

STATE OF NEW HAMPSHIRE

MERRIMACK COUNTY

SUPERIOR COURT

Patricia Baxter,
Wayne Haggie and Kristy Haggie,
Jane Doe, Executrix of the Estate of John Doe, and
Jack Doe,

v.

State of New Hampshire and Catherine Provencher, its Treasurer

**PETITION FOR INJUNCTIVE AND DECLARATORY RELIEF
AND WRIT OF MANDAMUS**

1. This petition and/or Extraordinary Writ is brought on behalf of citizens of New Hampshire who have been denied their sacred right to a prompt civil jury trial as guaranteed by the New Hampshire Constitution. They seek relief for themselves and all others similarly situated who have been denied rights guaranteed by, and promises made in, our State Constitution since 1784. The relief sought is sufficient funding of the judicial branch of State government to enable it to meet its obligations to our fellow citizens. This relief is sought on a temporary and permanent basis. The amount sought is about six million dollars out of a six billion dollar biennial budget.

2. Plaintiff Patricia Baxter resides at 87 Wentworth Road, Sanbornville, New Hampshire 03872. She is the mother of a minor in Merrimack County Case No. 01-C-0567 who is suffering from lead paint poison exposure and is a brain-injured child. That case was filed in 2001. Since a Supreme Court decision in 2007, plaintiffs have been denied a right of trial by jury by the case being continued in the Merrimack County Superior Court due to lack of funding. Recently, a senior judge told counsel for

the plaintiffs that he would try to fit the case into his trial docket but the most recent budget cuts have forced the judicial branch to eliminate paying for senior part-time judges and said case has not been rescheduled. Plaintiff has prepared for trial, including preparing all witnesses and then faced the emotional trauma of having the case continued indefinitely.

3. Plaintiffs Wayne and Kristy Haggie reside at 56 Dubuque Street, Manchester, New Hampshire 03101. Mr. and Mrs. Haggie are the parents of two minor children, and are involved in a custody dispute in the Derry Family Court, Case Numbers 622-2009-GM-031 and 622-2009-GM-032, with Mrs. Haggie's parents. Mrs. Haggie is a profoundly deaf individual. In response to an ex parte motion, on June 26, 2009, temporary custody of the two children was vested with Mrs. Haggie's parents. A further hearing was held just four days later on June 30, 2009, unfortunately, that hearing occurred without the aid of a sign language interpreter. As Mrs. Haggie is deaf, a sign language interpreter is not only required under the laws of this state, but also under the Americans with Disabilities Act. Despite lacking an interpreter, further orders were entered granting continuing custody to the grandparents, despite no findings of abuse. In response (and now with counsel) the Haggies filed a motion to dismiss the petition and requesting the immediate return of their children, principled on the simple idea that the right to parent one's own children is a fundamental right in New Hampshire. Brown v. Jewell, 86 NH 190 (1933). As the parties awaited a final hearing, the Haggies were denied Court ordered visitation by the grandparents. Ultimately, a final hearing relative to guardianship was held on April 21, 2010, ten

_____ after *temporary* guardianship was vested in Mrs. Haggie's parents. In an Order dated April 23, 2010, the Court decided custody would continue with the grandparents, as the children had not bonded with their parents, despite a goal of reunification. However, the Court ordered increasing visitation so the parents and children could finally bond. After that hearing, the ordered visitation was sporadic at best. The Haggies then filed a motion on June 15, 2010, requesting a visitation schedule be made and enforced by the Court. As of that filing and to this date, the parties have heard nothing from the Court, and have been denied visitation with their children, as of this date, for the last five weeks. Parenting is a fundamental right in New Hampshire, but because of the budget crisis in the courts, there has been a backlog and delay in reaching motions such as the one pending before the Court. The Haggies have been denied visitation with their children, who over a period of some 10 months, were permitted to bond with their grandparents, as opposed to with their parents, making it nearly impossible for the Court to now turn the children over to their natural parents, thereby undoing the goal of family reunification so clearly delineated in the Court's Orders and our State Constitution.

4. Plaintiff Jane Doe, Executrix of the Estate of John Doe v. Catholic Medical Center, et al., Hillsborough County Superior Court, Northern District, Docket No. 06-C-717, was a 39 year old married man with two children and working full-time as an insurance property inspector. In February of 2005, he was diagnosed with mitral valve regurgitation. On March 11, 2005, he underwent mitral valve replacement surgery. John Doe was discharged home in stable condition on March 20, 2005. On Tuesday,

March 22, 2005, John Doe's anticoagulation level was subtherapeutic and he was re-admitted for treatment aimed at achieving a therapeutic anticoagulation level. He suffered a cardiac arrest on March 25, 2005, and was found to have suffered extreme hypoxia. Life support was withdrawn on March 28, 2005, and John Doe died. Suit was filed on September 20, 2006. The case has been scheduled for trial in June of 2008, November of 2008, April of 2009, November of 2010 and is currently scheduled for trial in July of 2011. Mr. Doe's estate now will have to wait at least five years prior to having a trial in said case. The New Hampshire Constitution ensures free and prompt legal remedies which can hardly be said of a case where the relatives and heirs of Mr. Doe have had to endure his death for at least five years prior to potentially gaining access to the court. Given the current court funding situation, there is no guarantee that Mr. Doe's case will even be reached in July of 2011.

5. Plaintiff Jack Doe, Merrimack County Superior Court, Docket No. 09-C-0491, slipped and fell due to unsanded and unsalted icy conditions at a condominium complex. The defendant had a contract with the condominium complex to salt and sand during winter storms but the condominium complex had problems with the defendant performing these services. The plaintiff sustained a fracture of the distal radius of his right wrist. The plaintiff had surgery on his right wrist which involved installing a plate and three screws to fix the fracture. The plaintiff suffered unbearable pain during the weeks following the surgery and, given his age, has suffered permanent injuries to his right wrist. The plaintiff continues to have problems grasping objects between his fingers and thumb and continues to experience stabbing pain in his wrist

when the weather conditions are humid. The plaintiff has dealt with the pain as best he can and was told by the doctor that it will be permanent. Due to being unable to obtain a trial by jury, and, after being told by the court that the plaintiff would have to wait another year before the plaintiff would have his day in court, the plaintiff settled his case in the amount of \$18,500.00 which is comparable to his medical bills. He could not wait any longer due to lack of court funding. Therefore, the plaintiff sacrificed what should have been a reasonable settlement and took an unreasonably low settlement because he could not have his day in court. Thus for him justice delayed was justice denied.

6. The defendant State of New Hampshire has a principal place of business located at the State House, 107 North Main Street, Concord, New Hampshire 03301. Its Secretary, and agent for service of process, is William Gardner, Secretary of State.

7. Defendant Catherine Provencher is Treasurer of defendant State and has a principal place of business at 25 Capitol Street (Room 121), State House Annex, Concord, New Hampshire 03301.

8. Defendant State of New Hampshire is a body politic pursuant to Part II, Article 1 of the New Hampshire Constitution. That same Constitution creates a branch of government known as the judiciary to decide disputes and dispense justice. By underfunding that branch of government the defendants deny citizens access to courts and clerk's offices in a timely and customary manner, as set forth in more detail below.

I. DUTY - THE PROMISES OF 1784

9. Unlike the federal constitution, which contains a Bill of Rights added as an afterthought, our State constitution begins with a Bill of Rights to protect all citizens' natural rights of life, liberty and property. N.H. Const., Part I, Article 2. By placing the Bill of Rights first, the State's founders underscored the important nature of these rights.

10. An independent judiciary was created in Part II to effectuate those and other rights. See N.H. Const. Part II, Articles 72-a - 81.

11. Among the rights guaranteed to us all is the right to have civil disputes exceeding \$1,500 decided by juries made up of our fellow citizens, not just by lawyer-trained judges. Part I, Article 20 states the parties' "right to a trial by jury" ... "shall be sacred..." It is the duty of the judiciary, and the rest of State government, to secure it.

12. The value of a "sacred" right to trial by jury, if it is delayed or denied, becomes an empty promise by our founders because justice delayed is justice denied. Thus, they also crafted, and the voters adopted, another section of our Bill of Rights in the form of Part I, Article 14:

[Art.] 14. [Legal Remedies to be Free, Complete and prompt.] Every subject of this state is entitled to a certain remedy, by having recourse to the laws, for all injuries he may receive in his person, property, or character; to obtain right and justice freely, without being obliged to purchase it; completely, and without any denial, promptly, and without delay; conformably to the laws.

13. Particularly relevant to this case is the subsection providing that civil remedies shall be "without any denial; promptly, and without delay."

14. Petitioners assert that the lack of funding for judicial positions and staff in the constitutional office of clerks of court (Part II, Article 82), has denied and/or delayed plaintiffs, and others similarly situated, from seeking and obtaining redress in our courts in a timely manner and will continue to do so until remedied.

15. Part I, Article 14 has its roots in the Magna Carta, or Great Charter of the People of England from the year 1215. State v. Basinow, 117 N.H. 176, 177 (1977).

16. Further, the “right to recover for one’s injuries is an ‘important substantive right’ under the New Hampshire Constitution.” Carson v. Maurer, 120 N.H. 925, 931-32 (1980).

17. The New Hampshire Supreme Court said over thirty years ago that this provision means “to make civil remedies readily available” and to guard against improper “infringement of access to the courts.” Estate of Cargill v. City of Rochester, 119 N.H. 661, 665 (1979).

18. Both corporations and individuals seeking to enforce contracts and plaintiffs seeking losses for denial of liberty or property enjoy this protection. For that class of non-criminal cases known as torts, or civil wrongs, the high court has said that their “actions” or cases “in tort be accorded solicitous protection.” Gould v. Concord Hospital, 126 N.H. 405, 409 (1985).

19. Cancelling civil jury trials due to inadequate funding does not constitute “solicitous protection” of a “sacred” right to trial by jury under Part I, Article 20.

20. Because there is no “satisfactory substitute,” the excessive delay or cancellation of civil trials by citizen juries contravenes the plain language of the constitution. Petition of Abbott, 139 N.H. 412, 416 (1995).

21. Part I, Article 21 also describes the right to a jury trial as “the inestimable privilege of the trial by jury.”

22. The denial of civil jury trials for almost a year on top of normal scheduling is unconstitutional.

23. The denial of the right to civil jury trials has been among the hallmarks of tyranny from our earliest days. The right to trial by jury was often denied by the royal government of New Hampshire. Thus our three signers of the Declaration of Independence (Matthew Thornton, Josiah Bartlett and William Whipple) agreed with its main author Thomas Jefferson, that one of the reasons for independence was that the government was “depriving us, in many cases, of the benefits of trial by jury.”

24. Interestingly, our three signers all served on the predecessor to the New Hampshire Supreme Court then known in the late 1700’s as the Supreme Court of Judicature.

25. A system-wide delay in the usual and customary time for scheduling trials in civil or family law cases can “rise to a constitutional violation.” Opinion of the Justices, 137 N.H. 260, 269 (1993).

26. By canceling all civil schedules in Concord District Court (Tab N) and all small claims cases in Manchester District Court (Tab O) a class of cases has been wiped

from the trial list. Part I, Article 14 also provides an equal protection clause for similarly situated litigants:

We have observed that Part I, Article 14 of our State Constitution “is basically an equal protection clause in that it implies that all litigants similarly situated may appeal to the courts both for relief and for defense under like conditions and with like protection and without discrimination.” State v. Basinow, 117 N.H. 176, 177 (1977) (quotations omitted).

27. Thus, civil litigants are able to have civil or small claims cases scheduled in some courts but not in others. This is not constitutionally permitted if all our citizens are to have equal access to all of our courts “without delay” and “promptly.”

28. Once a right is determined to be guaranteed in the State Constitution who has standing to enforce it? Rights are “not based on the exclusive needs of a particular individual, but rather is a right held by the public to enforce the State’s duty.” Claremont School Dist. v. Governor, 138 N.H. 183, 192 (1993). “Any citizen has standing to enforce this right.” Id.

II. BREACH OF DUTY - THE BUDGET CUTS

29. The work of the courts in deciding disputes came to 230,169 case filings in 2008. See Tab A attached hereto and incorporated herein by reference.

30. Many court cases have time frames set by the legislature. Thus work on such cases means others must be delayed if judge time is lacking due to vacancies. For instance, in 2009, there were 5,300 cases of domestic violence with hearings required between five or thirty days of filing, depending on the request. Stalking cases were 1,470 in number, with the same time requirements. Landlord/tenant cases (9,600) must

be heard ten days from service of process. Involuntary emergency admissions to the N.H. Hospital were filed 1,700 times last year. They must be heard within three days of hospitalization. See Tab B attached hereto and incorporated herein by reference.

31. Families are also heavily affected by the need to have an umpire, (called a judge,) help decide their dispute: 7,200 juvenile cases, 10,000 new divorce or family petitions and 7,000 closed cases reopened for parenting or lack of child support issues were heard last year alone. See Tab B attached hereto and incorporated herein by reference.

32. In the civil arena, where disputes range from collecting money owed and various commercial and business disputes to compensating for injuries, the caseloads have risen. District court small claims filings (up to \$5,000 in amount) rose from 16,478 (2006) to 17,880 in 2008. See Tab C attached hereto and incorporated herein by reference. Civil filings in District Court rose from 5,973 in 2006 to 8,002 in 2008. See Tab D attached hereto and incorporated herein by reference. Superior Court civil filings rose from 4,175 (2005) to 4,523 (2008), see Tab E attached hereto and incorporated herein by reference. Equity cases, where injunctions issued for everything from stopping environmental hazards to zoning and planning issues, the filings came to 3,543 in 2008. See Tab F. attached hereto and incorporated herein by reference.

33. The reduction in judge hours and jury days has impacted the cases set forth in ¶30 and ¶31 the most because criminal cases take precedence under the Constitution.

34. Cuts in judicial branch budgets heavily impact staffing. At a level of funding of \$69,646,166 for FY 2008, security staff costs, clerk's office salaries and benefits and judicial salaries and benefits came to 77% of the budget. Certain fixed costs for facilities remain whether they are open to the public four or five days a week. See Tab G attached hereto and incorporated herein by reference.

35. The overall impact of this constitutionally required function of our government came to just 1.1% of the \$6 billion plus annual state budget. See Tab H attached hereto and incorporated herein by reference. Only a minority of the rest of the \$6,000,000,000 in spending is required by our Constitution, worthwhile though it may be. The result is that the judicial branch of government sustained almost a 10% cut for its 1% of the state budget while the other two branches had less than a 3% cut in 2010 for their 99% of State government.

36. Prior to March of 2010, the judicial branch cut "district court and family division sessions by almost 12 percent." Almost ten percent of the non-judicial positions were left vacant. Both of the reductions "carry consequences for the essential services" provided by the courts. See letter to Governor Lynch from Chief Justice Broderick dated March 8, 2010, at Tab I attached hereto and incorporated herein by reference.

37. Juries were cut and furlough days were instituted to help reduce the biennial budget for the third branch by \$3,100,000. Id. Only judicial branch employees had to be furloughed, which means those employees suffer salary reductions.

38. The Chief Justice, as administrative head of the courts (N.H. Const. Part II, Article 73-a), said that the “delays in the system, which are already unacceptable, will increase.” Id. pg. 2, emphasis added.

39. Further cuts, the Chief Justice said, would mean the District and Family Courts “would operate at only 70 percent of the time they need to get their job done.” Id. page 3.

40. By April 7, 2010, there were still more cuts proposed, but the Chief Justice said that further cuts could impair the founders’ promise in the State Constitution of “meaningful and timely access to justice.” Tab J at page 3, attached hereto and incorporated herein by reference.

41. By reducing jury trials by half to save \$400,000 the Chief Justice said: “All civil jury trials would stop at this level of reduction.” Id. at page 2.

42. Holding ten current judicial vacancies open and cutting out all senior status and per diem judges in the District and Family Division would save \$1.48 million. However, it would result in 30% fewer court sessions “than the National Center for State Courts says we need to handle our caseload.” Id. at page 2.

43. The multi-million dollar changes to the FY 2010 budget (July 1, 2009 to June 30, 2010) have led to closed courthouses on days all other government agencies were open:

April 2, 2010

April 30, 2010

May 28, 2010

Tab K attached hereto and incorporated herein by reference.

44. Further closings for FY 2011 were July 2, August 6 and September 3 of 2010 so far this year. See Tab L attached hereto and incorporated herein by reference. The furloughs announced by the court constitute pay reductions not equally shared by officials and employees in the other two branches of state government.

45. Because of the \$1,000,000 cut made in June 2010 and an increase of \$1,200,000 for court security costs due to legislation, the FY 2010-11 cuts came to \$5,300,000, thus necessitating this petition. See Tab M attached hereto and incorporated herein by reference.

46. The results have been devastating to civil and family dockets as well as judicial availability. For example, Concord District Court, which is a three-judge court is now essentially down to one judge. Due to the reduction in personnel a form Cancellation Letter went out to civil litigants in that court level all across the State. See Tab N attached hereto and incorporated herein by reference.

47. Small claims cases were all cancelled in the Manchester District Court, hurting small business. See Tab O attached hereto and incorporated herein by reference.

48. Jury trials have been cut by one-third (see Tab P attached hereto and incorporated herein by reference), making civil jury trials “rare over the next twelve months.” Letter of Chief Justice Broderick to the citizens of New Hampshire, July 2010. Tab Q attached hereto and incorporated herein by reference.

49. On July 22, 2010, Merrimack County Superior Court closed to the public daily from 2 p.m. to 4 p.m. closing time because:

As of June 30, nearly 500 case files in Merrimack County Superior included pieces of mail that had yet to be docketed in the court record, with some documents dating back to March, according to Merrimack County Superior Court clerk William McGraw. Another 150 trial and hearing notices had not been sent out; more than 30 files needed to be closed and more than 350 files contained court orders that had not been issued. Some orders were six weeks old, McGraw said, but had not yet been mailed to the parties involved in the cases.

See Tab R attached hereto and incorporated herein by reference.

50. More furloughs were announced on August 6, 2010, for October, November and December. See Tab S attached hereto and incorporated herein by reference.

51. A Ponzi scheme leading to the liquidation of Noble Trust Company which is pending in Superior Court was stayed indefinitely due to the budget cuts because the senior judge on the case had his funding removed. See Tab T attached hereto and incorporated herein by reference.

52. A maintenance budget for the judicial branch would have required \$80,719,931 for FY 2010 and \$81,235,369 for FY 2011 according to the Administrative Services Budget Office. See Tab U attached hereto and incorporated herein by reference. Funding is now millions below these levels.

53. The impact has affected the petitioners herein in many different adverse ways as set forth in paragraphs 2 to 5 above.

III. THE POWER TO ACT

54. The judiciary has neither the power of the executive's sword nor the power of the legislature's purse in the normal course. Yet it cannot idly sit by as citizens' rights evaporate, because, again, our Bill of Rights recognizes the judicial branch as one of "the three essential powers" of State government. N.H. Const. Part I, Article 37. If the sacred right of trial by jury, and prompt resolution of civil (including family cases) is to be effectuated then the judiciary must act lest the Bill of Rights become as meaningless as those in the old Constitution of the Soviet Union.

55. As unpleasant as it may be, this case presents the greatest challenge to the strength and core of the third branch of government as we are ever likely to see in our lifetime.

56. In a similar court funding crunch forty years ago a mandamus proceeding was brought on behalf of all judges of the Philadelphia Court of Common Pleas. The order to pay the courts \$2,458,000 was upheld by the Pennsylvania Supreme Court in the case of Commonwealth of Pennsylvania ex rel. Carroll v. James Tate, Mayor of Philadelphia, 274 A.2d 193 (Pa. 1971).

57. The Pennsylvania Supreme Court said:

The Judiciary must possess the inherent power to determine and compel payment of those sums of money which are reasonable and necessary to carry out its mandated responsibilities, and its powers and duties to administer Justice, if it is to be in reality a co-equal, independent Branch of our Government. This principle has long been recognized, not only in this Commonwealth but also throughout our Nation. See, e.g., Leahey v. Farrell, 362 Pa. 52, 66 A.2d 577 *supra*; Commonwealth ex re. Helburn v. Mann, 5 Watts & S. 403, *supra*; Commissioners v. Hall, 7 Watts 290; Commonwealth v. Brownmiller, 141 Pa.Super. 107, 112, 14 A.2d907; In re

supra;
Carlson v. State ex re. Stodola, 247 Ind. 631, 220 N.E.2d 532; Noble County Council v. State ex. rel. Fifer, 234 Ind. 172, 125 N.E2d 709; Knox County Council v. State ex. rel. Kirk, 217 Ind. 493, 29 N.E2d 405; Judges for Third Judicial Cir. v. County of Wayne, 383 Mich. 10, 172 N.W.2d 436; Smith v. Miller, 153 Colo. 35, 384 Pa2d 738; In re Appointment of Clerk of Court of Appeals, 297 S.W.2d 764 (Ky.); State ex re. Schneider v. Cunningham, 39 Mont. 165, 101 P. 962; State ex rel. Kitzmeyer v. Davis, 26 Nev. 373, 68 P. 689; 20 Am. Jur.2d, Courts, ss 78, 79; 21 C.I.S. Courts s.14; Kaplan, There Must Be No Inference with the Courts, VI, Munic.Ct.Rev. 15.

The very genius of our tripartite Government is based upon the proper exercise of their respective powers together with harmonious cooperation between the three independent Branches. Leahey v. Farrell, 362 Pa. page 57, 66 A.2d 577, supra. However, if this cooperation breaks down, the Judiciary must exercise its inherent power to preserve the efficient and expeditious administration of Justice and protect it from being impaired or destroyed. Leahey v. Farrell, 362 Pa. pages 58-58, 59-60, supra; Commonwealth v. Brownmiller, 141 PaSuper. 107, supra; In re Surcharge of County Commissioners, 12 Pa.Dist. & Co. R., page 475, supra.

Id. at 197.

As for relief the Pennsylvania court said:

Should the legislature...act arbitrarily or capriciously and fail or neglect to provide a sufficient number of court employees or for the payment of adequate salaries to them, whereby the efficient administration of justice is impaired or destroyed, the Court possesses inherent power to supply the deficiency. Should such officials neglect or refuse to comply with the reasonable requirements of the court, they may be required to do so by mandamus.

Id. at 198.

The reason is that an undermining of the courts affects our whole system of deciding disputes nonviolently:

If a court is unable to provide an efficient administration of Justice because of insufficient funds to have adequate personnel, or reasonable salaries for personnel, or for other necessary Court administration services, or for construction and maintenance of essential Court facilities,

then our whole system of Justice and its administration will undoubtedly be greatly impaired, if not destroyed.

Id. at 199.

In the early 1800's Chief Justice John Marshall said in McCulloch v. Maryland, 17 U.S. 316, 431 (1819):

'*** the power to tax involves the power to destroy; ****' A Legislature has the power of life and death over all the Courts and over the entire Judicial system. Unless the Legislature can be compelled by the Courts to provide the money which is reasonably necessary for the proper functioning and administration of the Courts, our entire Judicial system could be extirpated, and the Legislature could make a mockery of our form of Government with its three co-equal branches-the Executive, the Legislative and the Judicial.

IV. PRAYER

WHEREFORE, the undersigned pray that the Court will restore the right to prompt decisions in civil cases by:

A. Granting a temporary order to the State Treasurer to pay over to the judicial branch funds sufficient to restore the \$4,000,000 in cuts for the current biennium so as to eliminate the cutbacks to civil jury trials, clerk's hours and staff necessitated by the reduction in that branch's budget; and

B. Grant a writ of mandamus and/or permanent injunction requiring funding adequate to end the impairment of all civil litigants' rights to constitutionally "prompt" adjudication of their disputes and cases; and

C. Award attorneys' fees and costs to the petitioners; and

D. Order such relief as is just under the circumstances.

CERTIFICATION

I hereby certify the above facts are true to the best of my knowledge and belief.

Charles G. Douglas, III

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

This instrument was acknowledged before me on the ____ day of September 2010 by Charles G. Douglas, III.

(Seal, if any)

Justice of the Peace/Notary Public
My commission expires: _____

Respectfully submitted by the
undersigned on behalf of the
Petitioners:

COUNSEL OF RECORD:

Dated: September ____, 2010

By: _____
Charles G. Douglas, III, Bar No. 669
Douglas, Leonard & Garvey, P.C.
6 Loudon Road, Suite 502
Concord, NH 03301-5321
(603) 224-1988

Dated: September ____, 2010

By:

Finis E. Williams, III, Esq., Bar No. 2750
15 North Main Street, Suite 206
Concord, NH 03301
(603) 226-1919

Dated: September ____, 2010

By:

Lawrence A. Vogelmann, Esq., Bar No. 10280
Nixon, Raiche, Vogelmann, Barry &
Slawsky, P.A.
77 Central Street
Manchester, NH 03101
(603) 669-7070

Supporting Counsel:

Stephen E. Borofsky, Esq.
Borofsky, Amodeo-Vickery & Bandazian, P.A.
708 Pine Street
Manchester, NH 03104
(603) 625-6441

Andrew D. Dunn, Esq.
Devine, Millimet & Branch, P.A.
111 Amherst Street
Manchester, NH 03101
(603) 669-1000

Russell F. Hilliard, Esq.
Upton & Hatfield, LLP
159 Middle Street
Portsmouth, NH 03801
(603) 436-7046

Christopher J. Seufert, Esq.
Seufert Law Office, P.A.
59 Central Street
Franklin, NH 03235

(603) 934-9837

Christine M. Smith, Esq.
Manning & Smith, PLLC
500 North Commercial Street, Suite 401
Manchester, NH 03101
(603) 624-7200

Kirk C. Simoneau, Esq.
Nixon, Raiche, Vogelmann,
Barry & Slawsky, P.A.
77 Central Street
Manchester, NH 03101
(603) 669-7070