The plaintiff, Jonathan Doyle, is an amateur film maker and performance artist.

He created an art project which he called Bigfoot on Mt. Monadnock. On September 6,

2009 he purchased a Bigfoot costume and climbed Mt. Monadnock. At the summit of

the mountain, he donned the costume, engaged in a brief performance as Bigfoot, and

then filmed interviews with hikers on top of the mountain about sightings of Bigfoot.

On September 19, 2009 the plaintiff returned to Mt. Monadnock with five

additional people to perform and film a sequel involving the capture of Bigfoot.

Defendant Patrick Hummel, the manager of Monadnock State Park, prohibited plaintiff

from performing and filming unless he applied for a Special Use Permit.

A Special Use Permit is required for use of the state parks when

“holding organized or special events which go beyond routine recreational activities”.

Res 7306.01(a). In order to obtain a Special Use Permit one must apply 30 days in

advance of a planned event, pay a $100 fee, and post a $2,000,000 insurance bond.