via mail on October 4, 2004 not October 2, 2004, to the New Hampshire District Court, and that one copy has this day, October 4, 2004, not October 2, 2004, been mailed, first-class mail, postage prepaid, to:

Daniel E. Will, Esq.  
Devine, Millimet & Branch, P.A.  
111 Amherst Street  
Manchester, NH 03105

Stephen S. Woods, Esq.  
Traditional Management Company  
68 Lyme Road  
Hanover, NH 03755

  
W.E. Whittington





UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

\* \* \* \* \*

T-PEG, INC. & TIMBERPEG  
EAST, INC

vs. 03-CV-462-M

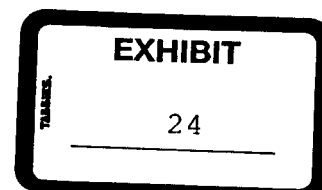
STANLEY J. ISBITSKI and  
VERMONT TIMBER WORKS, INC.

\* \* \* \* \*

DEPOSITION OF DOUGLAS S. FRIANT

Deposition taken by agreement of counsel at  
the Whittington Law Associates, PLLC, 35 South  
Main Street, Hanover, New Hampshire, on Tuesday,  
August 10, 2004, commencing at 9:06 a.m.

Court Reporter:  
Michelle J. Perrier, CSR



1 Q. And what is the -- what is a plate height?

2 A. Would be the height of the walls.

3 Q. And what is the roof pitch?

4 A. Roof pitches are generally described in terms  
5 of numbers on 12. For instance, if you go 12 feet  
6 across and nine feet up, that would be a nine, 12 roof  
7 pitch.

8 Q. What is that term describing as you're  
9 looking at a building?

10 A. The slope of the roof.

11 Q. Does a timber frame generally reflect the  
12 shape of the building that the timber frame is framing?

13 A. Not necessarily.

14 Q. Can you explain that to me?

15 A. For instance, we just did a job in New York,  
16 Hackley School, it was trusses, trusses were interior,  
17 and they framed up a completely different shape on top  
18 of the truss.

19 Q. In the residential context, does the frame  
20 generally reflect the shape of the house?

21 A. Not -- well, it can reflect part of the shape  
22 of a house.

23 Q. Can you be a little bit more specific for me?

1           A.    It doesn't reflect other elements of the  
2 house, it reflects the frame.  If somebody encloses the  
3 frame, they'll come up with the shape of the house.

4           Q.    In preparing -- strike that.  In the process  
5 of designing a frame, you mentioned that you need from  
6 the customer a footprint, a plate height, and a roof  
7 pitch.  Is there anything else, any other information  
8 you need?

9           A.    That I need?

10          Q.    To design a frame?

11          A.    No.

12          Q.    Did you need to know where the windows and  
13 doors will be located?

14          A.    No.

15          Q.    Why not?

16          A.    Because the windows -- if I have a vertical  
17 post -- let's go back to the exhibit.  If I have a post  
18 here and a post here, the owner can put a door anywhere  
19 in this space, anywhere in that space.  A window  
20 anywhere in this space, anywhere in that space.  There  
21 are no constraints on the owner whatsoever as to where  
22 they place their windows and doors.

23          Q.    Presumably they couldn't place a window where

1 you've got a post?

2 A. You probably couldn't place a door where  
3 you've got a post, but I've -- the Welcome Center on 91  
4 is a case in point. Windows go right over the posts.

5 Q. If you knew that a customer -- strike that.  
6 Would it be important to know if a customer had desires  
7 for specific locations of windows and doors? Would  
8 that be important to you as you designed a frame for  
9 their house?

10 A. It would be something the customer would  
11 relay to me, yes. Although, that's not necessarily  
12 true. We do a lot of frames for architects with that  
13 information -- you know, the architect's already  
14 thought about it. Here's your post location. That's  
15 where I want the post. Okay. So it's not really my  
16 thought process. It's the architect's thought process  
17 or the owner's thought process.

18 Q. I understand. And my only question is if the  
19 owner had some specific desires as to the placement of  
20 doors and windows, would that be information that would  
21 be important to you in designing your frame?

22 A. It would be information that would be  
23 interesting to me, but ultimately, it's up to the owner

1 to tell me where they would like a column placed or the  
2 posts placed. But what they do after that, it's their  
3 thing.

4 Q. In your experience, do you generally design  
5 timber frames to fit buildings or do you design -- do  
6 you design frames to which are fit buildings?

7 A. The question's so vague, I don't know how to  
8 answer it.

9 Q. Do you -- let me see if I can clarify it.  
10 You mentioned that you -- that a customer might come to  
11 you with an idea as to what they want, presumably for a  
12 house?

13 A. Yes.

14 Q. Let's take a residential example. What is  
15 the manifestation of that idea generally? Are you  
16 presented generally with sketches or with architectural  
17 plans?

18 A. I'm presented with things as simple as a  
19 sketch on the back of a napkin to things as detailed as  
20 a full set of construction documents and  
21 specifications.

22 Q. And are you able to design a frame from a  
23 sketch on the back of a napkin?

1           A.    I can design a frame from somebody handing me  
2 a piece of paper and asking me to draw a bent.

3           Q.    What's the usual course of your frame design  
4 for customers? Are you usually drawing off the back of  
5 napkins?

6           A.    It absolutely varies with every customer. I  
7 get sketches you wouldn't believe and I design frames.

8           Q.    Without any intermediate drawings?

9           A.    If somebody wants a 24 by 36 cape, I can draw  
10 them a 24 by 36 cape with a 9, 12 pitch, 8, 12 pitch,  
11 6, 12 pitch, whatever. It's a typical thing, I do it  
12 every day.

13          Q.    Is it also typical to utilize architectural  
14 plans in the design process of a frame?

15          A.    It is typical to utilize architectural plans  
16 in the design process of a frame, yes.

17          Q.    Are you saying you can't -- strike that. Do  
18 you more often design from an architectural plan than  
19 from something less than architectural plans, sketches  
20 or drawings on the back of napkins?

21          A.    I have no way to quantify.

22          Q.    If a customer had specific ideas as to a  
23 layout of interior rooms, a floor plan for their house,

1 would that be important information for you in the  
2 process of designing a frame for that house?

3 A. Not necessarily.

4 Q. Why not?

5 A. Because where the walls go on the inside of  
6 the building isn't necessarily important to me in the  
7 design of the frame. If I have a customer that comes  
8 to me that tells me they want something specific, then  
9 I draw something specific. If they say, I want the  
10 columns here, here, here, and here, I draw the columns  
11 here, here, here, and here.

12 Q. So I guess, to make sure I had understand  
13 your answer, if a customer comes to you with those  
14 specifics in mind, then those are important to your  
15 frame design process?

16 A. If a customer comes to me and tells me they  
17 want the columns in this location, that location, and  
18 that location, yes, I need to know that.

19 Q. If a customer comes and tells you that they  
20 want a family room in a particular location in the  
21 house of a particular dimension and a kitchen in  
22 another location of a particular dimension, is that  
23 important information to you when you're designing a

1 frame?

2 A. I have little interest in that anymore.  
3 Typically what I do is I recommend they go hire an  
4 architect if they don't know where they want the family  
5 room and the kitchen. If they do know where they want  
6 a family room and kitchen, hiring an architect is  
7 unnecessary.

8 Q. If they -- all my question is, Mr. Friant, is  
9 if they do know where they want those rooms, is that  
10 information that's important to you to know as you're  
11 designing the frame for their house?

12 A. It doesn't matter to me. I don't care  
13 whether they put the master bedroom over here or master  
14 bedroom over there.

15 Q. Does it make any difference in where you  
16 would draw or design columns to be located or any of  
17 the other components of your timber frame?

18 A. Not if they tell me where they want the  
19 columns.

20 Q. I understand if they tell you where they want  
21 the columns, that's where you'll put the columns.

22 A. Right.

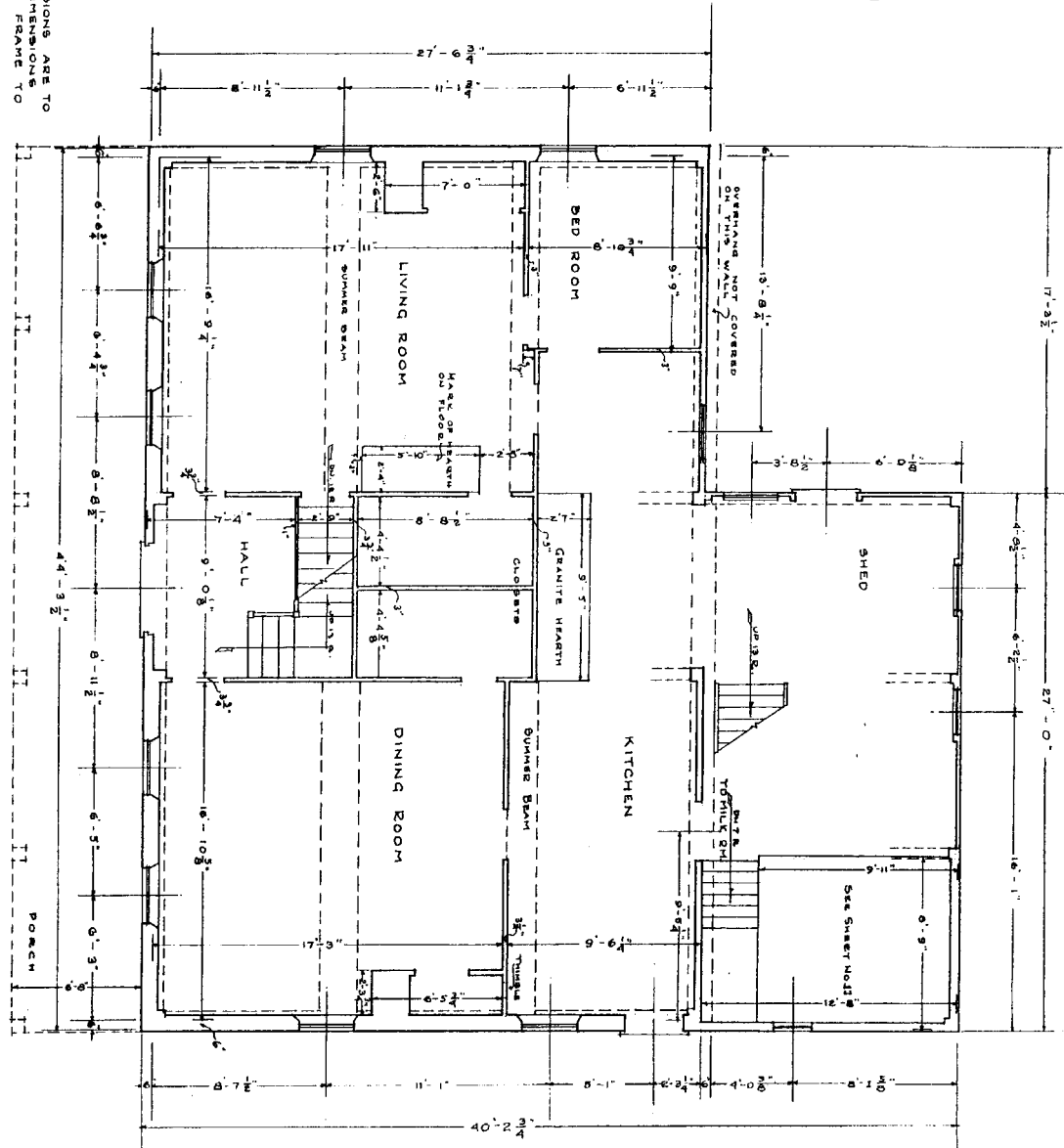
23 Q. I guess what I'm trying to get at is if they



EXHIBIT

25

TRAVELERS

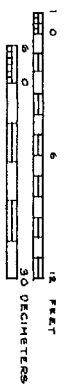


NOTE  
ALL EXTERIOR DIMENSIONS ARE TO  
FRAME. INTERIOR DIMENSIONS ARE  
TO PLASTER.

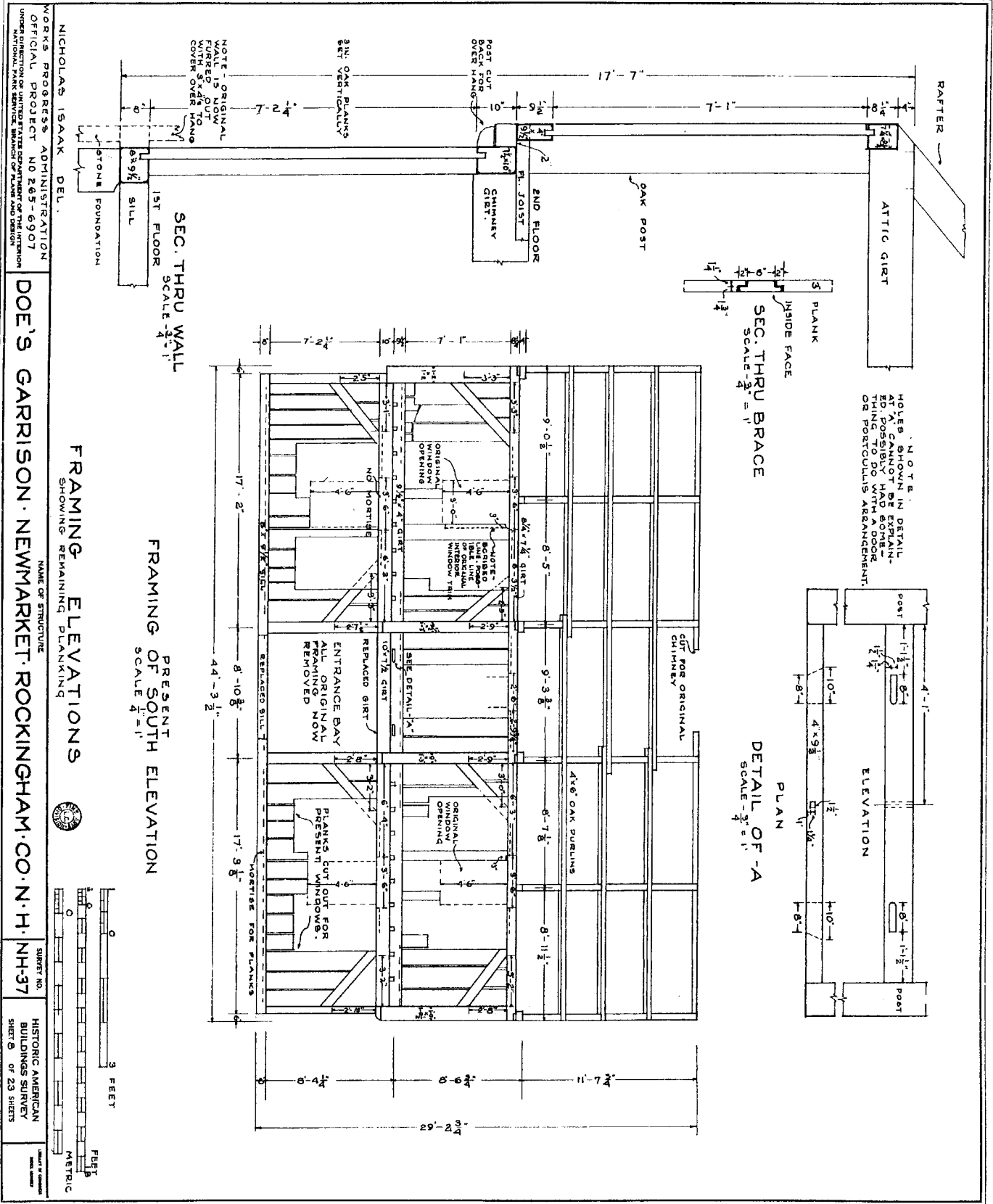
FIRST FLOOR PLAN  
SCALE 1/8" = 1'-0"

NICHOLAS ISAAC, DEPT.  
WORKS PROGRESS ADMINISTRATION  
OFFICIAL PROJECT NO. 265-6907  
U.S. DEPARTMENT OF THE INTERIOR  
OFFICE OF NATIONAL PARKS BUILDINGS AND RESERVATIONS  
BRANCH OF PLANS AND DESIGN

NAME OF STRUCTURE  
**DOE'S GARRISON · NEWMARKET · ROCKINGHAM · CO · N · H**



SHEET NO. NH-37  
HISTORIC AMERICAN BUILDINGS SURVEY  
SHEET 2 OF 23 SHEETS  
INDEX NO.



NICHOLAS ISAAC DEL.  
 WORKS PROGRESS ADMINISTRATION  
 OFFICIAL PROJECT NO 265-6907  
 UNDER DIRECTION OF UNITED STATES DEPARTMENT OF THE INTERIOR  
 NATIONAL PARK SERVICE BRANCH OF PLANS AND DESIGN

DOE'S GARRISON NEWMARKET ROCKINGHAM CO. N.H.  
 NAME OF STRUCTURE  
 SURVEY NO. NH-37

HISTORIC AMERICAN BUILDINGS SURVEY  
 SHEET 9 OF 23 SHEETS

