

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

Samantha Dowd Elliott
Formerly Samantha Dowd Stanley

2. **Position**: State the position for which you have been nominated.

United States District Judge for the District of New Hampshire

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Gallagher, Callahan & Gartrell, P.C.
214 North Main Street
Concord, New Hampshire 03301

4. **Birthplace**: State year and place of birth.

1975; Orange, New Jersey

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

2002 – 2006, Columbia Law School; J.D., 2006

1993 – 1997, Colgate University; B.A., 1997

1995, University College Galway; semester abroad, no degree received

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2006 – present
Gallagher, Callahan & Gartrell, P.C.

214 North Main Street
Concord, New Hampshire 03301
Shareholder (2013 – present)
President (2015 – 2020)
Vice President (2014 – 2015; 2020 – present)
Hiring Shareholder (2014 – 2019)
Associate (2006 – 2013)

Summer 2004
Morrison & Foerster, LLP
1290 Avenue of the Americas
New York, New York 10104
Summer Associate

Summer 2003
Luboja & Thau, LLP
10 East 40th Street
New York, New York 10016
Summer Associate

1999 – 2002
The Princeton Review
Berkeley Office (2000 – 2002)
2176 Shattuck Avenue
Berkeley, California 94704
and
Manhattan Office (1999 – 2000)
594 Broadway
New York, New York 10012
Assistant Director of Staff Development (2001 – 2002)
Master Trainer (2000 – 2002)
Instructor (1999 – 2002)

1999 – 2000
ICON Thoughtstyle Magazine (now defunct)
440 Park Avenue South
New York, New York 10016
Editorial Researcher

1997 – 1999
TV Guide
1211 Avenue of the Americas
New York, New York 10036
Editorial Researcher

Other affiliations (uncompensated)

2021 – present
603 Legal Aid (previously the Legal Advice and Referral Center and the Pro Bono Referral System)
15 Green Street
Concord, New Hampshire 03301
Co-Chair, Board of Trustees (2021 – present)
Chair of Executive Director Hiring Committee (2021)

2011 – 2021
Joint Board of New Hampshire Legal Assistance and the Legal Advice and Referral Center
New Hampshire Legal Assistance
117 North State Street
Concord, New Hampshire 03301
and
Legal Advice and Referral Center
15 Green Street
Concord, New Hampshire 03301
Statewide Planning Committee (2018 – 2021)
Vice Chair of Legal Advice and Referral Center (2020 – 2021)
Vice President of Legal Advice and Referral Center (2018 – 2020)
Executive Director Hiring Committee for New Hampshire Legal Assistance (2018)
Co-Chair of Legal Advice and Referral Center and New Hampshire Legal Assistance Joint Board (2017 – 2018)
Executive Director Hiring Committee for New Hampshire Legal Assistance (2016)
President of Legal Advice and Referral Center and New Hampshire Legal Assistance Joint Board (2014 – 2017)
Board Member of Legal Advice and Referral Center and New Hampshire Legal Assistance Joint Board (2011 – 2020)

2008 – 2014
Woodside School
114 South Fruit Street
Concord, New Hampshire 03301
Board Member

Fall 2003
Columbia Law School
1140 Amsterdam Avenue
New York, New York 10027
Federal Civil Procedure Teaching Fellow for Professor Samuel Issacharoff

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including

dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I did not serve in the military. I was not required to register for the selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

New England Super Lawyers (2020 – 2021)

The Best Lawyers in America (2015 – 2021)

New Hampshire Women’s Bar Association SHERO Award (2019)

New England Super Lawyers Rising Stars (2012 – 2016)

Colgate University Graduation with University Honors *Cum Laude* (1997)

Colgate University Dean’s Award (year unknown)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Federal Court Advisory Committee

Member (2015 – present)

Special Sub-Committee to Address Potential Changes to Summary Judgment Rule (2021)

Ex Officio (2014 – 2015)

Merrimack County Bar Association Executive Committee (2007 – 2013)

New Hampshire Bar Association (2006 – present)

Executive Director Hiring Committee (2018)

Chair Federal Practice Section (2014 – 2015)

Vice-Chair Federal Practice Section (2013 – 2014)

Co-Clerk Federal Practice Section (2012 – 2013)

New Hampshire Court Accreditation Commission (2014 – present)

New Hampshire Legal Assistance and Legal Advice and Referral Center Joint Board (2011-2021)

Statewide Planning Committee (2018 – 2021)

Vice Chair of Legal Advice and Referral Center (2020 – 2021)

Vice President of Legal Advice and Referral Center (2018 – 2020)
Executive Director Hiring Committee for New Hampshire Legal Assistance
(2018)
Co-Chair of Legal Advice and Referral Center and New Hampshire Legal
Assistance Joint Board (2017 – 2018)
Executive Director Hiring Committee for New Hampshire Legal Assistance
(2016)
President of Legal Advice and Referral Center and New Hampshire Legal
Assistance Joint Board (2014 – 2017)
Board Member of Legal Advice and Referral Center and New Hampshire Legal
Assistance Joint Board (2011 – 2020)

New Hampshire Women's Bar Association (2018 – present)

United States District Court for the District of New Hampshire Federal Practice Institute,
Presenter (2014, 2016, 2018)

United States District Court for the District of New Hampshire Mediation Seminar,
Planning Committee Member (2015)

603 Legal Aid (previously the Legal Advice and Referral Center and the Pro Bono
Referral System) (2021 – present)

Co-Chair, Board of Trustees (2021 – present)

Chair of Executive Director Hiring Committee (2021)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

New Hampshire, 2006

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States Court of Appeals for the First Circuit, 2011

United States District Court for the District of New Hampshire, 2006

There have been no lapses in membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Daniel Webster Batchelder American Inns of Court (approximately 2013 – present)

Defense Research Institute (approximately 2009 – present)

Tri-State Defense Lawyers Association (approximately 2013 – 2018)

Woodside School (2008 – 2014)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin, either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

With Jim Kerouac, *Letter: Thank you, Sen. Portman*, Concord Monitor, Mar. 14, 2015. Copy supplied.

Letter: A big year for learning, Concord Monitor, Feb. 8, 2015. Copy supplied.

With Erik G. Moskowitz, *Don't Panic: Dichiara is Not a Game-Changer for Municipal Immunity*, Tri-State Defense Lawyers Association Newsletter, Spring 2014. Copy supplied.

With R. Matthew Cairns, *New Hampshire, Defense Research Institute State-by-State Compendium of Duty to Warn Product Liability Claims* (2012). Copy supplied.

With Charles P. Bauer, *Supreme Court Recognizes Statutory Immunity for NH Police Officers*, Gallagher, Callahan & Gartrell, P.C. (Sept. 2011). Copy supplied.

With Charles P. Bauer, *NH Supreme Court Recognizes Pooled Risk Liability Management Programs Are Not Insurance*, Gallagher, Callahan & Gartrell, P.C. (Sept. 2011). Copy supplied.

With R. Matthew Cairns, *State of New Hampshire, Defense Research Institute State-by-State Compendium on Transportation Law* (2011). Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have done my best to identify any reports, memoranda, or policy statements, including a thorough review of my personal files and searches of publicly-available databases. It is possible that there may be other materials that I have been unable to identify, find, or remember.

July 29, 2021, email transmitting the recommendation of the Special Subcommittee to Address Potential Changes to Summary Judgment Rule. Copy supplied.

Included below are annual reports issued by the Campaign for Legal Services, which was responsible for New Hampshire Legal Assistance's and the Legal Advice and Referral Center's direct fundraising efforts during my tenure. I did not draft or edit these annual reports before they were issued, but include them because they list me as a member of the overlapping Board of Directors.

New Hampshire Campaign for Legal Services, 2018 Annual Report. Copy supplied.

New Hampshire Campaign for Legal Services, 2017 Annual Report. Copy supplied.

New Hampshire Campaign for Legal Services, 2016 Annual Report. Copy supplied.

New Hampshire Campaign for Legal Services, 2015 Annual Report. Copy supplied.

New Hampshire Campaign for Legal Services, 2014 Annual Report. Copy

supplied.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

On March 11, 2020, I spoke in support of the nomination of John Curran to the New Hampshire Circuit Court at a hearing before the New Hampshire Executive Council. Recording available at <https://sos.nh.gov/administration/miscellaneous/hearings-held-by-the-governor-and-executive-council>.

Correspondence in support of Gordon MacDonald's nomination to be Chief Justice of the New Hampshire Supreme Court (June 18, 2019). Copy supplied.

Correspondence on behalf of a client to New Hampshire Senator Regina Birdsell regarding amendments to SB 421 (Mar. 14, 2016). Copy supplied.

Correspondence on behalf of a client to New Hampshire Senator Sharon Carson regarding amendments to SB 421 (Mar. 1, 2016). Copy supplied.

Correspondence on behalf of a client to New Hampshire Senator Sharon Carson regarding unconstitutional overbreadth of SB 465 (Jan. 22, 2016). Copy supplied.

Correspondence on behalf of a client to New Hampshire Senator Sharon Carson regarding proposed changes to municipal negligence and recreational immunity (Oct. 28, 2015). Copy supplied.

Correspondence on behalf of a client to New Hampshire Senator Sharon Carson regarding agreed-upon proposed changes to RSA 507-B (Oct. 28, 2015). Copy supplied.

Correspondence on behalf of a client to New Hampshire Senator Sharon Carson regarding proposed changes to RSA 507-B (Oct. 19, 2015). Copy supplied.

On March 13, 2017, I spoke in support of funding for legal aid at a hearing before the New Hampshire House Finance Committee. I have no notes, transcript, or recording.

On May 5, 2015, I spoke in support of funding for legal aid at a hearing before the New Hampshire Senate Finance Committee. I have no notes, transcript, or recording.

I believe that I may have spoken in support of funding for legal aid at other meetings of New Hampshire House and Senate committees, but I have not kept

records regarding any additional testimony.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have not maintained a comprehensive record of my presentations and speeches. It is possible that I have omitted presentations for which I did not retain records and have no memory.

December 2, 2020: Presenter, Developments in RSA 91-A Jurisprudence, Daniel Webster Batchelder American Inns of Court, Manchester, New Hampshire. Written materials supplied.

October 1, 2020: Presenter, Taking and Defending Zoom Depositions, Daniel Webster Scholar Pretrial Advocacy Class, University of New Hampshire Franklin Pierce School of Law, Concord, New Hampshire. Written materials supplied.

August 19, 2020: Presenter, Issues Arising from Corporate and Partnership Fractures, Non-Competition Agreement and Other Contractual Limitations on Departing Employee Owners, New Hampshire Bar Association, via Zoom. Written materials, notes, and video supplied.

May 9, 2019: Presenter, Issues in Advanced Personal Injury Litigation, Municipal Immunities, New Hampshire Bar Association, Concord, New Hampshire. Written materials, presentation, and video supplied.

February 6, 2019: Presenter, Common Exceptions to Confidentiality Provisions in Separation Agreements, Daniel Webster Batchelder American Inns of Court, Concord, New Hampshire. Exemplar supplied.

October 25, 2018: Presenter, Civil Jury Trial Issues and Pretrial Issues, Federal Practice Institute, United States District Court for the District of New Hampshire, Concord, New Hampshire. Written materials supplied.

May 11, 2018: Panelist, Female Leadership in Private Practice Management, New Hampshire Women's Bar Association, Manchester, New Hampshire. The panel discussed strategies for female attorneys in private practice to pursue opportunities for leadership in firm management and to effectuate changes in firm policies. I have no notes, transcript, or recording. The address for the New

Hampshire Women's Bar Association is Post Office Box 915, Manchester, New Hampshire 03105.

October 7, 2016: Presenter, New Rule Amendments, Federal Practice Institute, United States District Court for the District of New Hampshire, Concord, New Hampshire. I used the same presentation that is provided for the December 11, 2015 event.

April 6, 2016: Presenter: The Public's Perspective of the Legal Profession, Daniel Webster Batchelder American Inns of Court, Manchester, New Hampshire. Written materials supplied.

December 11, 2015: Presenter, Important Changes to the Federal Rules of Civil Procedure, Federal Practice Section of the New Hampshire Bar Association, Concord, New Hampshire. Presentation supplied.

October 28, 2015: Presenter, Your Free Speech Case Under the First Amendment: the Legal and Practical Considerations Everyone Should Understand, New Hampshire Supreme Court Society, Concord, New Hampshire. Presentation and written materials supplied.

April 1, 2015: Presenter/Facilitator, Here Come the Judges—Practical Problems in Superior Court, Daniel Webster Batchelder American Inns of Court, Manchester, New Hampshire. Written materials supplied.

November 7, 2014: Presenter, Issues for the Newer Practitioner, Federal Practice Institute, United States District Court for the District of New Hampshire, Concord, New Hampshire. Written materials supplied.

April 10, 2014: Presenter, Objecting to Motion's for Attorney's Fees, Federal Practice Section of the New Hampshire Bar Association, Concord, New Hampshire. Written materials supplied.

April 2, 2014: Presenter, Litigation Holds, Daniel Webster Batchelder American Inns of Court, Manchester, New Hampshire. Notes supplied.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Tim Murphy, *Joe Biden's Biggest Selling Point is Coming Back to Bite Him*, Mother Jones, Feb. 9, 2020. Copy supplied.

Press Release, Gallagher, Callahan & Gartrell, P.C., Lauri J. Main Receives Paralegal of the Year Award, Oct. 15, 2018. Copy supplied.

Michael Mortensen, *Clay, school districts settle libel suit*, Laconia Daily Sun, Aug. 11, 2018. Copy supplied.

Ray Duckler, *Pembroke Academy appeals NHIAA ruling that its players broke the rules*, Concord Monitor, Jan. 16, 2014. Copy supplied.

Lynne Tuohy, *Judge says girl can remain on high school boys ice hockey team*, Associated Press, Jan. 14, 2013. Copy supplied.

Molly A.K. Connors, *Judge: Bishop Brady girl can play on boys' hockey team this season*, Concord Monitor, Dec. 23, 2012. Copy supplied.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have not held any judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? _____
- i. Of these cases, approximately what percent were:
- | | |
|---------------|---------------------|
| jury trials: | _____% |
| bench trials: | _____% [total 100%] |
- ii. Of these cases, approximately what percent were:
- | | |
|-----------------------|---------------------|
| civil proceedings: | _____% |
| criminal proceedings: | _____% [total 100%] |
- b. Provide citations for all opinions you have written, including concurrences and dissents.
- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

- e. Provide a list of all cases in which certiorari was requested or granted.
- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held any judicial office.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed

you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I am a member of the New Hampshire Court Accreditation Commission. I was first appointed by the New Hampshire Supreme Court in accordance with N.H. RSA 490:5-a and 5-b on May 5, 2014, for a term beginning June 9, 2014, and subsequently renewed on June 8, 2017, and June 4, 2020, for additional three-year terms.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I hosted a fundraiser in my home on April 19, 2016, for Colin Van Ostern, who was then a candidate for New Hampshire Governor. I have also been listed as a co-host on the invitations for the following fundraisers:

Dan Feltes for New Hampshire Governor, November 12, 2019
Governor Maggie Hassan for United States Senate, March 23, 2016
Dan Feltes for New Hampshire Senate, November 13, 2015
Dan Feltes for New Hampshire Senate, July 10, 2014

16. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:

- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not served as a law clerk to a judge.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each;

2006 – present
Gallagher, Callahan & Gartrell, P.C.
214 North Main Street
Concord, New Hampshire 03301

Shareholder (2013 – present)
President (2015 – 2020)
Vice President (2014 – 2015; 2020 – present)
Hiring Shareholder (2014 – 2019)
Associate (2006 – 2013)

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

Since 2016, I have served as a mediator on a volunteer basis in the New Hampshire Commission for Human Rights. All of the cases that I have mediated through this program are confidential and have been employment cases alleging discrimination or retaliation under state or federal law against private or municipal employers. I have also mediated a few pre-suit commercial business disputes. I am unable to provide more specific information about the matters I have mediated because doing so would implicate privacy concerns for the parties involved.

I have never served as an arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

In 2006, I joined Gallagher, Callahan & Gartrell, P.C. as an associate. Because it was a mid-sized, regional law firm with fewer than ten associates, I assisted attorneys in the litigation department, which was my focus, but also in banking, corporate, land use, commercial real estate, energy, trusts and estates, and tax. My primary responsibilities were legal research and writing, drafting pleadings and correspondence, reviewing documents, and managing discovery. I also engaged in pro bono work, primarily representing tenants in eviction proceedings.

Though I continued to have responsibilities throughout the firm's practice areas, I quickly gained more specific experience as a litigator. Within the first two years, I began drafting and arguing motions, taking and defending depositions, working directly with expert witnesses, and briefing appeals to the New Hampshire Supreme Court.

In 2010, I was second chair in a four-day state jury trial, representing the plaintiff in an employment contract dispute. Later that same year, I was first chair in a state bench trial in a contractual dispute concerning the right to develop a lakefront lot. Over the next few years, I continued to assist senior attorneys in some cases and serve as lead counsel in others.

In 2013, I became a shareholder of the firm. By this time, my litigation practice was quite varied. I was primarily litigating commercial, employment, personal injury, property, and civil rights disputes in state and federal trial and appellate courts. I also litigated some probate and professional liability disputes and represented clients in administrative proceedings. That variety continues to the present.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

I represent a wide variety of individuals, small and large businesses, municipalities and their employees, and non-profit organizations.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

Other than the assistance I provided to senior attorneys as a new associate, 95 percent of my practice has been in litigation. I appear in state and federal court frequently.

- i. Indicate the percentage of your practice in:

- 1. federal courts: 45%
- 2. state courts of record: 45%
- 3. other courts: 0%
- 4. administrative agencies: 10%

- ii. Indicate the percentage of your practice in:

- 1. civil proceedings: 98%
- 2. criminal proceedings: 2%

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried one case to jury verdict in federal court where I served as associate counsel. I have tried one case to jury verdict in state court where I served as associate counsel. I have tried two cases to judgment in state court where I served as chief counsel. I have tried one case to final decision before an administrative body where I served as sole counsel.

In addition, I have tried jury and bench cases that settled mid-trial, and have been the sole, chief, or associate counsel for numerous cases decided on dispositive motions after hearings, and many that have resolved after evidentiary hearings on

requests for temporary restraining orders or preliminary injunctions.

- i. What percentage of these trials were:
 1. jury: 40%
 2. non-jury: 60%
- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court of the United States.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *Graham v. Epsom*, Case No. 2008-0344, 2008 WL 11258762 (N.H. Dec. 22, 2008)

I served as associate counsel on behalf of Mr. Graham in litigation against his former employer, the Town of Epsom, alleging that the Town breached his employment contract by disregarding the disciplinary process to which he was entitled by virtue of the language included in the employee handbook and terminated him in contravention of a statute vesting exclusive authority to do so in the fire chief. I conducted and defended depositions, conducted paper discovery, worked with our economic expert, and researched and drafted pleadings, including an opposition to the Town's motion for summary judgment. When the Town's motion was granted, I briefed an appeal of that decision to the New Hampshire Supreme Court. The Supreme Court agreed that the lower court had erred because the handbook's language created an ambiguity and remanded the case for trial before a jury. I served as second chair during the four-day jury trial, drafted all of the pretrial pleadings, and prepared the witness examinations for use by lead counsel. The jury returned a verdict for our client and awarded him lost wages. The Town filed a second appeal to the New Hampshire Supreme Court and we filed a cross-appeal. Before the appeals were briefed, the parties settled.

Presiding Judge:
New Hampshire Superior Court, Merrimack County
Hon. Peter H. Bornstein

New Hampshire Supreme Court

Dates of Representation: 2006 – 2011

Co-counsel

Michael R. Callahan
1766 Winthrop Terrace
The Villages, FL 32162
(603) 496-6750

Opposing Counsel

Catherine M. Costanzo
Costanzo Law
P.O. Box 2098
Henniker, NH 03242
(603) 340-1873

2. *Foley v. Huppe*, Case No. 10-cv-335-JL, 2012 WL 5467527 (D.N.H. Nov. 9, 2012)

The plaintiffs had knowingly written a bad check to cover the balance due on a camper that they had agreed to purchase. After the seller repeatedly tried to secure payment, she sought assistance from the police to reclaim the camper. The plaintiffs eventually filed a lawsuit against the seller, the town, and four police officers. Before I joined the case, my colleague successfully moved for summary judgment on behalf of the town and two of the police officers. I joined the case as associate counsel on behalf of the two remaining police officers just prior to trial. I worked to admit impeachment evidence regarding the bad check and related perjured deposition testimony. I also drafted jury instructions. I acted as second chair during the trial and cross-examined the co-defendant camper owner. Immediately before I was set to cross-examine one of the plaintiffs, the case settled on the third day of trial as to liability and damages. The parties reserved the issue of attorneys' fees for the court to decide. I briefed the issue for the court, ultimately reducing the award of fees and costs to approximately 50 percent of the amount sought by the plaintiffs.

Presiding Judge:
United States District Court for the District of New Hampshire
Hon. Joseph N. Laplante

Dates of Representation: 2012

Co-counsel

R. Matthew Cairns
Textron, Inc.
40 Westminster Street
Providence, RI 02903
(401) 457-3669

(Westlaw incorrectly identifies counsel for a codefendant as counsel for Sergeant Huppe. I represented him with co-counsel R. Matthew Cairns.)

Opposing Counsel

Kimberly Zizza
Kimberly Zizza Law
28 Salem Street
Haverhill, MA 01835
(978) 372-4800

Jacqueline C. Fitzgerald Boyd
Fitzgerald-Boyd Law, PLLC
15 Garden Road, Suite 2
Plaistow, NH 03865
(603) 612-0333

3. *Dichiara v. Sanborn Reg'l Sch. Dist.*, 165 N.H. 694 (N.H. 2013)

Mr. Dichiara filed a lawsuit alleging claims for negligence against the school district and his basketball coach after he broke his arm when he fell while participating in a varsity high school basketball drill that he alleged was outdated and dangerous. I served as associate counsel on behalf of the defendants. I drafted a motion for summary judgment arguing that the school district and the coach were immune from Mr. Dichiara's claims under New Hampshire statutory and common law immunities. The Court granted the motion on the basis of statutory immunity. Mr. Dichiara appealed to the New Hampshire Supreme Court. I briefed the issues and argued the case on appeal. The court affirmed summary judgment. Its order provided clarity with respect to the scope of the statutory immunity from negligence that is available to governmental entities in New Hampshire.

Presiding Judge:
New Hampshire Superior Court, Rockingham County
Hon. Marguerite L. Wageling

New Hampshire Supreme Court

Dates of Representation: 2011 – 2013

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4. *Jenks v. Textron, Inc.*, 841 F. Supp. 2d 533 (D.N.H. 2012)

Mr. Jenks suffered a traumatic brain injury when he fell off the back of a golf car at the New Hampshire Speedway while he was riding in the area of the golf car designed to carry golf bags. Mrs. Jenks filed claims on his behalf and on her own behalf against the driver of the golf car, the Speedway, and the manufacturer of the golf car, Textron. The case ultimately involved multiple cross-claims and third-party claims against additional parties. I served as associate counsel on behalf of Textron as part of a team consisting of at least five other people. I was primarily responsible for researching and writing portions of motions and objections. By the time the case approached trial, the only claim remaining against Textron was a strict product liability claim for failure to warn. I contributed to multiple pretrial pleadings and argued motions in limine seeking to exclude certain testimony and unfairly prejudicial evidence. I helped develop the trial strategy and worked with a jury consultant. I worked on witness examination outlines and with a dedicated appellate attorney to develop and preserve potential issues for appeal. Our work to narrow the issues allowed the parties to settle on the second day of trial.

Presiding Judge:
United States District Court for the District of New Hampshire
Hon. Joseph A. DiClerico, Jr.

Dates of Representation: 2010 – 2012

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5. *Kalinski v. Aranosian Oil Co., Inc., et al.*, Case No. 216-2015-CV-00854 (N.H. Super. Ct. Hillsborough County Northern District); *Snow v. Aranosian Oil Co., Inc.*,

et al. Case No. 216-2015-CV-00204 (N.H. Super. Ct. Hillsborough County Northern District)

I took over these cases in 2017, defending Tank Tech in companion suits over an accident that occurred while its employees were re-lining an underground storage tank at a gas station. While I litigated along with Tank Tech's insurance defense counsel, my main role was to protect and repeatedly assert Tank Tech's rights to defense and indemnification against its primary and excess insurer. During my time on the case, I also assisted with deposition preparation for some of the Tank Tech employees, acted as second chair to insurance defense counsel in some fact witness and expert witness depositions, responded to extensive discovery requests, drafted or contributed to pleadings regarding summary judgment, consolidation, bifurcation, and excluding expert testimony, and appeared in court to be heard on pending motions. Ultimately, all of the parties settled at a multi-party mediation that included Tank Tech's primary insurer and its excess insurer who, together, provided full coverage for Tank Tech's obligations under the settlement agreement. I contributed to the drafting and editing of the necessary releases and documents for court approval.

Presiding Judge:
New Hampshire Superior Court, Hillsborough County, Northern District
Hon. Kenneth C. Brown

Dates of Representation: 2017 – 2018

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6. *Fredyma v. Hurley*, Case No. 17-cv-0311-SM, 2019 WL 1171415 (D.N.H. March 13, 2019)

Ms. Fredyma was taken into protective custody for intoxication for approximately four hours, beginning at 2:00 a.m., after she and her husband had a disagreement with a hotel clerk who was unable to help them find a last-minute room. Ms. Fredyma filed suit against the police officer who placed her into protective custody, Officer Hurley, alleging claims under the First and Fourth Amendments to the Constitution and pendant state-law claims for assault and battery, false imprisonment, and intentional infliction of emotional distress. I served as lead counsel representing Officer Hurley and supervised associate counsel on the case. I supervised and contributed to a successful motion to dismiss Ms. Fredyma's First Amendment claim on the basis that the allegedly protected speech upon which she grounded her First Amendment claim was her husband's rather than her own. I then supervised paper discovery and took and defended all depositions. With assistance from associate counsel, I authored a motion for summary judgment on the remaining claims. Our argument was so persuasive on the pendant state-law claims that Ms. Fredyma did not object to judgment in our favor on those claims. The court granted summary judgment on the sole remaining claim, unlawful seizure under the Fourth Amendment, because the uncontroverted facts admitted by Ms. Fredyma in her

deposition established that Officer Hurley had probable cause to place her in protective custody.

Presiding Judge:
United States District Court for the District of New Hampshire
Hon. Steven J. McAuliffe

Dates of Representation: 2017 – 2019

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7. *Hayes v. Connolly*, 172 N.H. 102 (N.H. 2019)

I was the lead attorney in this dispute between family trusts over the ownership of lakefront property. My client was a trust held by Ms. Connolly, whose parents had purchased the property in 1953 and gifted it to her and her sister in 1960. She had shared the property with her sister and her sister's family since that time, splitting summers. In 2015, after her sister and her brother-in-law had passed away, her sister's grandson, Mr. Hayes, decided that he wished to own the entire property rather than share it with Ms. Connolly and her family. He filed suit against his great aunt for partition, asking the court to order his great aunt's trust to sell its ownership interest to him against her wishes.

First, I moved to dismiss the case because Mr. Hayes had no ownership interest in the property and, thus, no right to seek partition. His father then stepped in as the petitioner in his role as trustee of the Hayes Trust, the trust sharing ownership with the Connolly Trust. Then, I answered the petition and filed a counterclaim asking the court to award the property to the Connolly Trust if joint ownership did not continue. I took and defended all depositions, drafted and oversaw all paper discovery, and successfully objected to the Hayes Trust's motion for summary judgment. I drafted briefing and presented oral argument in support of a motion in limine to exclude certain testimony by Mr. Hayes, which was granted in part. The case proceeded to a bench trial, which I tried with co-counsel. I examined the primary witnesses for the Hayes Trust and the Connolly

Trust. After trial, I drafted the bench memo on behalf of our client. The Court ruled in favor of our client and ordered the Hayes Trust to transfer ownership to the Connolly Trust for an amount to be determined through an appraisal process.

The Hayes Trust appealed the court's order to the New Hampshire Supreme Court. I wrote the brief and argued the appeal on behalf of the Connolly Trust. The Supreme Court affirmed the lower court's decision and the Connolly Trust purchased the Hayes Trust's ownership interest pursuant to the terms ordered by the Court.

Presiding Judge:
New Hampshire Superior Court, Merrimack County
Hon. John C. Kissinger

New Hampshire Supreme Court

Dates of Representation: 2015 – 2020

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8. *High Liner Foods (USA), Inc. v. Groves*, Case No. 218-2019-CV-1780 (N.H. Super. Ct. Merrimack County)

I represented Mr. Groves in this lawsuit filed by his former employer, High Liner. High Liner had terminated Mr. Groves unexpectedly and without cause. Mr. Groves subsequently found a job working for a competitor. High Liner filed suit seeking to prevent Mr. Groves from working in his new position on the basis of contractual non-competition, non-solicitation, and non-disclosure agreements. I served as lead counsel on behalf of Mr. Groves. The case was initially filed in the Rockingham County Superior Court, but was transferred to the Business and Commercial Dispute Docket. The court held a hearing on High Liner's motion for a preliminary injunction and considered the extensive briefing, evidence, and testimony submitted by the parties. The court ultimately

awarded High Liner an injunction and the parties negotiated a settlement leading to a joint motion to enter a permanent order and dismiss the case.

Presiding Judge:
New Hampshire Superior Court, Merrimack County
Hon. Richard B. McNamara

Dates of Representation: 2019 – 2020

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9. *Saint Anselm College Corp. et al. v. Board of Trustees of Saint Anselm College*, Case No. 216-2019-CV-01068 (N.H. Super. Ct. Hillsborough County Northern District)

Abbot Cooper filed a declaratory judgment action as the chair of the members of Saint Anselm College asking the court to determine whether the members of the college, who are monks, possessed sole authority to amend the bylaws of the college as reserved to them in the bylaws themselves, or whether the board of trustees had such authority pursuant to statute, as the board claimed. The board of trustees filed ten counterclaims seeking declaratory judgment on a number of governance issues that would grant significant control to the board rather than the monks. The board also sought a temporary injunction permitting board members to avoid the application of the term limits dictated by the bylaws. The attorney who originally represented Abbot Cooper and filed the suit was subsequently disqualified due to his firm's prior representation of the college. I replaced him as lead counsel for Abbot Cooper.

The case presented complicated issues of statutory interpretation and corporate governance. I drafted the answer to the counterclaims and an objection to the motion for a preliminary injunction to avoid the application of the term limits. After full briefing, the court denied the preliminary injunction with respect to the term limits and denied the board's subsequent motion for interlocutory appeal, to which I had also objected. After the court upheld the term limits, we were able to work with the attorneys for the board

over the course of many weeks to come to an agreement, ending the litigation and revising the bylaws to preserve an appropriate role for the monks in the governance structure of the college in a manner that should not be subject to future attacks.

Presiding Judge:

New Hampshire Superior Court, Hillsborough County, Northern District
Hon. N. William Delker

Dates of Representation: 2020

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10. *Adams v. MMLJ, Inc.*, Case No. 19-cv-00117-PB (D.N.H.) and *Great Bay Facility Maintenance Service, Inc. v. MMLJ, Inc.*, Case No. 219-2019-CV-00375 (N.H. Super. Ct. Strafford County)

I am the lead attorney, supervising other attorneys, in these two companion cases stemming from injuries allegedly sustained by Mr. Adams due to his use of a dustless blasting machine manufactured by my client, MMLJ. Mr. Adams and his wife filed suit in the United States District Court for the District of New Hampshire alleging claims for

product liability, negligence, breach of warranty, violation of the New Hampshire Consumer Protection Act, and loss of consortium. Great Bay Facility Maintenance Service, Inc., a company owned by Mr. Adams's father-in-law, but managed in large part by Mr. Adams and his wife, filed a separate suit in New Hampshire state court alleging claims for breach of contract, breach of warranty, and violation of the New Hampshire Consumer Protection Act stemming from the same incident.

I have taken and defended all depositions in both cases, worked with the six experts upon whom MMLJ intends to rely at trial in the two matters, and overseen paper discovery. I have briefed summary judgment in the federal case. I have also briefed a *Daubert* motion seeking to exclude one of the plaintiffs' liability experts as well as a motion seeking spoliation sanctions. The case was scheduled for a July 2021 trial, but was removed from the trial calendar in late May 2021 so that the Court could rule on my client's pending motion for summary judgment. The *Daubert* and spoliation motions were dismissed without prejudice to my client's right to refile them after the court rules on summary judgment. Meanwhile, the state-court case is stayed by agreement and in the interest of judicial economy pending resolution of some of the overlapping issues by the federal court.

Presiding Judges:

United States District Court for the District of New Hampshire
Hon. Paul J. Barbadoro

New Hampshire Superior Court, Strafford County
Hon. David W. Ruoff

Dates of Representation: 2019 – present

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18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

Most of the significant legal activities I have pursued have been either litigation or "litigation adjacent," while many other significant matters that I have handled have never proceeded to litigation. I have worked with clients to identify liability and negotiate settlements in cases in nearly every area of the law. I consider my efforts to assist clients to look at an issue through a realistic lens at an early stage and avoid costly and harmful litigation an important aspect of my practice. This attitude and experience has also been useful to me as a mediator of employment and commercial disputes.

For instance, a number of my cases have involved employment disputes. Consequently, clients frequently seek litigation-avoidance advice from me. I have performed workplace trainings and employment misconduct investigations, and have provided advice to employees who have suffered discrimination or harassment. I have represented clients through business split-ups, negotiating agreements regarding assets, customer lists, and ongoing non-competition obligations. I have represented professionals before licensing boards, property owners before the Bureau of Tax and Land Appeals, parties at the New Hampshire Commission for Human Rights, and employees before the New Hampshire Retirement System.

I have also represented the New Hampshire Interscholastic Athletic Association (“NHIAA”) since 2006, first as associate counsel and, since 2014, as lead counsel. The NHIAA governs high school athletics in New Hampshire. While my work for the NHIAA has included litigation, most of it concerns rule-making and representation to address the legal implications and required process for the many requests it receives each year for exceptions from the rules governing athletes.

Within my office, the most significant legal activity I have pursued outside of litigation has been firm management and associate training. In 2014, I joined the three-person firm-management committee. In 2015, I became the president of the firm. From 2015 to 2020, I provided leadership to shareholders and staff, set strategic goals and objectives, monitored and supervised performance and finances, led recruiting and retention efforts, ensured effective risk-management practices, and made all compensation and benefits decisions for the firm. Though I no longer serve as president, I remain a member of the management committee.

Outside of my office, I have served on the New Hampshire Court Accreditation Commission, which is responsible for maintaining accessible and functional state courts, and the Federal Court Advisory Committee, which acts as a sounding board for the Federal Court and a liaison between it and attorneys.

I have performed lobbying activities in 2015 and 2016 on behalf of Primex, a New Hampshire pooled risk management program for governmental entities, and in 2016 on behalf of the Motion Picture Association of America (MPAA). For Primex, I communicated with legislators regarding proposed changes to a statute governing municipal immunities, and worked with representatives from the municipal plaintiff’s bar to amend the existing statute for clarity and to raise the statutory cap on damages. For the MPAA, I communicated with legislators regarding the potential constitutional overbreadth of a bill intended to prevent “revenge pornography.” I have continued to register as a lobbyist for both Primex and MPAA since 2016 at their request in case additional services are required, but I have not communicated with legislators on behalf of either since 2016.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have not taught any courses.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

Pursuant to my shareholder agreement with Gallagher, Callahan & Gartrell, P.C., I would be entitled to deferred compensation. The amount is currently unknown, but it will be a set amount upon my resignation calculated based on my historic W-2 income and the imputed value of any age-based contributions made to my account. The amount would be expected to be paid in equal amounts over the course of ten years.

I would also be entitled to a right of distribution proportionate to my ownership interest in the building used by Gallagher, Callahan & Gartrell, P.C. and owned by gcgLaw Realty, LLC. That amount would also be fixed upon my resignation and paid over ten years.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

None.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached Financial Disclosure Report.

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

I do not anticipate significant conflicts involving specific family members, categories of litigation, or financial arrangements if I were to serve as a judge. However, as an attorney in private practice, I have and am currently serving in pending matters and have and do practice with other lawyers. I also have close friends who represent individuals in the District Court. Those and other grounds could present potential actual or perceived conflicts of interest. I would need to recuse myself from cases involving or affecting the law firm of Gallagher, Callahan & Gartrell, P.C. while I continue to receive deferred compensation or

property-interest distributions. I would also recuse myself from cases involving any party I personally represented.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

I would resolve potential conflicts of interest by applying 28 U.S.C. § 455, § 144, and the Code of Conduct for United States Judges, as well as Published Advisory Opinions issued by the Committee on Codes of Conduct, any relevant judicial decisions, and in consultation with other judges. I would disclose the conflict or potential conflict to the parties before me and request feedback if appropriate.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

From 2011 to 2020, I served in a variety of capacities on the joint board of New Hampshire Legal Assistance ("NHLA") and the Legal Advice and Referral Center ("LARC"). I held multiple roles on its executive committee, including as president of LARC and co-chair of the joint board. From 2018 to 2021, I served on a small committee that included the Executive Directors of NHLA, LARC, the New Hampshire Bar Association, and the Pro Bono Referral System. We met bi-weekly to examine the intake and delivery system for civil legal aid in New Hampshire and to develop a new statewide structure. In 2021, we successfully merged LARC and Pro Bono to create a new entity, named 603 Legal Aid, to increase access to justice for New Hampshire's residents who are experiencing poverty. In addition to my continued service on the planning committee, I chaired the committee responsible for finding and hiring 603 Legal Aid's new executive director, helped secure the external approvals necessary from the New Hampshire Supreme Court and the New Hampshire Attorney General's office, and currently serve as one of the co-chairs of its founding board.

Over the course of my legal career, I have also provided direct representation to clients on a pro bono basis. I have done so through the New Hampshire Pro Bono Referral System and directly. I have also participated in Lawline, the New Hampshire Bar Association's free telephone legal advice service.

Finally, I have served since 2016 as a mediator on a volunteer basis in the New Hampshire Commission for Human Rights, mediating federal and state discrimination claims in the employment context.

26. **Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and

the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

After Judge Barbadoro took senior status on March 1, 2021, I emailed a letter and my resume to Senators Shaheen and Hassan on March 17, 2021, expressing my interest in applying for the vacancy. On April 20, 2021, Senator Shaheen's staff contacted me to set up an interview with both senators' staff members, which took place on April 30, 2021. On May 11, 2021, I submitted to members of Senator Shaheen's staff via email my responses to a questionnaire. On June 15, 2021, I interviewed with Senators Shaheen and Hassan, and members of their staffs. On June 17, 2021, I submitted additional information to both senators. On June 29, 2021, Senator Shaheen informed me that my name would be submitted to the White House for consideration for nomination to the District Court of New Hampshire. On July 7, 2021, the White House Counsel's Office contacted me to schedule a meeting, which occurred the next day. Since July 12, 2021, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On September 30, 2021, my nomination was submitted to the Senate.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.