

LEGISLATIVE COMMITTEE MINUTES

SB96

Bill as Introduced

SB 96 - AS INTRODUCED

2013 SESSION

13-0889
09/03

SENATE BILL **96**

AN ACT relative to vexatious litigants.

SPONSORS: Sen. Carson, Dist 14; Sen. Cataldo, Dist 6; Rep. Rowe, Hills 22

COMMITTEE: Judiciary

ANALYSIS

This bill establishes certain requirements for persons who are determined by the court to be vexatious litigants.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to vexatious litigants.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Frivolous Lawsuits; Vexatious Litigants. Amend RSA 507 by inserting after
2 section 15 the following new section:

3 507:15-a Vexatious Litigants.

4 I. In this section, "vexatious litigant" means an individual who has been found by a judge to
5 have filed 3 or more frivolous lawsuits which have had a final disposition and which the judge finds,
6 by clear and convincing evidence, were initiated for the primary purpose of harassment.

7 II. The court may require a vexatious litigant to:

8 (a) Retain an attorney or other person of good character to represent him or her in all
9 actions; or

10 (b) Post a cash or surety bond sufficient to cover all attorney fees and anticipated
11 damages.

12 2 Effective Date. This act shall take effect upon its passage.

SB 96 - AS AMENDED BY THE SENATE

03/07/13 0508s

2013 SESSION

13-0889
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5 have filed 3 or more frivolous lawsuits which the judge finds, by clear and convincing evidence, were
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SB 96 -- AS AMENDED BY THE HOUSE

03/07/13 0508s
29May2013... 1582h

2013 SESSION

13-0889
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COMMITTEE: Judiciary

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29May2013... 1582h

13-0889
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In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to vexatious litigants.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Sections; Frivolous Lawsuits; Vexatious Litigants; Powers of Court. Amend RSA 507 by
2 inserting after section 15 the following new sections:

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4 I. In this section, "vexatious litigant" means an individual who has been found by a judge to
5 have filed 3 or more frivolous lawsuits which the judge finds, by clear and convincing evidence, were
6 initiated for the primary purpose of harassment.

7 II. The court may require a vexatious litigant to:

8 (a) Retain an attorney or other person of good character to represent him or her in all
9 actions; or

10 (b) Post a cash or surety bond sufficient to cover all attorney fees and anticipated
11 damages.

12 507:15-b Powers of Court. RSA 507:15 and RSA 507:15-a shall not be construed to diminish the
13 inherent power of any court to grant appropriate relief not specified in those sections.

14 2 Effective Date. This act shall take effect upon its passage.

CHAPTER 181
SB 96 - FINAL VERSION

03/07/13 0508s
29May2013... 1582h

2013 SESSION

13-0889
09/03

SENATE BILL **96**

AN ACT relative to vexatious litigants.

SPONSORS: Sen. Carson, Dist 14; Sen. Cataldo, Dist 6; Rep. Rowe, Hills 22

COMMITTEE: Judiciary

ANALYSIS

This bill establishes certain requirements for persons who are determined by the court to be vexatious litigants.

Explanation: Matter added to current law appears in *bold italics*.
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CHAPTER 181
SB 96 – FINAL VERSION

03/07/13 0508s
29May2013... 1582h

13-0889
09/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to vexatious litigants.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 181:1 New Sections; Frivolous Lawsuits; Vexatious Litigants; Powers of Court. Amend RSA 507
2 by inserting after section 15 the following new sections:

3 507:15-a Vexatious Litigants.

4 I. In this section, "vexatious litigant" means an individual who has been found by a judge to
5 have filed 3 or more frivolous lawsuits which the judge finds, by clear and convincing evidence, were
6 initiated for the primary purpose of harassment.

7 II. The court may require a vexatious litigant to:

8 (a) Retain an attorney or other person of good character to represent him or her in all
9 actions; or

10 (b) Post a cash or surety bond sufficient to cover all attorney fees and anticipated
11 damages.

12 507:15-b Powers of Court. RSA 507:15 and RSA 507:15-a shall not be construed to diminish the
13 inherent power of any court to grant appropriate relief not specified in those sections.

14 181:2 Effective Date. This act shall take effect upon its passage.

15 Approved: July 2, 2013

16 Effective Date: July 2, 2013

Amendments

Sen. Carson, Dist. 14
February 15, 2013
2013-0391s
06/09

Amendment to SB 96

1 Amend RSA 507:15-a, I as inserted by section 1 of the bill by replacing it with the following:

2

3 I. In this section, "vexatious litigant" means an individual who has been found by a judge to
4 have filed 3 or more frivolous lawsuits of the same subject matter over a period of up to 5 years,
5 which have had a final disposition and which the judge finds, by clear and convincing evidence, were
6 initiated for the primary purpose of harassment.



Senate Judiciary
February 21, 2013
2013-0508s
06/01

Amendment to SB 96

1 Amend RSA 507:15-a, I as inserted by section 1 of the bill by replacing it with the following:

2

3 I. In this section, "vexatious litigant" means an individual who has been found by a judge to
4 have filed 3 or more frivolous lawsuits which the judge finds, by clear and convincing evidence, were
5 initiated for the primary purpose of harassment.

Rep. Berch, Ches. 1
Rep. Woodbury, Hills. 5
May 7, 2013
2013-1582h
09/04

Amendment to SB 96

Amend the bill by replacing section 1 with the following:

1 New Sections; Frivolous Lawsuits; Vexatious Litigants; Powers of Court. Amend RSA 507 by inserting after section 15 the following new sections:

507:15-a Vexatious Litigants.

I. In this section, "vexatious litigant" means an individual who has been found by a judge to have filed 3 or more frivolous lawsuits which the judge finds, by clear and convincing evidence, were initiated for the primary purpose of harassment.

II. The court may require a vexatious litigant to:

- (a) Retain an attorney or other person of good character to represent him or her in all actions; or
- (b) Post a cash or surety bond sufficient to cover all attorney fees and anticipated damages.

507:15-b Powers of Court. RSA 507:15 and RSA 507:15-a shall not be construed to diminish the inherent power of any court to grant appropriate relief not specified in those sections.

Committee Minutes

SENATE CALENDAR NOTICE
JUDICIARY

Senator Sharon Carson Chairman
Senator Bette Lasky V Chairman
Senator David Boutin
Senator Sam Cataldo
Senator Donna Soucy

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: January 30, 2013

HEARINGS

Tuesday

2/12/2013

JUDICIARY

SH 100

9:00 AM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

9:00 AM	SB81	authorizing phlebotomists and emergency medical technicians to withdraw blood for alcohol concentration tests.
9:15 AM	SB96	relative to vexatious litigants.
9:30 AM	SB105	relative to disclosure of expert testimony in civil cases.
9:45 AM	SB106	relative to confidentiality in adult guardianship cases.
10:00 AM	SB107	relative to probate administration.
10:15 AM	SB108	relative to the liability of landowners who permit use of their land for recreational activities.

Sponsors:

SB81

Sen. Jim Rausch

Sen. David Boutin

Rep. Charles McMahon

Rep. Mary Griffin

SB96

Sen. Sharon Carson

Sen. Sam Cataldo

Rep. Robert Rowe

SB105

Sen. Donna Soucy

Sen. Sharon Carson

Sen. Bette Lasky

Sen. David Boutin

Rep. Janet Wall

SB106

Sen. Bette Lasky

Sen. Sharon Carson

Sen. Donna Soucy

Rep. Paul Hackel

SB107

Sen. Bette Lasky

Sen. Sharon Carson

Sen. Donna Soucy

Rep. Sylvia Gale

Rep. Paul Hackel

SB108

Sen. Andy Sanborn

Rep. Gene Chandler

Sen. Jeff Woodburn

Sen. Jeb Bradley

SENATE JUDICIARY COMMITTEE

Susan Duncan, Senior Legislative Aide

SB 96 – relative to vexatious litigants.

Hearing Date: February 12, 2013

Time Opened: 9:20 a.m.

Time Closed: 9:46 p.m.

Members of the Committee Present: Senators Carson, Lasky, Boutin,
Soucy and Cataldo

Members of the Committee Absent: No one

Bill Analysis: This bill establishes certain requirements for persons who are determined by the court to be vexatious litigants.

Sponsors: Senator Carson; Senator Cataldo; Representative Rowe

Who supports the bill: Senator Carson; Senator Cataldo; Gail Brown; Attorney John Fagan

Who opposes the bill: Representative Timothy Horrigan

Summary of testimony presented in support:

Senator Carson

Explained that this legislation was passed last year in both the Senate and House (**SB 273 – *An Act relative to vexatious litigants***) but died when the House put a non-germane amendment on it and it died. So, we are here again.

Gail Brown

Testified that the bill was filed at her request and told of a man who has kept them in various courts for the past 13 years. She provided a copy of the Bill Docket for SB 273 from 2012 and two newspaper articles regarding litigants. She also provided copies of the various court dockets from the cases. She explained that she and her husband were in business for themselves and that they had been hired by the town to clean out some ditches – thus the lawsuits for “taking his soil” and allegedly damaging his maple trees which are still growing along the property. She explained that each entry on the various dockets shows an action taken by the court. At one time, there were almost 40 defendants: after the Merrimack County Sheriff served him, they then became defendants in the case, etc. She said that while they did receive a substantial award, they have not been able to collect

because he sold everything in state. She explained that out of the eleven suits he brought against them, he never won one – and he would just bring another one.

She also provided two newspaper articles on similar examples.

She noted that it is very expensive for people to defend against these cases. The town, police departments, etc. are covered under municipal liability, but individuals are not. She said that this legislation is very important to them.

Senator Soucy asked, if enhanced, should it be to deal with subject matter or timeframe. **Ms. Brown** responded “subject.”

Senator Cataldo, in reviewing the case dockets, noted that a number of times he did not even show up in court. **Ms. Brown** responded “that is correct.”

Senator Boutin asked about line 10 in the bill and whether the Judge could award the party the costs for legal representation – and asked if there is any limit. **Attorney Lehmann** responded that it has to be reasonable.

Attorney Fagan

Explained that he has represented the Browns over the years but that he has also represented others who have been victimized by these pro se litigants. He explained that these litigants cause a great deal of harm to the courts with the volumes of paperwork and many years of frustration. He said that the purpose of the legislation is to provide a framework and explained that right now, the courts allow “lay person representatives” who must be people of good character (RSA 311:1) and Supreme Court Rule 14 – cover their behavior in court. For any attorney, there are rules of professional conduct and he or she could be subject to disbarment for filing frivolous litigation. He explained that the only group with no express conduct requirements are these pro se litigants and that this bill merely tries to close this existing gap.

Attorney Fagan, in responding to Senator Soucy’s question about timeframe or subject, said that he would tend to disagree with Ms. Brown. He explained that in his experience, the people filing the suits do not care whether they are related or not – and that the effect is the same – and the person has to come in and defend against these cases.

Regarding the current statutory ability for the Judge to award attorney’s fees for individuals who must defend themselves in these cases, he commented that this is solely retrospective awards – and then you have to go out and try to collect the awards from individuals who have already demonstrated repeatedly that they have no respect for the system. However, if the vexatious litigant is required to post a bond, then there is a “pot” out there that the victim can collect from.

He clarified that this is not introduced to limit in any way an individual’s access to the courts – the people still have access. However, if it has been demonstrated that they have a problematic history, then they either have to post a bond or hire an attorney to represent them. He explained that this is actually drafted to be very narrow.

Senator Boutin, in commenting about the statutes, asked where do we draw that this is dealing with pro se litigants and not attorneys. **Attorney**

Fagan responded that RSA 511:15 clearly deals with attorneys and that the judge is required to report an attorney to the Professional Conduct Committee. He said again, that this is for those individuals who have demonstrated a propensity to litigate frivolously.

Summary of testimony presented in opposition:

No one testified in opposition

Fiscal Note: No fiscal note is attached.

Future Action: The Committee took the bill under advisement.

sfd

Date hearing report completed: February 13, 2013

[file: SB 0096 report]

Speakers

Testimony

SB96
~~CLOSED~~

**U.S. District Court
 District of New Hampshire (Concord)
 CIVIL DOCKET FOR CASE #: 1:03-cv-00319-JD**

Brown v. Baldi, et al
 Assigned to: Judge Joseph A. DiClerico, Jr
 Demand: \$0
 Cause: 28:1441 Petition for Removal- Civil Rights Act

Date Filed: 07/25/2003
 Date Terminated: 01/15/2004
 Jury Demand: Both
 Nature of Suit: 440 Civil Rights:
 Other
 Jurisdiction: Federal Question

Plaintiff

Ronald Brown

represented by **Charles A. Russell**
 Russell Law Office
 PO Box 2124
 Concord, NH 03302-2124
 225-3185
 Email: chales-
 a-russell@myfairpoint.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

John A. Baldi

represented by **John A. Baldi**
 19 Ledge St
 Melrose, MA 02176
 781-665-5011
 PRO SE

Defendant

Elsie M. Baldi

represented by **Elsie M. Baldi**
 20 Mount Zion Rd
 Melrose, MA 02176
 781 665-5011
 PRO SE

Date Filed	#	Docket Text
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07/25/2003	1	NOTICE OF REMOVAL; jury demand; FILING FEE \$ 150.00 ; RECEIPT # 023906 State Court Record due 8/4/03 ; Answer Due by 8/14/03 for Elsie M. Baldi, for John A. Baldi ; . (bc) (Entered: 07/28/2003)
07/31/2003	2	Certified Copies of State Court Records. State Court #: 03-C-372 Merrimack Superior Court (amm) (Entered: 07/31/2003)
08/01/2003	25	MOTION by John A. Baldi, Elsie M. Baldi for Hearing re: Removal of the Ex Parte Attachment on their property, issued by the Merrimack County Superior Court on June 30, 2003 Docket No. 03-C-372 served on: 8/1/03. Objection to Motion Deadline 8/18/03 (amm) (Entered: 08/04/2003)
08/04/2003	3	ORDER, Nothing in the complaint or the petition for an attachment raises a federal question. It appears that this court lacks subject matter jurisdiction to maintain the case here. The Baldis shall show cause why the case should not be remanded to Merrimack County Superior Court due to lack of federal subject matter jurisdiction. The Baldis shall file a memo to show cause by 8/18/03, failing which the case will be remanded to state court for lack of federal subject matter jurisdiction. Brown may file a response to the Baldis' show cause memorandum within seven days of the date the memorandum is filed. Response deadline set for 8/18/03 for Elsie M. Baldi, for John A. Baldi (signed by Judge Joseph A. DiClerico Jr) (amm) (Entered: 08/04/2003)
08/05/2003	4	NOTICE of attorney appearance for Ronald Brown by Charles A. Russell (amm) (Entered: 08/06/2003)
08/05/2003	5	RETURN OF SERVICE executed as to John A. Baldi 7/23/03 . Answer due on 8/14/03 for John A. Baldi (amm) (Entered: 08/06/2003)
08/05/2003	6	RETURN OF SERVICE executed as to Elsie M. Baldi 7/21/03 . Answer due on 8/14/03 for Elsie M. Baldi (amm) (Entered: 08/06/2003)
08/05/2003	7	WRIT of attachment executed (John Baldi) (amm) (Entered: 08/06/2003)
08/05/2003	8	WRIT of attachment executed (Elsie Baldi) (amm) (Entered: 08/06/2003)
08/05/2003	9	MOTION by Ronald Brown to Remand served on: 8/5/03. Objection to Motion Deadline 8/22/03 (amm) (Entered: 08/06/2003)
08/07/2003	10	MOTION by John A. Baldi, Elsie M. Baldi to Dismiss count 2 served on: 8/7/03. Objection to Motion Deadline 8/25/03 (amm) (Entered: 08/07/2003)

08/07/2003	11	MEMORANDUM by John A. Baldi, Elsie M. Baldi per [3-1] order to show cause why case should not be remanded back to state court (amm) (Entered: 08/07/2003)
08/08/2003	12	ANSWER AND COUNTERCLAIMS to Complaint by John A. Baldi, Elsie M. Baldi ; jury demand (amm) (Entered: 08/08/2003)
08/11/2003	13	OBJECTION with law by John A. Baldi to [9-1] motion to Remand . Date of service of objection was 8/11/03 (dae) (Entered: 08/11/2003)
08/18/2003	14	MOTION by John A. Baldi for a Hearing for presentment of evidence and witness testimony showing probable cause as to why arrest warrants should be issued against Ronald Brown and Charles Russell for violation of 18:231, 242, 1621 with memorandum served on: 8/16/03. Objection to Motion Deadline 9/3/03 (amm) (Entered: 08/20/2003)
08/19/2003	15	RESPONSE by Ronald Brown to [11-1] pltf's show cause memorandum (amm) (Entered: 08/21/2003)
08/25/2003	16	OBJECTION by John A. Baldi to [15-1] plfff's response to show cause memo . (amm) (Entered: 08/25/2003)
09/02/2003	17	OBJECTION by Ronald Brown to [14-1] motion for a Hearing for presentment of evidence and witness testimony showing probable cause as to why arrest warrants should be issued against Ronald Brown and Charles Russell for violation of 18:231, 242, 1621 . Date of service of objection was 8/29/03 (amm) (Entered: 09/02/2003)
09/02/2003	18	OBJECTION by Ronald Brown to [25-1] motion for Hearing re: Removal of the Ex Parte Attachment on their property, issued by the Merrimack County Superior Court on June 30, 2003 Docket No. 03-C-372 . Date of service of objection was 8/27/03 (amm) (Entered: 09/02/2003)
09/03/2003	19	MOTION by Ronald Brown for Summary Judgment served on: 8/29/03. Objection to summary judgment deadline 10/6/03 (amm) (Entered: 09/05/2003)
09/04/2003	20	RESPONSE by John A. Baldi to [18-1] motion objection . (amm) (Entered: 09/05/2003)
09/04/2003	21	RESPONSE by John A. Baldi to [17-1] motion objection . (amm) (Entered: 09/05/2003)
09/10/2003	22	ORDER on Nonconforming Document; Document [19-1] motion for Summary Judgment fails to comply with LR 7.2(b) memo in support of a motion for summary judgment shall incorporate a short and concise statement of material facts; Cured document deadline 9/22/03 for Ronald Brown (signed by Judge Joseph A. DiClerico Jr) (amm) (Entered: 09/10/2003)

		09/10/2003)
09/10/2003	23	OBJECTION by Ronald Brown to [10-1] motion to Dismiss count 2 . (amm) (Entered: 09/11/2003)
09/11/2003	24	ORDER [9-1] motion to Remand held in abeyance pending the determination of subject matter jurisdiction; denying [10-1] motion to Dismiss count 2; granting [25-1] motion for Hearing re: Removal of the Ex Parte Attachment on their property, issued by the Merrimack County Superior Court on June 30, 2003 Docket No. 03-C-372; denying [14-1] motion for a Hearing for presentment of evidence and witness testimony showing probable cause as to why arrest warrants should be issued against Ronald Brown and Charles Russell for violation of 18:231, 242, 1621, Motion Hearing set for 10/1/03 for [9-1] motion to Remand (signed by Judge Joseph A. DiClerico Jr) (amm) (Entered: 09/11/2003)
09/11/2003		MOTIONS 9 Motion to Remand REFERRED to Magistrate Judge Muirhead. per order of 9/11/03 by Judge DiClerico (amm,) (Entered: 11/25/2003)
09/12/2003	25	REPLY by John A. Baldi to objection to [10-1] motion to Dismiss count 2 (amm) (Entered: 09/15/2003)
09/15/2003		PRETRIAL CONFERENCE before: Magistrate Judge Muirhead set at 11:30 10/8/03 . for Case Manager to verify filing of Discovery Plan. (amm) (Entered: 09/15/2003)
09/16/2003	26	MOTION by Elsie M. Baldi to Continue hearing on 10/1/03 served on: 9/16/03. (amm) (Entered: 09/18/2003)
09/16/2003	27	OBJECTION by John A. Baldi to [24-1] order (amm) (Entered: 09/18/2003)
09/18/2003	28	MOTION by Elsie M. Baldi to Continue preliminary pretrial scheduled for 10/8/03 served on: 9/17/03. Objection to Motion Deadline 10/6/03 (amm) (Entered: 09/18/2003)
09/22/2003	29	Nonconforming Document [19-1] motion for Summary Judgment cured; memo filed filed by plaintiff Ronald Brown, Objection to Motion 10/27/03 [19-1] motion for Summary Judgment (amm) (Entered: 09/24/2003)
09/24/2003	30	ORDER granting [26-1] motion to Continue hearing on 10/1/03, Motion Hearing set for 9:30 11/20/03 for [9-1] motion to Remand (signed by Judge Joseph A. DiClerico Jr) (amm) (Entered: 09/25/2003)
09/25/2003		ENDORSED ORDER granting [28-1] motion to Continue preliminary pretrial scheduled for 10/8/03, reset Pretrial Conference for 10:30 11/20/03 (signed by Magistrate Judge James R. Muirhead) (amm)

		(Entered: 09/25/2003)
09/29/2003	31	OBJECTION with memorandum by John A. Baldi, Elsie M. Baldi to [19-1] motion for Summary Judgment . Date of service of objection was 9/29/03 (amm) (Entered: 09/29/2003)
09/29/2003	32	MOTION by John A. Baldi, Elsie M. Baldi for Leave to File amended answer, adding additional counterclaims served on: 9/29/03. Objection to Motion Deadline 10/17/03 (amm) (Entered: 09/29/2003)
09/29/2003	33	MOTION by John A. Baldi, Elsie M. Baldi for declaratory judgment served on: 9/29/03. Objection to Motion Deadline 10/17/03 (amm) (Entered: 09/29/2003)
10/22/2003		Motion(s) referred: [32-1] motion for Leave to File amended answer, adding additional counterclaims referred to Magistrate Judge James R. Muirhead (amm) (Entered: 10/22/2003)
10/22/2003		Motion(s) referred: [32-1] motion for Leave to File amended answer, adding additional counterclaims referred to Magistrate Judge James R. Muirhead (amm) (Entered: 10/22/2003)
10/22/2003		ENDORSED ORDER denying [32-1] motion for Leave to File amended answer, adding additional counterclaims (signed by Magistrate Judge James R. Muirhead) (amm) (Entered: 10/22/2003)
10/22/2003		Motion(s) no longer referred: [32-1] motion for Leave to File amended answer, adding additional counterclaims (amm) (Entered: 10/22/2003)
10/29/2003	35	NOTICE of Waiver of Damages Over \$75,000 by Ronald Brown (amm) (Entered: 10/29/2003)
11/03/2003	36	Objection to Magistrate Judge's Decision (Rule 72(a)) re Order, filed by Elsie M. Baldi, John A. Baldi. Follow up on 11/24/2003 (amm,) (Entered: 11/04/2003)
11/03/2003	37	MOTION to Strike pltf's waive od damages over \$75,000 35 Notice filed by John A. Baldi , with memorandum. Served on 11/3/03. Follow up on 11/24/2003 (amm,) (Entered: 11/04/2003)
11/19/2003	38	MOTION to Continue motion hearing and pretrial conference filed by Ronald Brown , with assent. (amm,) (Entered: 11/21/2003)
11/21/2003	39	ORDER granting 38 Motion to Continue. Signed by Judge Joseph A. DiClerico Jr. Motion Hearing set for 12/11/2003 10:00 AM before Judge Joseph A. DiClerico Jr. Pretrial Conference set for 12/18/2003 09:30 AM before Magistrate Judge James R. Muirhead.(amm,) (Entered: 11/24/2003)

11/24/2003		ORDER, Objection overruled. Charles Russell is not a party in this lawsuit based on the current state of the record. 36 Objection to Magistrate Judge's Decision (Rule 72(a)). Signed by Judge Joseph A. DiClerico Jr. (amm,) (Entered: 11/25/2003)
11/25/2003		AMENDED NOTICE of Hearing re: 9 Motion to Remand, 39 Order on Motion to Continue,. Special Hearing set for 12/10/2003 02:00 PM before Magistrate Judge James R. Muirhead.(amm,) (Entered: 11/25/2003)
12/01/2003	40	MOTION for Summary Judgment to Count II, Defamation against John Baldi filed by John A. Baldi , with incorporated memorandum and exhibits. Follow up on 1/5/2004 (jgb,) (Entered: 12/02/2003)
12/02/2003		ENDORSED ORDER obj overruled 27 Objection to the Courts Order Dated 9/11/03 Signed by Judge Joseph A. DiClerico Jr. (dae,) (Entered: 12/03/2003)
12/03/2003	41	MOTION to Compel Pltf to Answer Completely all of the 4 Interrogatories Propounded to Ronald Brown by John Baldi on 10/14/03 filed by John A. Baldi , with attachments. Follow up on 12/23/2003 (dae,) (Entered: 12/03/2003)
12/05/2003	42	MOTION to Continue / consolidate the 12/18/03 9:30 AM structuring conference with 12/10/03 2:00 PM hearing on pending motions filed by Ronald Brown , with assent. (jgb,) (Entered: 12/05/2003)
12/05/2003		ORDER granting 42 Motion to Continue. Signed by Judge James R. Muirhead. Pretrial Conference set for 12/10/2003 02:00 PM before Magistrate Judge James R. Muirhead. Remand Hearing set for 12/10/2003 02:00 PM before Magistrate Judge James R. Muirhead.(amm,) (Entered: 12/08/2003)
12/10/2003		Minute Entry for proceedings held before Judge James R. Muirhead. PRETRIAL CONFERENCE held on 12/10/2003. Order to issue. (Court Reporter: S. Kulacz) (Pltfs Atty: Charles Russell) (Defts Atty: John Baldi, Elsie Baldi)(Total Hearing Time: 1.5 hours) (amm,) (Entered: 12/10/2003)
12/10/2003		Minute Entry for proceedings held before Judge James R. Muirhead. MOTION HEARING held on 12/10/2003 re 37 MOTION to Strike 35 Notice (Other), 9 Motion to Remand. (Court Reporter: S. Kulacz) (Pltfs Atty: Charles Russell) (Defts Atty: John Baldi, Elsie Baldi)(Total Hearing Time: 1 hr 25 min) (amm,) (Entered: 12/10/2003)
12/10/2003	43	Exhibit List by John A. Baldi. (amm,) (Entered: 12/10/2003)
12/10/2003	44	Exhibit List by Ronald Brown. (amm,) (Entered: 12/10/2003)

12/11/2003	45	Addendum/Letter from Election Administrator of the City of Melrose and certified copy from Commonwealth of Massachusetts Supreme Judicial Court for Suffolk County to Motion Hearing, by John A. Baldi.(amm,) (Entered: 12/11/2003)
12/18/2003	46	Demand by Ronald Brown of \$50,000. (amm,) (Entered: 12/18/2003)
12/26/2003	47	MOTION to Sever and Retain the Defts counterclaims in the Federal District Court if the pltf's motion to remand his state law claims to the state court is granted over the defts objections. filed by John A. Baldi with memorandum. Follow up on 1/15/2004 (amm,) (Entered: 12/29/2003)
12/26/2003	48	MOTION for Subpoena for Ronald Brown to appear the US District Court in Concord, NH at 9:00 a.m. on 1/12/04 to be deposed by Mr. Baldi filed by John A. Baldi . Follow up on 1/15/2004 (amm,) (Entered: 12/29/2003)
12/29/2003	49	RESPONSE re 46 Plaintiff's Demand Notice. filed by John A. Baldi. (amm,) (Entered: 12/29/2003)
12/29/2003	50	REPLY to Objection to Motion re 41 MOTION to Compel Pltf to Answer Completely all of the 4 Interrogatories Propounded to Ronald Brown by John Baldi on 10/14/03 filed by John A. Baldi. (amm,) (Entered: 12/29/2003)
12/29/2003	51	OBJECTION to 41 MOTION to Compel Pltf to Answer Completely all of the 4 Interrogatories Propounded to Ronald Brown by John Baldi on 10/14/03, served on 12/24/03, filed by Ronald Brown. (amm,) (Entered: 12/30/2003)
12/29/2003	52	NOTICE by Elsie M. Baldi, John A. Baldi, Ronald Brown of Consent to the Magistrate Judge. (amm,) (Entered: 12/30/2003)
12/30/2003	53	REPORT AND RECOMMENDATIONS re 9 Motion to Remand, recommending that case/motion be remanded. Objections to R&R due by 1/20/2004. Signed by Judge James R. Muirhead. (amm,) (Entered: 12/30/2003)
12/30/2003	54	PRETRIAL ORDER. Length of Trial 2 days. Ready for Jury Trial on 12/21/2004. Summary Judgment Motions due by 8/16/2004. Discovery due by 8/16/2004. Signed by Judge James R. Muirhead. (amm,) (Entered: 12/30/2003)
01/05/2004	55	OBJECTION to 40 MOTION for Summary Judgment with affidavit, served on 1/4/04, filed by Ronald Brown. Follow up on 1/14/2004 (amm,) (Entered: 01/05/2004)

01/07/2004	56	OBJECTION to 53 REPORT AND RECOMMENDATIONS re 9 Motion to Remand, recommending that case/motion be remanded., served on 1/7/04, filed by John A. Baldi. (amm,) (Entered: 01/07/2004)
01/15/2004	57	ORDER granting 9 Motion to Remand. CASE REMANDED to Merrimack County Superior Court. (Case Closed), terminating 19 Motion for Summary Judgment, terminating 33 Motion to Remand, terminating 37 Motion to Strike 9 Motion to Remand, terminating 40 Motion for Summary Judgment, terminating 41 Motion to Compel, terminating 47 Motion to Sever, terminating 48 Motion for Subpoena, granted as modified herein 53 Report and Recommendations. Signed by Judge Joseph A. DiClerico Jr.(amm,) (Entered: 01/20/2004)
01/20/2004		CASE REMANDED to Merrimack County Superior Court. Certified copy of order and docket entries to State Court Clerk. (amm,) (Entered: 01/20/2004)
02/17/2004	58	MOTION for Attorney Fees filed by Ronald Brown , with attachments.Served on 2/16/04. Follow up on 3/8/2004 (amm,) (Entered: 02/18/2004)
02/25/2004	59	OBJECTION to 58 MOTION for Attorney Fees, served on 2/25/04, filed by Elsie M. Baldi, John A. Baldi. (amm,) (Entered: 02/25/2004)
03/10/2004	60	TRANSCRIPT of Proceedings for Motion Hearing held on December 10, 2003, Court Reporter: S. Bailey.(amm,) (Entered: 03/10/2004)
04/07/2004	61	ORDER denying 58 Motion for Attorney Fees. Signed by Judge Joseph A. DiClerico Jr.(dae,) (Entered: 04/08/2004)
12/02/2005		File located at National Archives and Records Administration (NARA), Waltham, MA. Transfer No. 021-06-0002, Location No. A146935, Box No. 22(cms,) (Entered: 12/02/2005)

CLOSED

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:04-cv-00206-SM**

Baldi v. Brown et al
Assigned to: Judge Steven J. McAuliffe
Case in other court: 12-00016-04, 04-02700
Cause: 42:1983 Civil Rights Act

Date Filed: 05/29/2004
Date Terminated: 12/01/2004
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

John A. Baldi

represented by **John A. Baldi**
19 Ledge St
Melrose, MA 02176
781-665-5011
PRO SE

V.

Defendant

Ronald Brown

represented by **Charles A. Russell**
Russell Law Office
PO Box 2124
Concord, NH 03302-2124
225-3185
Email: chales-
a-russell@myfairpoint.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Gail Brown

represented by **Charles A. Russell**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Charles Russell

represented by **Charles Russell**
PO Box 2124
Concord, NH 03302-2124

603 225-3185
 PRO SE

Charles A. Russell
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Gregory Bowen

represented by **Michael A. Ricker**
 Primex
 46 Donovan St
 Concord, NH 03301-2624
 603-225-2841
 Fax: 603-228-3905
 Email: mricker@nhprimex.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Epsom, Town of

represented by **Michael A. Ricker**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/29/2004	<u>1</u>	COMPLAINT against Gregory Bowen, Gail Brown, Ronald Brown, Charles Russell, Town of Epsom with Jury Demand (Filing fee \$ 150 receipt number 025514) filed by John A. Baldi.(bc,) (Entered: 06/01/2004)
06/01/2004		Summons Issued as to Gregory Bowen, Gail Brown, Ronald Brown, Charles Russell, Town of Epsom.(bc,) (Entered: 06/01/2004)
06/10/2004	2	Return of Service Executed by John A. Baldi on Town of Epsom. Served/mailed on 6/4/2004. Answer due by 6/24/2004.(jar,) (Entered: 06/10/2004)
06/10/2004	3	Return of Service Executed by John A. Baldi on Gregory Bowen. Served/mailed on 6/4/2004. Answer due by 6/24/2004.(jar,) (Entered: 06/10/2004)
06/14/2004	4	Return of Service Executed by Ronald Brown, in hand. Served/mailed on 6/4/2004. Answer due by 6/24/2004.(jab,) (Entered: 06/14/2004)

06/14/2004	5	Return of Service Executed by Charles Russell on Leanne Dumond, Legal Assistant. Served/mailed on 6/4/2004. Answer due by 6/24/2004.(jab,) (Entered: 06/14/2004)
06/14/2004	6	Return of Service Executed by Gail Brown, in hand. Served/mailed on 6/8/2004. Answer due by 6/28/2004.(jab,) (Entered: 06/14/2004)
06/15/2004		Summons Issued as to Town of Epsom.(jab,) (Entered: 06/15/2004)
06/24/2004	7	MOTION to Dismiss pursuant to F.R.Civ.P. 12(b)(6) filed by Gregory Bowen, Town of Epsom .Served on 6/24/04. Follow up on 7/14/2004 (jab,) (Entered: 06/25/2004)
06/24/2004	8	NOTICE of Attorney Appearance by Charles A. Russell on behalf of Ronald Brown (jab,) (Entered: 06/25/2004)
06/24/2004	9	NOTICE of Pro Se Appearance by Charles Russell (jab,) (Entered: 06/25/2004)
06/24/2004	10	MOTION to Dismiss filed by Charles Russell , with affidavit.Served on 6/24/04. Follow up on 7/14/2004 (jab,) (Entered: 06/25/2004)
06/24/2004	11	MOTION to Dismiss filed by Ronald Brown , with affidavit of Ronald Brown, and attachments.Served on 6/24/04. Follow up on 7/14/2004 (jab,) (Entered: 06/27/2004)
06/25/2004	12	NOTICE of Attorney Appearance by Charles A. Russell on behalf of Gail Brown (jab,) (Entered: 06/27/2004)
06/25/2004	13	MOTION to Dismiss filed by Gail Brown , with affidavit of Gail Brown.Served on 6/24/04. Follow up on 7/15/2004 (jab,) (Entered: 06/27/2004)
06/25/2004	14	CERTIFICATE OF SERVICE by Ronald Brown re: 11 MOTION to Dismiss (jab,) (Entered: 06/27/2004)
06/25/2004	15	Addendum/Copy of Court Order of U.S. District Judge DiClerico dated 1/15/04 re: C. 03-319-JD; Ronald Brown v. John Baldi) to 11 MOTION to Dismiss by Ronald Brown.(jab,) (Entered: 06/27/2004)
07/02/2004	16	MEMORANDUM in Support re 11 MOTION to Dismiss, 10 MOTION to Dismiss, 13 MOTION to Dismiss filed by Gail Brown, Ronald Brown, Charles Russell. (jab,) (Entered: 07/02/2004)
07/08/2004	21	OBJECTION to 7 MOTION to Dismiss with memorandum, served on 7/8/2004, filed by John A. Baldi. Follow up on 7/22/2004 (jar,) (Entered: 07/12/2004)
07/11/2004	17	OBJECTION to 11 MOTION to Dismiss, served on 7/11/2004, filed by John A. Baldi. Follow up on 7/23/2004 (jar,) (Entered: 07/12/2004)

07/11/2004	18	OBJECTION to 10 MOTION to Dismiss, served on 7/11/2004, filed by John A. Baldi. Follow up on 7/23/2004 (jar,) (Entered: 07/12/2004)
07/11/2004	19	OBJECTION to 13 MOTION to Dismiss, served on 7/11/2004, filed by John A. Baldi. Follow up on 7/23/2004 (jar,) (Entered: 07/12/2004)
07/11/2004	20	MEMORANDUM IN SUPPORT re 17 OBJECTION to 11 MOTION to Dismiss, served on 7/11/2004, filed by John A. Baldi; 18 OBJECTION to 10 MOTION to Dismiss, served on 7/11/2004, filed by John A. Baldi; 19 OBJECTION to 13 MOTION to Dismiss, served on 7/11/2004, filed by John A. Baldi (jar,) (Entered: 07/12/2004)
08/02/2004	22	MOTION for Recusal of Judge Steven McAuliffe from the Present for Bias, Prejudice, and Abuse of Authority Pursuant to 28 USC 144, Fed. R. Civ. P. filed by John A. Baldi .Served on 8/2/04. Follow up on 8/23/2004 (jab,) (Entered: 08/03/2004)
09/13/2004	<u>23</u>	ORDER denying 22 Baldi's Motion for Recusal. Signed by Judge Steven J. McAuliffe.(lag,) (Entered: 09/13/2004)
09/20/2004	24	Objection to <u>23</u> Order on Motion for Recusal filed by John A. Baldi. (jab,) (Entered: 09/20/2004)
09/21/2004		ORDER denied 24 Objection to the Court's Order dated 9/13/2004. Text of Order: Considered as a motion for reconsideration, which is denied. Signed by Judge Steven J. McAuliffe. (jab,) (Entered: 09/21/2004)
10/18/2004	25	MOTION for Recusal of Judge McAuliffe and Magistrate Judge Muirhead for Judicial Hostility, Conflict of Interest and Prejudice Against the Plaintiff filed by John A. Baldi , with attachments, Bound Exhibits 1-5.Served on 10/18/04. Follow up on Objection on 11/8/2004 (jab,) (Entered: 10/19/2004)
11/15/2004		ENDORSED ORDER denying 25 Plaintiff's Motion for Judge McAuliffe and Magistrate Judge Muirhead to Recuse for Judicial Hostility, Conflict of Interest and Prejudice Against the Plaintiff. Text of Order: Motion denied as to Judge McAuliffe. See Order dated September 13, 2004 (motion is both untimely and legally insufficient.) Signed by Judge Steven J. McAuliffe.(lag,) (Entered: 11/15/2004)
11/16/2004		ORDER 25 Motion for Recusal,. Text of Order: Denied as to Judge Muirhead - insufficient and erroneous. Signed by Judge James R. Muirhead. (djb,) (Entered: 11/16/2004)
11/30/2004	<u>26</u>	/// ORDER granting 7 Defendant Bowen and Epsom's Motion to Dismiss, granting 10 Defendant Russell's Motion to Dismiss, granting 11 Defendant Ronald Brown's Motion to Dismiss, granting 13 Defendant Gail Brown's Motion to Dismiss. Signed by Judge Steven

		J. McAuliffe.(lag,) (Entered: 11/30/2004)
12/01/2004	27	JUDGMENT is hereby entered in accordance with <u>26</u> Order on Defendants' Motions to Dismiss. Signed by Clerk James R. Starr. (Case Closed) (jab,) (Entered: 12/01/2004)
12/13/2004	28	Objection to <u>26</u> Order on Motion to Dismiss, et al. filed by John A. Baldi. (jab,) (Entered: 12/13/2004)
12/13/2004	29	NOTICE OF APPEAL as to <u>26</u> Order on Motions to Dismiss by John A. Baldi. Filing fee \$ 255, receipt number 026483. Designation of Exhibits Deadline set for 1/12/2005.(jab,) (Entered: 12/13/2004)
12/13/2004	30	Clerk's Certificate transmitting Record on Appeal to US Court of Appeals, documents numbered 1 - 29, re 29 Notice of Appeal. A copy of the Notice of Appeal mailed to all parties this date.(jab,) (Entered: 12/13/2004)
12/14/2004		Notice of Appeal Fee paid: \$ 255.00 (Cash), receipt number 026501 by John A. Baldi re: 29 Notice of Appeal. (Due to cashier error, Receipt #026483 in the amount of \$255.00 was voided and new receipt 026501 was issued for the Appeal filing fee.) (jeb,) (Entered: 12/14/2004)
01/03/2005		NOTICE of Docketing Record on Appeal re 29 Notice of Appeal filed by John A. Baldi. Appellate Case Number: 12-16-04 04-2700(jab,) (Entered: 01/03/2005)
01/13/2005		Notice - No Exhibit Designation Filed. Pursuant to LR 83.13(d), the parties are required to file a designation of exhibits necessary for the determination of the appeal. This notice is to advise the court of appeals that as of this date no exhibit designations have been filed in this case.(jab,) (Entered: 01/13/2005)
04/18/2005	31	USCA JUDGMENT as to 29 Notice of Appeal filed by John A. Baldi. Judgment of dismissal is summarily affirmed.(jab,) (Entered: 04/18/2005)
05/09/2005	32	MANDATE of USCA as to 29 Notice of Appeal filed by John A. Baldi, the judgment of dismissal is summarily affirmed. Appeal Record follow-up for return of record from USCA by 6/8/2005.(cm,) (Entered: 05/09/2005)
10/17/2006		File located at National Archives and Records Administration (NARA), Waltham, MA. Transfer No. 021-06-0089, Location No. V938, Box No. 20(cmp,) (Entered: 10/17/2006)
09/10/2008		File located at National Archives and Records Administration (NARA), Waltham, MA. Transfer No. 021-06-0089, Location No. B005408, Box No. 20. (Entered: 09/10/2008)

CLOSED, ECF, FILE

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:04-cv-00466-PB**

Baldi v. John T. Broderick, Jr., et al
Assigned to: Judge Paul J. Barbadoro
Case in other court: CCA, 07-02289
Cause: 42:1983 Civil Rights Act

Date Filed: 12/09/2004
Date Terminated: 07/17/2007
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

John A. Baldi

represented by **John A. Baldi**
19 Ledge St
Melrose, MA 02176
781 665-5011
PRO SE

V.

Defendant

John T. Broderick, Jr.
TERMINATED: 09/21/2005
other
NH Supreme Court, Chief Justice
TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**
Ransmeier & Spellman
PO Box 600
Concord, NH 03302-0600
603 228-0477
Fax: 603 224-2780
Email: dmullen@ranspell.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Joseph P. Nadeau
TERMINATED: 09/21/2005
other
NH Supreme Court, Associate
Justice
TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Linda S. Dalianis
TERMINATED: 09/21/2005
other
NH Supreme Court, Associate
Justice
TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

James E. Duggan
TERMINATED: 09/21/2005
other
NH Supreme Court, Associate
Justice
TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Richard E. Galway
TERMINATED: 09/21/2005
other
NH Supreme Court, Associate
Justice
TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Edward J. Fitzgerald, III
TERMINATED: 09/21/2005
other
NH Superior Court, Associate Justice
TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Kathleen A. McGuire
TERMINATED: 09/21/2005
other
NH Superior Court, Associate Justice
TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Michael F. Sullivan
TERMINATED: 09/21/2005
other
Concord District Court, Associate
Justice
TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

A. E. Robbins

TERMINATED: 09/21/2005

other

Concord District Court, Presiding
Justice

TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Barbara Sweet

*Former Clerk, Concord District
Court*

TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Michael Bahan

*Chief Investigator, NH Attorney
General's Office*

TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

NH Attorney General

TERMINATED: 09/21/2005

other

Kelly A. Ayotte

TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

NH Governor

TERMINATED: 09/21/2005

other

Craig Benson

TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Donald D. Goodnow

TERMINATED: 09/21/2005

other

NH Administrative Office of the
Courts, Director

TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Alan Demichells
Deputy Sheriff, Merrimack County
TERMINATED: 09/21/2005

represented by **John A. Curran**
Curtin Murphy & O'Reilly PC
One Tara Blvd Ste 309
Nashua, NH 03062
603 888-7384
Fax: 603 888 6983
Email: jcurran@cmopc.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Harry J. Thomley
Deputy Sheriff, Merrimack County
TERMINATED: 09/21/2005

represented by **John A. Curran**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Susan Bridge
TERMINATED: 09/21/2005

Defendant

James McKenzie
TERMINATED: 09/21/2005

represented by **Daniel J. Mullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Roger W. Amadon
TERMINATED: 09/21/2005

represented by **Brian J.S. Cullen**
CullenCollimore PLLC
10 E Pearl St
Nashua, NH 03060
603 881-5500
Fax: 603-881-5507
Email: bcullen@cullencollimore.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Eric Bourn
TERMINATED: 09/21/2005

represented by **Brian J.S. Cullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Gail Brown
TERMINATED: 09/21/2005

represented by **Charles A. Russell**
Russell Law Office
PO Box 2124
Concord, NH 03302-2124
225-3185
Email: chales-
a-russell@myfairpoint.net
ATTORNEY TO BE NOTICED

Defendant

Ronald Brown
TERMINATED: 09/21/2005

represented by **Charles A. Russell**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Frank Cassidy
TERMINATED: 09/21/2005

represented by **Brian J.S. Cullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Henry Farrin
TERMINATED: 09/21/2005

represented by **Brian J.S. Cullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John Hickey
TERMINATED: 09/21/2005

represented by **Brian J.S. Cullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Charles Russell
TERMINATED: 09/21/2005

represented by **Charles A. Russell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

Gail Brown

represented by **Charles A. Russell**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

John A. Baldi

represented by **John A. Baldi**
(See above for address)
PRO SE

Counter Claimant

Ronald Brown

represented by **Charles A. Russell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant

John A. Baldi

represented by **John A. Baldi**
(See above for address)
PRO SE

Date Filed	#	Docket Text
12/09/2004	<u>1</u>	COMPLAINT against Michael Bahan, John T. Broderick Jr., Linda S. Dalianis, Alan Demichells, James E. Duggan, Edward J. Fitzgerald III, Richard E. Galway, Donald D. Goodnow, Governor of the State of New Hampshire, Kathleen A. McGuire, NH Attorney General, Joseph P. Nadeau, A. E. Robbins, Michael F. Sullivan, Barbara Sweet, Harry J. Thomley with Jury Demand (Filing fee \$ 150 receipt number 026474) filed by John A. Baldi.(jeb,) (Entered: 12/10/2004)
12/09/2004		Waiver Issued as to Michael Bahan, John T. Broderick Jr., Linda S. Dalianis, Alan Demichells, James E. Duggan, Edward J. Fitzgerald III, Richard E. Galway, Donald D. Goodnow, Governor of the State of New Hampshire, Kathleen A. McGuire, NH Attorney General, Joseph P. Nadeau, A. E. Robbins, Michael F. Sullivan, Barbara Sweet, Harry J. Thomley.(jeb,) (Entered: 12/10/2004)
12/10/2004		NOTICE sent. This is not an Electronic Case. The case will be maintained in paper format. (jeb,) (Entered: 12/10/2004)
12/14/2004		NOTICE sent. This is not an Electronic case. The case will be maintained in paper format. Plaintiff advised court that all parties have previously been served through US Mail by waiver prior to plaintiff receiving ECF notice to go out with service copies. Therefore, this date,

		USDCNH-94 notice sent by court to all parties of record. (jeb,) (Entered: 12/14/2004)
12/14/2004	2	MOTION for immediate injunctive relief writ/order, staying the proceeding/execution of orders, of case #03-C-372 in the Merrimack Superior Court filed by John A. Baldi , with attachments.Served on 12/14/04. (mm,) (Entered: 12/14/2004)
12/14/2004	<u>3</u>	ORDER denying 2 Motion for immediate injunctive relief writ/order, staying the proceeding/execution of orders, of case #03-C-372 in the Merrimack Superior Court. Signed by Judge Paul Barbadoro.(ja,) (Entered: 12/14/2004)
12/24/2004	4	MOTION to Amend <u>1</u> Complaint, filed by John A. Baldi.Served on 12/23/2004. (jar,) (Entered: 12/28/2004)
01/03/2005	5	Ex Parte MOTION for Judge Barbadoro to recuse himself from hearing this case filed by John A. Baldi. (mm,) Modified on 1/10/2005to unseal the motion (mm,). (Entered: 01/03/2005)
01/07/2005	<u>6</u>	ORDER denying 5 Ex Parte Motion. Signed by Judge Paul Barbadoro.(ja,) Modified on 1/10/2005 to unseal document (mm,). (Entered: 01/07/2005)
01/11/2005	7	Objection to <u>6</u> Order on Ex Parte Motion filed by John A. Baldi. (mm,) (Entered: 01/13/2005)
01/20/2005	8	WAIVER OF SERVICE Returned Executed Served/mailed on 12/9/2004. Answer due by 2/7/2005.(mm,) (Entered: 01/21/2005)
01/25/2005		Summons Issued as to Edward J. Fitzgerald, III, Kathleen A. McGuire, Michael F. Sullivan, A. E. Robbins, Barbara Sweet, Michael Bahan, NH Attorney General, John T. Broderick, Jr, Joseph P. Nadeau, Linda S. Dalianis, James E. Duggan, Richard E. Galway.(jeb,) (Entered: 01/25/2005)
01/25/2005		ENDORSED ORDER granting 4 Motion to Amend <u>1</u> Complaint,. Text of Order: Granted. Signed by Judge James R. Muirhead.(djb,) (Entered: 01/25/2005)
01/25/2005	<u>9</u>	AMENDED COMPLAINT against Roger W. Amadon, Eric Bourn, Gail Brown, Ronald Brown, Frank Cassidy, Henry Farrin, John Hickey, Charles Russell, Edward J. Fitzgerald, III, Kathleen A. McGuire, Michael F. Sullivan, A. E. Robbins, Barbara Sweet, Michael Bahan, NH Attorney General, Governor of the State of New Hampshire, Donald D. Goodnow, Alan Demichells, Harry J. Thomley, John T. Broderick, Jr, Susan Bridge, James McKenzie, Joseph P. Nadeau, Linda S. Dalianis, James E. Duggan, Richard E. Galway filed by John A. Baldi.(mm,) (Entered: 01/26/2005)

01/25/2005	10	WAIVER OF SERVICE Returned Executed Served/mailed on 12/23/2004. Answer due by 2/22/2005.(mm,) (Entered: 01/26/2005)
01/26/2005		Summons Issued as to James McKenzie, Gail Brown, Ronald Brown, Charles Russell.(mm,) (Entered: 01/26/2005)
01/31/2005	11	Assented to MOTION to Extend Time to Answer to 4/8/05 filed by Alan Demichells, Harry J. Thomley. (mm,) (Entered: 02/01/2005)
01/31/2005	12	MOTION for Hearing on the issuance of arrest warrants filed by John A. Baldi, with attachments.Served on 1/31/05. Follow up on Objection on 2/22/2005 (mm,) (Entered: 02/01/2005)
02/02/2005		ENDORSED ORDER granting 11 Motion to Extend Time to Answer re <u>1</u> Complaint. Text of Order: Granted. Signed by Judge James R. Muirhead. Answer due by 4/8/2005.(djb,) (Entered: 02/02/2005)
02/04/2005	13	MOTION for Subpoena for Gail Brown and Kelly Ayotte for Susan Bridge's address filed by John A. Baldi. Follow up on Objection on 2/24/2005 (mm,) (Entered: 02/04/2005)
02/07/2005	14	Return of Service Executed by John A. Baldi on Ayotte, Bahan, Broderick, Dalianis, Duggan, Fitzgerald, Galway, Mackenzie, McGuire, Nadeau, Robbins, Russell, Sullivan, Sweet. Served/mailed on 2/4/2005. Answer due by 2/24/2005.(mm,) (Entered: 02/09/2005)
02/07/2005	15	MOTION to Extend Time to Answer to 4/8/05 filed by Edward J. Fitzgerald, III, Kathleen A. McGuire, Michael F. Sullivan, A. E. Robbins, Barbara Sweet, Michael Bahan, NH Attorney General, Governor of the State of New Hampshire, Donald D. Goodnow, John T. Broderick, Jr, James McKenzie, Joseph P. Nadeau, Linda S. Dalianis, James E. Duggan, Richard E. Galway.Served on 2/7/05. Follow up on Objection on 2/28/2005 (mm,) (Entered: 02/09/2005)
02/09/2005		ENDORSED ORDER denying 12 Motion for Hearing. Text of Order: Plaintiff's civil suit is not an appropriate or legal basis for a motion to institute criminal proceedings. Denied. Signed by Judge James R. Muirhead.(djb,) (Entered: 02/09/2005)
02/10/2005	<u>16</u>	ORDER re: subject matter jurisdiction. Signed by Judge James R. Muirhead. (mm,) (Entered: 02/11/2005)
02/11/2005	17	OBJECTION to 15 MOTION to Extend Time to Answer to 4/8/05, served on 2/11/05, filed by John A. Baldi. (mm,) (Entered: 02/11/2005)
02/11/2005	18	Return of Service Executed by John A. Baldi on Gail Brown and Ronald Brown. Served/mailed on 2/11/2005. Answer due by 3/3/2005.(mm,) (Entered: 02/11/2005)

02/14/2005		ENDORSED ORDER granting 15 Motion to Extend Time to Answer re 9 Amended Complaint. Text of Order: Granted. Signed by Judge James R. Muirhead. Answer due by 4/8/2005.(djb,) (Entered: 02/15/2005)
02/16/2005	19	NOTICE of objection to the Magistrate Judge, hearing, reading, recommending, ruling, deciding or in any way partaking in the adjudication of the above captioned case other than to conduct a probable cause hearing for the issuance of arrest warrants pursuant to 42 USC 1987 by John A. Baldi.(mm,) (Entered: 02/17/2005)
02/16/2005	20	MOTION to recover costs and fees from defendants Charles Russell, Ronald and Gail Brown for failure to comply with Rule 4(d) timely manner filed by John A. Baldi, with attachments.Served on 2/14/05. Follow up on Objection on 3/8/2005 (mm,) (Entered: 02/17/2005)
02/16/2005	57	MOTION to recover costs and fees from the state defendants for failure to comply with Rule 4(d) timely manner filed by John A. Baldi, with attachments.Served on 2/14/05. (Document was not previously docketed in error) (mm,) (Entered: 05/13/2005)
02/22/2005	21	MOTION for Reconsideration re Order on Motion for Extension of Time to Answer filed by John A. Baldi.Served on 2/22/05. Follow up on Objection on 3/14/2005 (mm,) (Entered: 02/22/2005)
02/24/2005	22	MOTION to Dismiss filed by Roger W. Amadon, Eric Bourn, Frank Cassidy, Henry Farrin, John Hickey, with memorandum and attachments.Served on 2/22/05. Follow up on Objection on 3/16/2005 (mm,) (Entered: 02/24/2005)
02/24/2005	23	NOTICE of Attorney Appearance by Charles A. Russell on behalf of Charles Russell(mm,) (Entered: 02/25/2005)
02/24/2005	24	MOTION to Dismiss filed by Charles Russell, with affidavit, and attachments.Served on 2/24/05. Follow up on Objection on 3/16/2005 (mm,) (Entered: 02/25/2005)
03/01/2005	25	MOTION to Dismiss filed by Gail Brown, with affidavit.Served on 2/28/05. Follow up on Objection on 3/21/2005 (mm,) (Entered: 03/02/2005)
03/02/2005	26	NOTICE of Attorney Appearance by Charles A. Russell on behalf of Gail Brown(mm,) (Entered: 03/02/2005)
03/02/2005	27	Request for the clerk to issue a subpoena to the US Post Office, City of Concord ordering it to provide the plaintiff with the change of address for Susan Bridge by John A. Baldi.(mm,) (Entered: 03/02/2005)

03/02/2005		Subpoena Issued to John Baldi per document #27(mm,) (Entered: 03/02/2005)
03/02/2005	28	MOTION for Hearing before the presiding judge to clarify which rules of civil procedure, which federal statutes and whether supreme court or first circuit precedence will be adhered to by the court in adjudicating the present case. filed by John A. Baldi.Served on 3/2/05. Follow up on Objection on 3/22/2005 (mm,) (Entered: 03/02/2005)
03/02/2005	29	MOTION for Contempt reL Kelly Ayottee filed by John A. Baldi, with attachments.Served on 3/2/05. Follow up on Objection on 3/22/2005 (mm,) (Entered: 03/02/2005)
03/02/2005	30	NOTICE to the court of his mailing error by John A. Baldi.(mm,) (Entered: 03/02/2005)
03/03/2005	31	NOTICE of Attorney Appearance by Charles A. Russell on behalf of Ronald Brown(mm,) (Entered: 03/04/2005)
03/03/2005	32	MOTION to Dismiss filed by Ronald Brown.Served on 3/3/05. Follow up on Objection on 3/23/2005 (mm,) (Entered: 03/04/2005)
03/03/2005	33	MOTION to Extend Time to Object/Respond to 22 MOTION to Dismiss, 24 MOTION to Dismiss, 25 MOTION to Dismiss, 32 MOTION to Dismiss to until 20 days after the court holds a hearing to clarify procedures, statutes and precedents filed by John A. Baldi.Served on 3/3/05. Follow up on Objection on 3/23/2005 (mm,) (Entered: 03/04/2005)
03/03/2005	34	MOTION to preserve the right to appeal his complaint and petition for declaratory judgment in the event the court holds that Rule 12(b)(6) is the pleading standard and not Rule 8(a) filed by John A. Baldi.Served on 3/3/05. Follow up on Objection on 3/23/2005 (mm,) (Entered: 03/04/2005)
03/03/2005	35	MOTION to have the first circuit court of appeals certify to the US District Court whether Rule 8(a) or 12(b)(6) is the pleading standard for civil cases filed in district courts filed by John A. Baldi.Served on 3/3/05. Follow up on Objection on 3/23/2005 (mm,) (Entered: 03/04/2005)
03/15/2005	36	OBJECTION to 32 MOTION to Dismiss, served on 3/15/05, . (mm,) (Entered: 03/16/2005)
03/15/2005	37	Return of Service Executed by John A. Baldi on Ronald Brown. Served/mailed on 3/10/2005. Answer due by 3/30/2005.(mm,) (Entered: 03/16/2005)

03/15/2005	38	MOTION to Quash Subpoena filed by NH Attorney General.Served on 3/15/05. Follow up on Objection on 4/4/2005 (mm,) (Entered: 03/17/2005)
03/15/2005	39	OBJECTION to 29 MOTION for Contempt, served on 3/15/05, . (mm,) (Entered: 03/17/2005)
03/18/2005	40	OBJECTION to 28 MOTION for Hearing, 34 MOTION to preserve the right to appeal his complaint and petition for declaratory judgment in the event the court holds that Rule 12(b)(6) is the pleading standard and not Rule 8(a), 33 MOTION to Extend Time to Object/Respond to 22 MOTION to Dismiss, 24 MOTION to Dismiss, 25 MOTION to Dismiss, 32 MOTION to Dismiss to until 20 days after the court holds a hearing to clarify procedures, statutes and precedents, 35 MOTION to have the first circuit court of appeals certify to the US District Court wheather Rule 8(a) or 12(b)(6) is the pleading standard for civil cases filed in district courts, served on 3/17/05, . (mm,) (Entered: 03/21/2005)
03/22/2005	41	OBJECTION to 34 MOTION to preserve the right to appeal his complaint and petition for declaratory judgment in the event the court holds that Rule 12(b)(6) is the pleading standard and not Rule 8(a), 33 MOTION to Extend Time to Object/Respond to 22 MOTION to Dismiss, 24 MOTION to Dismiss, 25 MOTION to Dismiss, 32 MOTION to Dismiss to until 20 days after the court holds a hearing to clarify procedures, statutes and precedents, 35 MOTION to have the first circuit court of appeals certify to the US District Court wheather Rule 8(a) or 12(b)(6) is the pleading standard for civil cases filed in district courts, served on 3/22/05, filed by Edward J. Fitzgerald, III, Kathleen A. McGuire, Michael F. Sullivan, A. E. Robbins, Barbara Sweet, Michael Bahan, NH Attorney General, Governor of the State of New Hampshire, Donald D. Goodnow, John T. Broderick, Jr, James McKenzie, Joseph P. Nadeau, Linda S. Dalianis, James E. Duggan, Richard E. Galway. (mm,) (Entered: 03/24/2005)
03/23/2005	42	OBJECTION to 38 MOTION to Quash Subpoena, and withdrawal of 29 MOTION for Contempt served on 3/23/05, filed by John A. Baldi. (mm,) (Entered: 03/24/2005)
03/23/2005	43	NOTICE of Attorney Appearance by Charles A. Russell on behalf of Ronald Brown(mm,) (Entered: 03/24/2005)
03/23/2005	44	MOTION to Dismiss for failure to state a claim upon relief which may be granted filed by Ronald Brown, with attachments.Served on 3/21/05. Follow up on Objection on 4/12/2005 (mm,) (Entered: 03/24/2005)
03/28/2005	45	OBJECTION to 34 MOTION to preserve the right to appeal his complaint and petition for declaratory judgment in the event the court

		holds that Rule 12(b)(6) is the pleading standard and not Rule 8(a), 33 MOTION to Extend Time to Object/Respond to 22 MOTION to Dismiss, 24 MOTION to Dismiss, 25 MOTION to Dismiss, 32 MOTION to Dismiss to until 20 days after the court holds a hearing to clarify procedures, statutes and precedents, 35 MOTION to have the first circuit court of appeals certify to the US District Court wheather Rule 8(a) or 12(b)(6) is the pleading standard for civil cases filed in district courts, served on 3/24/05, filed by Gail Brown, Ronald Brown. (mm,) (Entered: 03/29/2005)
04/01/2005	46	MOTION to Withdraw 32 MOTION to Dismiss for insufficiency of service filed by Ronald Brown.Served on 3/24/05. Follow up on Objection on 4/21/2005 (mm,) (Entered: 04/04/2005)
04/05/2005		ENDORSED ORDER denying 28 Motion for Hearing. <i>Text of Order: Motion denied.</i> Signed by Judge Paul Barbadoro.(ja,) (Entered: 04/05/2005)
04/05/2005		ENDORSED ORDER denying 29 Motion for Contempt. <i>Text of Order: Motion denied.</i> Signed by Judge Paul Barbadoro.(ja,) (Entered: 04/05/2005)
04/05/2005		ENDORSED ORDER granting 46 Motion to Withdraw 32 Motion to Dismiss. <i>Text of Order: Motion granted.</i> Signed by Judge Paul Barbadoro.(ja,) (Entered: 04/05/2005)
04/05/2005		ENDORSED ORDER denying 35 Motion to have the First Circuit Court of Appeals certify to the US District Court whether Rule 8(a) or 12(b)(6) is the pleading standard for civil cases filed in district courts. <i>Text of Order: Motion denied.</i> Signed by Judge Paul Barbadoro.(ja,) (Entered: 04/05/2005)
04/05/2005		ENDORSED ORDER denying as moot 38 MOTION to Quash Subpoena. <i>Text of Order: The motion is denied as moot.</i> Signed by Judge Paul Barbadoro.(ja,) (Entered: 04/05/2005)
04/05/2005		ENDORSED ORDER 21 MOTION for Reconsideration re Order on Motion for Extension of Time to Answer. <i>Text of Order: Objection overruled</i> Signed by Judge Paul Barbadoro. (mm,) (Entered: 04/07/2005)
04/05/2005	<u>47</u>	ORDER terminating 34 Motion for to preserve right of appeal. Signed by Judge Paul Barbadoro.(mm,) (Entered: 04/07/2005)
04/05/2005	<u>48</u>	ORDER setting deadlineterminating 33 Motion to Extend Time to Object/Respond. Signed by Judge Paul Barbadoro.(mm,) (Entered: 04/07/2005)

04/08/2005		ENDORSED ORDER granting 20 Motion to recover costs and fees from defendants for failure to comply. <i>Text of Order: Motion granted. Signed by Judge Paul Barbadoro.(ja,) (Entered: 04/08/2005)</i>
04/08/2005	49	MOTION to Dismiss filed by the state defendants, with memorandum and attachments.Served on 4/8/05. Follow up on Objection on 4/28/2005 (mm,) (Entered: 04/08/2005)
04/08/2005	50	MOTION to Dismiss pursuant to 12(b) filed by Alan Demichells, Harry J. Thomley, with memorandum and attachments.Served on 4/8/05. Follow up on Objection on 4/28/2005 (mm,) (Entered: 04/11/2005)
04/27/2005	51	OBJECTION to 24 MOTION to Dismiss with memorandum, served on 4/27/05, filed by John A. Baldi. Follow up on Objection on 5/16/2005 (mm,) (Entered: 04/28/2005)
05/06/2005	52	OBJECTION to 44 Ronald Brown's MOTION to Dismiss with memorandum, served on 5/6/2005, filed by John A. Baldi. Follow up on Objection on 5/16/2005 (prk,) (Entered: 05/09/2005)
05/06/2005	53	OBJECTION to 50 DeMichaelis and Thornley's MOTION to Dismiss with memorandum and attachments, served on 5/6/2005, filed by John A. Baldi. Follow up on Objection on 5/16/2005 (prk,) (Entered: 05/09/2005)
05/06/2005	54	OBJECTION to 25 Gail Brown's MOTION to Dismiss with memorandum, served on 5/6/2005, filed by John A. Baldi. Follow up on Objection on 5/16/2005 (prk,) (Entered: 05/09/2005)
05/08/2005	55	OBJECTION to 22 Epsom Defendants' MOTION to Dismiss with memorandum, served on 5/8/2005, filed by John A. Baldi. Follow up on Objection on 5/16/2005 (prk,) (Entered: 05/09/2005)
05/08/2005	56	OBJECTION to 49 State Defendants' MOTION to Dismiss with memorandum, served on 5/8/2005, filed by John A. Baldi. Follow up on Objection on 5/16/2005 (prk,) (Entered: 05/09/2005)
05/12/2005	58	COUNTERCLAIM against John A. Baldi filed by Gail Brown.(mm,) (Entered: 05/13/2005)
05/23/2005		ENDORSED ORDER denying 57 Motion for to recover costs and fees from the state defendants for failure to comply with Rule 4(d) timely manner. <i>Text of Order: Motion denied. So Ordered by Judge Paul Barbadoro.(ja,) (Entered: 05/23/2005)</i>
05/23/2005	59	MOTION for Leave to File response to Gail Brown's counterclaim filed by John A. Baldi.Served on 5/23/05. Follow up on Objection on 6/13/2005 (mm,) (Entered: 05/25/2005)

05/24/2005	60	COUNTERCLAIM against John A. Baldi with n filed by Ronald Brown.(mm,) (Entered: 05/25/2005)
05/24/2005	61	PETITION to Attach with notice filed by Gail Brown.Served on 5/24/05. Follow up on Objection on 6/13/2005 (mm,) (Entered: 05/25/2005)
05/24/2005	62	PETITION to Attach with notice filed by Ronald Brown.Served on 5/24/05. Follow up on Objection on 6/13/2005 (mm,) (Entered: 05/25/2005)
05/27/2005	63	MOTION for Leave to File response to Gail and Ronald Brown's petition to attach with notice and to file a motion for contempt filed by John A. Baldi.Served on 5/27/05. Follow up on Objection on 6/16/2005 (mm,) (Entered: 05/31/2005)
06/24/2005		ENDORSED ORDER denying 59 Motion for Leave to File. <i>Text of Order: I will set new deadlines for responding to counterclaims after ruling on the pending motions. Motion denied. So Ordered by Judge Paul Barbadoro.</i> (ja,) (Entered: 06/24/2005)
06/24/2005		ENDORSED ORDER denying 63 Motion for Leave to File. <i>Text of Order: See order on document no. 59. So Ordered by Judge Paul Barbadoro.</i> (ja,) (Entered: 06/24/2005)
06/24/2005		ORDER denying 61 Petition to Attach. So Ordered by Judge Paul Barbadoro. (ja,) (Entered: 06/24/2005)
07/12/2005	64	MOTION for Contempt of Ronald Brown, Gail Brown and Charles Russell filed by John A. Baldi. (mm,) (Entered: 07/13/2005)
07/15/2005	<u>65</u>	ORDER on Nonconforming Document re: 64 Motion for Contempt filed by John A. Baldi,. Fails to comply with 7.1(c) concurrence and FRCP 5 Certificate of Service. Cure Document by 7/29/2005. Signed by Judge Paul Barbadoro. (mm,) (Entered: 07/15/2005)
07/20/2005	66	Nonconforming Document <u>65</u> Order on Nonconforming Document, cured with certificate of service by John A. Baldi. Follow up on Objection on 8/9/2005 (mm,) (Entered: 07/21/2005)
07/28/2005	67	Addendum/ to response to <u>65</u> Order on Nonconforming Document,, 66 Cure on Nonconforming Document by John A. Baldi. (mm,) (Entered: 07/29/2005)
07/29/2005	68	OBJECTION to 64 MOTION for Contempt, served on 7/28/05, filed by Gail Brown, Ronald Brown, Charles Russell. (mm,) (Entered: 07/29/2005)

08/02/2005	69	REPLY to Objection to Motion re 64 MOTION for Contempt filed by John A. Baldi. (jar,) (Entered: 08/02/2005)
09/08/2005	70	NOTICE that the plaintiff will be unavailable from 9/5/05 through 9/20/05 by John A. Baldi. (mm,) (Entered: 09/08/2005)
09/21/2005	<u>71</u>	ORDER granting 22 Motion to Dismiss, granting 24 Motion to Dismiss, granting 25 Motion to Dismiss, granting 44 Motion to Dismiss, granting 49 Motion to Dismiss, granting 50 Motion to Dismiss, denying 62 Petition to Attach, denying 64 Motion for Contempt. Baldi to file show cause memo on or before 10/15/05 So Ordered by Judge Paul Barbadoro. (mm,) (Entered: 09/23/2005)
09/29/2005	<u>72</u>	NOTICE. Effective October 1, 2005, electronic case filing is mandatory in this district. Thus, this case is designated for Electronic Case Filing. All future submissions shall be filed in compliance with the Administrative Procedures for Electronic Case Filing for this district. Please note that pro se litigants, as well as any attorneys who have not yet registered for ECF, must continue to be served in paper. (Lynch, Daniel) (Entered: 09/29/2005)
10/15/2005	<u>74</u>	RESPONSE re <u>71</u> Order on Motion to Dismiss,,,,,,,,,,,,, Order on Petition to Attach,, Order on Motion for Contempt, filed by John A. Baldi. (mm,) (Entered: 10/17/2005)
10/17/2005	<u>73</u>	NOTICE OF APPEAL as to <u>71</u> Order on Motion to Dismiss,,,,,,,,,,,,, Order on Petition to Attach,, Order on Motion for Contempt, by John A. Baldi. Filing fee \$ 255, receipt number 027929. (mm,) (Entered: 10/17/2005)
10/19/2005	<u>75</u>	ORDER re: Browns counterclaims Motionsfor reconsideration due by 10/28/2005. Signed by Judge Paul Barbadoro. (mm,) (Entered: 10/20/2005)
10/19/2005	<u>76</u>	ORDER John Baldi is not to file any further actions re: 1999 assault, 2000 road improvement project or 2003 libel action Signed by Judge Paul Barbadoro. (mm,) (Entered: 10/20/2005)
10/28/2005	<u>77</u>	Joint MOTION for Reconsideration re <u>71</u> Order on Motion to Dismiss,,,,,,,,,,,,, Order on Petition to Attach,, Order on Motion for Contempt, filed by Gail Brown. Follow up on Objection on 11/17/2005 (Russell, Charles) (Entered: 10/28/2005)
10/28/2005	<u>78</u>	Amended MOTION for Reconsideration re <u>71</u> Order on Motion to Dismiss,,,,,,,,,,,,, Order on Petition to Attach,, Order on Motion for Contempt, <i>joint motion</i> filed by Ronald Brown. Follow up on Objection on 11/17/2005 (Russell, Charles) (Entered: 10/28/2005)

10/28/2005		Motions terminated: <u>77</u> Joint MOTION for Reconsideration re <u>71</u> Order on Motion to Dismiss,,,,,,,,,,,,, Order on Petition to Attach,, Order on Motion for Contempt, filed by Gail Brown,. Replaced by document #78 (mm,) (Entered: 10/28/2005)
11/01/2005	<u>79</u>	Objection to <u>75</u> Order, <u>76</u> Order filed by John A. Baldi. (Attachments:, # <u>1</u> Exhibit 1 - Ronald Brown's Counterclaim, # <u>2</u> Exhibit 2 - Gail Brown's Counterclaim, # <u>3</u> Exhibit 3 - Page 5, # <u>4</u> Exhibit 4 - page 15 of transcript)(mm,) (Entered: 11/04/2005)
11/16/2005		ENDORSED ORDER <u>79</u> Objection to. <i>Text of Order: To the extent that the objection seeks reconsideration of prior orders, the requested relief is denied. The objection is based on arguments that I have already considered and rejected.</i> Signed by Judge Paul Barbadoro. (mm,) (Entered: 11/18/2005)
12/14/2005		ENDORSED ORDER granting <u>78</u> Motion for Reconsideration. Re: <u>71</u> Order on Motion to Dismiss, Order on Petition to Attach, Order on Motion for Contempt. <i>Text of Order: Granted. The the parties shall submit a proposed plan for the completion of discovery and trial by January 6, 2005. Any disagreements concerning the discovery and trial schedule shall be resolved by the Magistrate Judge.</i> So Ordered by Judge Paul Barbadoro. (ja,) (Entered: 12/14/2005)
01/06/2006	<u>80</u>	Proposed Discovery Plan <i>DEFS' BROWNS' PROPOSAL.</i> (Russell, Charles) (Entered: 01/06/2006)
01/06/2006	<u>81</u>	Objection to Order on Motion for Reconsideration and Notice he is unable to comply with order, filed by John A. Baldi. (mm,) (Entered: 01/09/2006)
01/17/2006	<u>82</u>	Objection to <u>80</u> Proposed Discovery Plan <i>DEFS' BROWNS' PROPOSAL</i> filed by John A. Baldi. (Attachments:, # <u>1</u> Exhibit 1 - Title 33 Section 1365(a))(mm,) (Entered: 01/20/2006)
03/07/2006		ENDORSED ORDER approving <u>80</u> Discovery Plan. Length of Trial 1-2 days. Case Track: Standard. <i>Text of Order: Approved and adopted as the court's pretrial scheduling order. Trial date: 11/7/06</i> So Ordered by Judge James R. Muirhead. Summary Judgment Motions due by 7/3/2006. Dispositive Motion Filing Deadline 3/15/2006. (mm,) (Entered: 03/07/2006)
03/07/2006		TRIAL NOTICE: LR 16.2(d) Objections due 10/24/06.. Jury Trial set for 11/7/2006 09:30 AM before Judge Paul Barbadoro. Final Pretrial Conference set for 10/25/2006 02:00 PM before Judge Paul Barbadoro. Pretrial Statements due 10/10/2006. (mm,) (Entered: 03/07/2006)

03/27/2006	<u>83</u>	ANSWER to 58 Counterclaim by John A. Baldi. (mm,) (Entered: 03/30/2006)
03/27/2006	<u>84</u>	ANSWER to 60 Ronald Brown's Counterclaim by John A. Baldi. (mm,) (Entered: 03/30/2006)
04/07/2006	<u>85</u>	NOTICE/Request for issuance of 5 subpoenas by John A. Baldi. (mm,) (Entered: 04/10/2006)
04/20/2006	<u>86</u>	MOTION to Quash Subpoenas and Notices of Deposition filed by Edward J. Fitzgerald, III, Kathleen A. McGuire, John T. Broderick, Jr, Linda S. Dalianis. Follow up on Objection on 5/10/2006 (Mullen, Daniel) (Entered: 04/20/2006)
04/20/2006		ENDORSED ORDER deferring ruling on <u>86</u> MOTION to Quash Subpoenas and Notices of Deposition. <i>Text of Order: Mr Baldi shall respond to the motion on or before April 24, 2006. The response shall include a proffer describing the evidence that he expects to obtain from the deponents. The motion shall be referred to the Magistrate judge for resolution. So Ordered by Judge Paul Barbadoro. (ja,)</i> (Entered: 04/20/2006)
04/24/2006	<u>87</u>	Objection to Order on Motion to Quash, filed by John A. Baldi. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Exhibit 1 - Subpoena to John Broderick, # <u>3</u> Exhibit 2 - Subpoena to Linda Dalianis, # <u>4</u> Exhibit 3 - Subpoena to Katherine McGuire, # <u>5</u> Exhibit 4 - Subpoena to Edward Fitzgerald, # <u>6</u> Exhibit 5 - Copies of Money Orders)(mm,) (Entered: 04/24/2006)
04/24/2006	<u>88</u>	OBJECTION to <u>86</u> MOTION to Quash Subpoenas and Notices of Deposition, served on 4/24/06, filed by John A. Baldi. (Attachments: # <u>1</u> Exhibit 1 - Subpoenas Issued to State Court Judges, # <u>2</u> Exhibit 2 - 3/15/06 Letter to Stephen Johnson, # <u>3</u> Exhibit 3 - Certified Mail Receipts)(mm,) (Entered: 04/24/2006)
04/24/2006	<u>89</u>	ORDER denying motion to reconsider <u>87</u> (objection to order on motion to quash. Signed by Judge Paul Barbadoro. (mm,) Modified on 4/25/2006 to correct the judge who issued the order (mm,). (Entered: 04/25/2006)
04/25/2006	<u>90</u>	ORDER re: depositions of judges Signed by Judge James R. Muirhead. (mm,) (Entered: 04/25/2006)
04/27/2006	<u>91</u>	ORDER granting <u>86</u> MOTION to Quash Subpoenas and Notices of Deposition. So Ordered by Judge James R. Muirhead. (mm,) (Entered: 04/27/2006)

07/01/2006	<u>92</u> -	MOTION for Summary Judgment filed by Ronald Brown Follow up on Objection on 8/7/2006 (Russell, Charles) Additional attachment(s) added on 7/3/2006 (mxm,). (Entered: 07/01/2006)
07/01/2006	<u>93</u>	MOTION for Summary Judgment <i>supporting affidavit</i> filed by Ronald Brown Follow up on Objection on 8/7/2006 (Russell, Charles) (Entered: 07/01/2006)
07/01/2006	<u>94</u>	MOTION for Summary Judgment filed by Gail Brown Follow up on Objection on 8/7/2006 (Russell, Charles) Additional attachment(s) added on 7/3/2006 (mxm,). (Entered: 07/01/2006)
07/01/2006	<u>95</u>	MOTION for Summary Judgment <i>supporting affidavit</i> filed by Gail Brown Follow up on Objection on 8/7/2006 (Russell, Charles) (Entered: 07/01/2006)
07/03/2006		NOTICE of ECF Filing Error re: <u>93</u> MOTION for Summary Judgment <i>supporting affidavit</i> filed by Ronald Brown, Document should have been filed as an attachment to the main document (Motion for Summary Judgment) per(AP 2.5(a)). Filer used the wrong event. Filer should have used Affidavit. NO ACTION REQUIRED - FOR INFORMATIONAL PURPOSES ONLY. (mxm,) (Entered: 07/03/2006)
07/03/2006		NOTICE of ECF Filing Error re: <u>95</u> MOTION for Summary Judgment <i>supporting affidavit</i> filed by Gail Brown, Document should have been filed as an attachment to the main document (Motion for Summary Judgment)per (AP 2.5(a)). Filer used the wrong event. Filer should have used Affidavit. NO ACTION REQUIRED - FOR INFORMATIONAL PURPOSES ONLY. (mxm,) (Entered: 07/03/2006)
07/03/2006		Motions terminated: <u>95</u> MOTION for Summary Judgment <i>supporting affidavit</i> filed by Gail Brown,, <u>93</u> MOTION for Summary Judgment <i>supporting affidavit</i> filed by Ronald Brown,. These documents are not Motions but Affidavits in support of Motions (mxm,) (Entered: 07/03/2006)
07/03/2006		ENDORSED ORDER denying <u>92</u> Motion for Summary Judgment. Text of Order: Motion Denied. The movant has failed to provide a short and concise statement of uncontested material fact as required by LR 7.2(b)(1) and Fed. R. Civ. P. 56(c). So Ordered by Judge Paul Barbadoro. (ja,) (Entered: 07/03/2006)
07/03/2006		ENDORSED ORDER denying <u>94</u> Motion for Summary Judgment. Text of Order: Motion Denied. The movant has failed to provide a short and concise statement of uncontested material fact as required by LR 7.2(b)(1) and Fed. R. Civ. P. 56(c). So Ordered by Judge Paul

		Barbadoro. (ja,) (Entered: 07/03/2006)
10/10/2006	<u>96</u>	Pretrial Statement of <i>Counterclaimants</i> filed by Gail Brown, Ronald Brown. (Russell, Charles) (Entered: 10/10/2006)
10/10/2006	<u>97</u>	Proposed Jury Instructions <i>Nos. 1 to 13</i> by Gail Brown, Ronald Brown. (Russell, Charles) (Entered: 10/10/2006)
10/10/2006	<u>98</u>	MOTION in Limine to enforce resjudicata/collateral estoppel filed by Gail Brown, Ronald Brown, Ronald Brown Follow up on Objection on 10/30/2006 (Russell, Charles) (Entered: 10/10/2006)
10/25/2006	<u>99</u>	MOTION for Default Judgment as to for Ronald & Gail Brown <i>Motion</i> filed by Gail Brown, Ronald Brown, Ronald Brown Follow up on Objection on 11/13/2006 (Attachments:, # <u>1</u> Exhibit A- RonBrown Interrogatories, # <u>2</u> Exhibit B-6/29/06 ltr to Baldi req. answers)(Russell, Charles) (Entered: 10/25/2006)
10/25/2006		Minute Entry for proceedings held before Judge Paul Barbadoro. FINAL PRETRIAL CONFERENCE held on 10/25/2006. John Baldi did not appear for the conference. Discussion re: Motion for default(Court Reporter: Diane Churas) (Pltfs Atty: Charles Russell) (Total Hearing Time:.05) (mm,) (Entered: 10/26/2006)
10/25/2006	<u>100</u>	OBJECTION to <u>98</u> MOTION in Limine to enforce resjudicata/collateral estoppel served on 10/25/06 filed by John A. Baldi. (Attachments:, # <u>1</u> Exhibit 1 - John Baldi's Letter to DES, # <u>2</u> Exhibit 2 - Report of DES Inspector Frank Richardson, # <u>3</u> Exhibit DES Letter of Deficiency to Town of Epsom, # <u>4</u> Exhibit 4 - Deposition of Ronald Brown, # <u>5</u> Exhibit 5 - Deposition of Gail Brown, # <u>6</u> Exhibit 6 - Criminal Complaint to NH Attorney General, # <u>7</u> Exhibit 7 - Notification of Suit USC 1365 to EPA)(mxm,) (Entered: 10/30/2006)
10/26/2006	<u>101</u>	MEMORANDUM in support of <u>100</u> Objection to <u>98</u> Motion in limine,, filed by John A. Baldi. (mxm,) (Entered: 11/02/2006)
10/30/2006		ENDORSED ORDER denying without prejudice <u>98</u> Motion in Limine to enforce res judicata/collateral estoppel. <i>Text of Order: Motion denied without prejudice. I will decide the issues raised by the motion, if necessary, at trial</i> So Ordered by Judge Paul Barbadoro. (ja,) (Entered: 10/30/2006)
11/15/2006	<u>102</u>	OBJECTION to <u>99</u> MOTION for Default Judgment as to for Ronald & Gail Brown <i>Motion</i> served on 11/15/06 filed by John A. Baldi. (mxm,) (Entered: 11/16/2006)
11/19/2006	<u>103</u>	MOTION for Recusal of all the judges and the magistrate judge of the USDC -NH filed by John A. BaldiServed on 11/19/06. Follow up on Objection on 12/11/2006 (mxm,) (Entered: 11/21/2006)

12/05/2006	<u>104</u>	OBJECTION to <u>103</u> MOTION for Recusal of all the judges and the magistrate judge of the USDC -NH filed by Gail Brown, Ronald Brown, Ronald Brown. (Russell, Charles) (Entered: 12/05/2006)
12/18/2006	<u>105</u>	ORDER granting <u>99</u> Motion for Default Judgment. So Ordered by Judge Paul Barbadoro. (ja,) (Entered: 12/18/2006)
12/18/2006	<u>106</u>	ORDER denying <u>103</u> Motion for Recusal. So Ordered by Judge Paul Barbadoro. (ja,) (Entered: 12/18/2006)
12/22/2006		NOTICE of Hearing re: <u>105</u> Order on Motion for Default Judgment. Evidentiary Hearing set for 1/12/2007 10:30 AM before Magistrate Judge James R. Muirhead. (amm,) (Entered: 12/22/2006)
01/12/2007		Minute Entry for proceedings held before Judge James R. Muirhead. EVIDENTIARY HEARING held on 1/12/2007 re: Damages requested by cross claimants, Gail and Ronald Brown ; Witnessess Appearing: Gail Brown, Ronald Brown, John Baldi. Briefs due 1/19/2007. 5 page limit (Court Reporter: Susan Bateman) (Pltfs Atty: John Baldi, pro se) (Defts Atty: Charles Russell, Esq.)(Total Hearing Time: 3:15) (jgb,) (Entered: 01/16/2007)
01/12/2007	<u>107</u>	Exhibit List by Gail Brown, Ronald Brown for Damages Hearing 1/12/07. (jgb,) (Entered: 01/16/2007)
01/12/2007	<u>108</u>	Exhibit List by John A. Baldi for Damages Hearing 1/12/07. (jgb,) (Entered: 01/16/2007)
01/12/2007	<u>109</u>	Request for Findings of Fact and Rulings of Law by Gail Brown, Ronald Brown. (jgb,) (Entered: 01/16/2007)
01/19/2007	<u>110</u>	BRIEF/MEMORANDUM re Notice of Hearing <i>on damages</i> by Gail Brown, Ronald Brown (Russell, Charles) (Entered: 01/19/2007)
01/19/2007	<u>111</u>	BRIEF/Summary Statement re: Damages by John A. Baldi (Attachments:, # <u>1</u> Exhibit D-\$-A 01-C-491 9/27/02 Order, # <u>2</u> Exhibit D-4-B 03-96-B, 5/23/03 Order, # <u>3</u> Exhibit D-4-C 03-342-PB 7/27/04 Order, # <u>4</u> Exhibit D-4-D 04-206 12/1/04 Judgment, # <u>5</u> Exhibit D-4-E 04-cv-466 9/21/05 Order, # <u>6</u> Exhibit D-5-A 2002-0683 12/17/02 Order, # <u>7</u> Exhibit D-5-B 4/15/05 First Circuit Opinion)(mxm,) (Entered: 01/26/2007)
04/23/2007	<u>112</u>	TRANSCRIPT of Proceedings for Damages hearing before Magistrate Judge Muirhead held on 1/12/07. Court Reporter: Susan Bateman, Telephone # 603 225-1453. NOTICE: You do NOT get a free look at transcripts nor are they available on PACER. If you would like to order a copy, please contact the court reporter at the above listed phone number.

		(mm,) (Entered: 04/24/2007)
06/21/2007	<u>113</u>	REPORT AND RECOMMENDATIONS re <u>99</u> Motion for Default Judgment,, recommending/awarding damages to the Browns. Follow up on Objections to R&R on 7/9/2007. Signed by Judge James R. Muirhead. (Attachments:, # <u>1</u> Exhibit 1 - List of Cases with John Baldi)(mxm) (Entered: 06/22/2007)
06/29/2007	<u>114</u>	MOTION for Judgment Under FRCP 54(b) filed by Alan Demichells, Harry J. Thomley. Follow up on Objection on 7/19/2007. (Curran, John) (Entered: 06/29/2007)
07/04/2007	<u>115</u>	OBJECTION to <u>113</u> Report and Recommendations. filed by John A. Baldi. (Attachments:, # <u>1</u> Table of Exhibits, # <u>2</u> Exhibit 1 - Motion for Magistrates Hearing-Arrest Warrants, # <u>3</u> Exhibit 2 - State Court Affirmed Motion for New Trial, # <u>4</u> Attachment to Exhibit 2-A- Table of Exhibits re: Motion for New trial, # <u>5</u> Exhibit (Affidavit) 3 - Ronald Brown, # <u>6</u> Exhibit (Affidavit) 4 - Philip Dail, # <u>7</u> Exhibit (Affidavit) 5 - Paul Them, # <u>8</u> Exhibit 6 - NH Corp Division Letter, # <u>9</u> Exhibit 7 - RSA 231:156, # <u>10</u> Exhibit 8 - RSA 159:6 License to Carry, # <u>11</u> Exhibit 9 - Letter to US EPA)(mxm) (Entered: 07/06/2007)
07/15/2007	<u>116</u>	FILED IN ERROR - OBJECTION to <u>114</u> MOTION for Judgment Under FRCP 54(b) served on 7/15/07 filed by John A. Baldi. (Attachments:, # <u>1</u> Exhibit 1 - 6/5/03 Petition for Ex Parte Attachment, # <u>2</u> Exhibit 2 - 6/30/03 Order, # <u>3</u> Exhibit 3 - Writ of Attachment, # <u>4</u> Exhibit 4 - Merrimack County Sheriff's Return, # <u>5</u> Exhibit 5 - Return of Serive of Writ on John Baldi, # <u>6</u> Exhibit 6 - Photographs, # <u>7</u> Exhibit 7 - Motion for New trial filed in Merrimack Superior)(mxm) Modified on 7/16/2007 to add: Filed in error, wrong document attached as the main document (MM). (Entered: 07/16/2007)
07/15/2007	<u>117</u>	OBJECTION to <u>114</u> MOTION for Judgment Under FRCP 54(b) served on 7/15/07 filed by John A. Baldi. (Attachments:, # <u>1</u> Exhibit 1 - 6/5/03 Petition for Exparte Attachment, # <u>2</u> Exhibit 2- 6/30/03 Order, # <u>3</u> Exhibit 3 - Writ of Attachment, # <u>4</u> Exhibit 4 - Merrimack Sheriff's Return of Service, # <u>5</u> Exhibit 5 - Return of Service on John Baldi, # <u>6</u> Exhibit 6 - 3 Photographs, # <u>7</u> Exhibit 7 - Motion for New Trial)(mxm) (Entered: 07/16/2007)
07/16/2007		ENDORSED ORDER denying <u>114</u> Motion for Judgment. <i>Text of Order: Denied. So Ordered by Judge Paul J. Barbadoro. (jna) (Entered: 07/16/2007)</i>
07/16/2007		///ENDORSED ORDER granting <u>113</u> Report and Recommendations. <i>Text of Order: Granted. I have reviewed the hearing transcript and considered Mr. Baldi's objection to the Report</i>

		<i>and Recommendation. Reviewing the matter de novo, I adopt the Magistrate Judge's recommendations. All claims have now been resolved. The clerk shall enter judgment accordingly. So Ordered by Judge Paul J. Barbadoro. (jna) (Entered: 07/16/2007)</i>
07/17/2007	<u>118</u>	JUDGMENT is hereby entered in accordance with Order on Report and Recommendations, <u>71</u> Order on Motion to Dismiss,,,,,, Order on Petition to Attach,, Order on Motion for Contempt, <u>105</u> Order on Motion for Default Judgment Signed by Clerk James R. Starr. (Case Closed) (mm) (Entered: 07/17/2007)
07/26/2007	<u>119</u>	MOTION for Reconsideration re Order on Report and Recommendations, filed by John A. Baldi. Served on 7/26/07. Follow up on Objection on 8/13/2007. (mxm) (Entered: 07/27/2007)
08/15/2007	<u>120</u>	NOTICE OF APPEAL as to Order on Report and Recommendations, <u>71</u> Order on Motion to Dismiss, Order on Petition to Attach, Order on Motion for Contempt, <u>118</u> Judgment, <u>105</u> Order on Motion for Default Judgment, <u>106</u> Order on Motion for Recusal by John A. Baldi. File-stamped copy to be sent to parties/USCA by Clerks Office.Designation of Exhibits Deadline set for 9/17/2007. (jar) (Entered: 08/16/2007)
08/16/2007		Notice of Appeal Filing Fee Fee paid: \$ 455.00 (Cash), receipt number 030711 by John A. Baldi re: <u>120</u> Notice of Appeal. (kad) (Entered: 08/16/2007)
08/16/2007		ENDORSED ORDER denying <u>119</u> Motion for Reconsideration. Text of Order: Denied. So Ordered by Judge Paul J. Barbadoro. (jna) (Entered: 08/16/2007)
08/16/2007	<u>121</u>	Clerk's Certificate transmitting Record on Appeal to US Court of Appeals, documents numbered 1 - 120, re <u>120</u> Notice of Appeal. A copy of the Notice of Appeal mailed to all parties this date. (kad) (Entered: 08/16/2007)
08/16/2007	<u>122</u>	Appeal Cover Sheet as to <u>120</u> Notice of Appeal, filed by John A. Baldi (kad) (Entered: 08/16/2007)
08/30/2007		Return of Exhibits listed on <u>108</u> Exhibit List to John A. Baldi. (dae) (Entered: 08/30/2007)
08/30/2007		Return of Exhibits listed on <u>107</u> Exhibit List as checked: Exhibits D through M, N-1 through N-8, Q-1, Q-2, DD to Charles Russell on behalf of Gail Brown, Ronald Brown. (dae) (Entered: 08/30/2007)
08/31/2007	<u>123</u>	Receipt for exhibits attached to <u>111</u> Brief, by Gail Brown, Ronald Brown (mxm) (Entered: 09/04/2007)

09/17/2007		NOTICE of Docketing Record on Appeal re <u>120</u> Notice of Appeal, filed by John A. Baldi. Appellate Case Number: CCA 07-2289 (mm) (Entered: 09/17/2007)
11/16/2007	<u>124</u>	MANDATE of USCA as to <u>120</u> Notice of Appeal, filed by John A. Baldi, <u>73</u> Notice of Appeal filed by John A. Baldi case appeal voluntarily dismissed. Appeal Record follow-up for return of record from USCA by 12/20/2007. (mxm) (Entered: 11/20/2007)
11/16/2007		Appeal Record Returned (mxm) (Entered: 11/20/2007)
07/29/2008	<u>125</u>	Request for Issuance and Proposed Writ of Execution by Gail Brown, Ronald Brown (Attachments: # <u>1</u> Computation of Interest)(jar) (Entered: 08/13/2008)
08/13/2008	<u>126</u>	WRIT of Execution Issued as to John A. Baldi. (jar) (Entered: 08/13/2008)
12/08/2008		File located at National Archives and Records Administration (NARA), Waltham, MA. Transfer No. 021-09-0005, Location No. A85050, Box No. 9. (Entered: 12/08/2008)
02/12/2009	<u>127</u>	Return of Service Executed as to John A. Baldi by Gail Brown, Ronald Brown. Served/Mailed on 2/11/2009. Answer due by 3/6/2009. (Russell, Charles) (Entered: 02/12/2009)

CLOSED

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:03-cv-00096-PB**

Baldi, et al v. Farrin, et al
Assigned to: Judge Paul J. Barbadoro
Demand: \$0
Case in other court: USDC-NH, C-02-00313-M
Cause: 42:1983 Civil Rights Act

Date Filed: 03/07/2003
Date Terminated: 08/22/2003
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

John A. Baldi

represented by **John A. Baldi**
19 Ledge St
Melrose, MA 02176
781-665-5011
PRO SE

Plaintiff

Elsie M. Baldi

represented by **Elsie M. Baldi**
20 Mount Zion Rd
Melrose, MA 02176
781 665-5011
PRO SE

V.

Defendant

Henry Farrin
TERMINATED: 05/23/2003

represented by **Donald E. Gardner**
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ATTORNEY TO BE NOTICED

Defendant

Laurence D. Yeaton
TERMINATED: 05/23/2003

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Defendant

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Defendant

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Defendant

Robert Berry
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ATTORNEY TO BE NOTICED

Defendant

Joel Dail
TERMINATED: 05/23/2003

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Defendant

Ronald Brown
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Defendant

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Defendant

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Defendant

R. Matthew Cairns
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Defendant

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TERMINATED: 08/21/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Stephen A. Duggan
TERMINATED: 08/21/2003

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Defendant

Ransmeier & Spellman
TERMINATED: 08/21/2003

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Defendant

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TERMINATED: 06/23/2003

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Defendant

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ATTORNEY TO BE NOTICED

Defendant

Philip Dail
TERMINATED: 05/23/2003

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TERMINATED: 05/23/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Ricker
(See above for address)
TERMINATED: 04/04/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Edward J. Fitzgerald, III
TERMINATED: 05/23/2003

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Defendant

Epsom, Town of
TERMINATED: 05/23/2003

represented by **Donald E. Gardner**
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TERMINATED: 05/23/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Ricker
 (See above for address)
TERMINATED: 04/30/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/07/2003	1	COMPLAINT; jury demand FILING FEE \$ 150.00 ; RECEIPT # 023187. (bc) (Entered: 03/12/2003)
03/07/2003		SUMMONS issued for Henry Farrin, Laurence D. Yeaton, John F. Hickey, Peter B. Bosiak, Robert Berry, Joel Dail, Ronald Brown, Steven Kimball, Gregory Bowen, R. Matthew Cairns, Marie McPartlin, Stephen A. Duggan, Ransmeier & Spellman, Diane M. Puckhaber, Perkins & Puckhaber, Philip Dail, Edward J. Fitzgerald III, Epsom . (bc) (Entered: 03/12/2003)
03/12/2003		CASE REFERRED to Magistrate Judge James R. Muirhead for initial case review. (bc) (Entered: 03/12/2003)
03/26/2003	2	MOTION by Diane M. Puckhaber to Extend Time for 60 days to answer with partial assent served on: 3/25/03. Objection to Motion Deadline 4/11/03 (mm) (Entered: 03/26/2003)
03/26/2003	3	MOTION by Perkins & Puckhaber to Extend Time for 60 days to answer with partial assent served on: 3/25/03. Objection to Motion Deadline 4/11/03 (mm) (Entered: 03/26/2003)
03/27/2003	4	ANSWER to Complaint [1-1] by Steven Kimball (Attorney Roy S. McCandless) (jar) (Entered: 03/28/2003)
03/31/2003	5	MOTION by Edward J. Fitzgerald III to Extend Time until 4/30/03 to answer or otherwise plead served on: 3/31/03. Objection to Motion Deadline 4/17/03 (mm) (Entered: 03/31/2003)
03/31/2003	6	ANSWER to Complaint [1-1] by R. Matthew Cairns, Marie McPartlin, Stephen A. Duggan, Ransmeier & Spellman (Attorney Charles P. Bauer) (mm) (Entered: 04/01/2003)

04/02/2003	7	NOTICE of attorney appearance for Ronald Brown by Charles A. Russell (mm) (Entered: 04/02/2003)
04/02/2003	8	MOTION by Ronald Brown to Extend Time by 60 days to respond or otherwise plead served on: 4/2/03. Objection to Motion Deadline 4/21/03 (mm) (Entered: 04/02/2003)
04/02/2003	9	MOTION by "Epsom Defendants" to Extend Time until 4/30/03 to answer or otherwise plead served on: 4/1/03. Objection to Motion Deadline 4/18/03 (mm) (Entered: 04/03/2003)
04/03/2003	10	OBJECTION by John A. Baldi, Elsie M. Baldi to [2-1] Puckhabers' motion to Extend Time for 60 days to answer . (mm) (Entered: 04/03/2003)
04/03/2003	11	OBJECTION by John A. Baldi, Elsie M. Baldi to [3-1] Perkins' motion to Extend Time for 60 days to answer . (mm) (Entered: 04/03/2003)
04/04/2003		ENDORSED ORDER granting [8-1] motion to Extend Time by 60 days to respond or otherwise plead, reset Answer deadline to 6/6/03 for Ronald Brown (signed by Magistrate Judge James R. Muirhead) (mm) (Entered: 04/04/2003)
04/04/2003		ENDORSED ORDER granting [9-1] motion to Extend Time until 4/30/03 to answer or otherwise plead, reset Answer deadline to 4/30/03 for Epsom, for Philip Dail, for Joel Dail, for Robert Berry, for Peter B. Bosiak, for John F. Hickey, for Laurence D. Yeaton, for Henry Farrin (signed by Magistrate Judge James R. Muirhead) (mm) (Entered: 04/04/2003)
04/04/2003		ENDORSED ORDER granting [5-1] motion to Extend Time until 4/30/03 to answer or otherwise plead, reset Answer deadline to 4/30/03 for Edward J. Fitzgerald III (signed by Magistrate Judge James R. Muirhead) (mm) (Entered: 04/04/2003)
04/04/2003		ENDORSED ORDER granting [3-1] motion to Extend Time for 60 days to answer, reset Answer deadline to 6/2/03 for Perkins & Puckhaber (signed by Magistrate Judge James R. Muirhead) (mm) (Entered: 04/04/2003)
04/04/2003		ENDORSED ORDER granting [2-1] motion to Extend Time for 60 days to answer, reset Answer deadline to 6/2/03 for Diane M. Puckhaber (signed by Magistrate Judge James R. Muirhead) (mm) (Entered: 04/04/2003)
04/04/2003	12	NOTICE of attorney appearance for Edward J. Fitzgerald III by Martin P. Honigberg (mm) (Entered: 04/04/2003)

04/04/2003	13	NOTICE of substitute attorney for Henry Farrin, Laurence D. Yeaton, John F. Hickey, Peter B. Bosiak, Joel Dail, Gregory Bowen, Philip Dail, Epsom . Terminated attorney Michael A. Ricker for Philip Dail, attorney Michael A. Ricker for Gregory Bowen, attorney Michael A. Ricker for Joel Dail, attorney Michael A. Ricker for Robert Berry, attorney Michael A. Ricker for Peter B. Bosiak, attorney Michael A. Ricker for John F. Hickey, attorney Michael A. Ricker for Laurence D. Yeaton, attorney Michael A. Ricker for Henry Farrin **Substituted attorney Donald E. Gardner. (mm) (Entered: 04/14/2003)
04/30/2003	14	MOTION by Epsom defendants to Extend Time until 5/14/03 to answer or otherwise plead served on: 4/29/03. Objection to Motion Deadline 5/16/03 (mm) (Entered: 04/30/2003)
04/30/2003	15	MOTION by Edward J. Fitzgerald III to Dismiss complaint with memorandum served on: 4/30/03. Objection to Motion Deadline 5/19/03 (mm) (Entered: 04/30/2003)
05/01/2003	16	Amended MOTION by Epsom defendants to Extend Time served on: 4/30/03. Objection to Motion Deadline 5/19/03 (mm) (Entered: 05/05/2003)
05/05/2003		Terminated Document [14-1] motion to Extend Time until 5/14/03 to answer or otherwise plead. Replaced by document #16. (mm) (Entered: 05/05/2003)
05/06/2003	17	OBJECTION with attachment by John A. Baldi, Elsie M. Baldi to Epsom defendants' [16-1] motion to Extend Time . (mm) (Entered: 05/07/2003)
05/07/2003		CASE NO LONGER REFERRED TO Magistrate Judge James R. Muirhead (mm) (Entered: 05/07/2003)
05/07/2003		ENDORSED ORDER granting [16-1] motion to Extend Time, reset Answer deadline to 5/14/03 for Epsom, for Philip Dail, for Joel Dail, for Robert Berry, for Peter B. Bosiak, for John F. Hickey, for Laurence D. Yeaton, for Henry Farrin (signed by Magistrate Judge James R. Muirhead) (mm) (Entered: 05/07/2003)
05/09/2003	18	OBJECTION with memorandum by John A. Baldi, Elsie M. Baldi to [15-1] motion to Dismiss complaint . Date of service of objection was 5/9/03 (mm) (Entered: 05/12/2003)
05/13/2003	19	MOTION by John A. Baldi, Elsie M. Baldi for Declaratory judgment with memorandum served on: 5/13/03. Objection to Motion Deadline 5/30/03 (mm) (Entered: 05/13/2003)
05/13/2003	20	REPLY by Edward J. Fitzgerald III to objection to [15-1] motion to Dismiss complaint (mm) (Entered: 05/14/2003)

05/14/2003	21	MOTION by Henry Farrin, Epsom to Dismiss claims against Municipal defendants with memorandum and attachments served on: 5/14/03. Objection to Motion Deadline 6/3/03 (mm) (Entered: 05/15/2003)
05/20/2003	22	MOTION by John A. Baldi, Elsie M. Baldi for Declaratory Judgment on Count 1 with memorandum served on: 5/20/03. Objection to Motion Deadline 6/9/03 (mm) (Entered: 05/20/2003)
05/20/2003	23	OBJECTION with memorandum by John A. Baldi, Elsie M. Baldi to [21-1] motion to Dismiss claims against Municipal defendants . Date of service of objection was 5/20/03 (mm) (Entered: 05/20/2003)
05/21/2003	24	MOTION by John A. Baldi, Elsie M. Baldi for Injunctive relief/ Temporary Restraining Order with memorandum served on: 5/21/03. Objection to Motion Deadline 6/10/03 (mm) (Entered: 05/22/2003)
05/22/2003	25	OBJECTION Steven Kimball to [22-1] motion for Declaratory Judgment on Count 1 . Date of service of objection was 5/21/03 (mm) (Entered: 05/23/2003)
05/22/2003	26	OBJECTION by Steven Kimball to [19-1] motion for Declaratory judgment . Date of service of objection was 5/21/03 (mm) (Entered: 05/23/2003)
05/22/2003	27	MOTION by Steven Kimball to Dismiss the action with memorandum served on: 5/21/03. Objection to Motion Deadline 6/10/03 (mm) (Entered: 05/23/2003)
05/23/2003	28	NOTICE of intent to file reply brief by Henry Farrin, Epsom to [21-1] motion to Dismiss claims against Municipal defendants . Reply Brief due on 6/4/03 for Epsom, for Henry Farrin . (mm) (Entered: 05/23/2003)
05/23/2003	29	OBJECTION by Diane M. Puckhaber, Perkins & Puckhaber to [19-1] motion for Declaratory judgment . Date of service of objection was 5/22/03 (mm) (Entered: 05/23/2003)
05/23/2003	30	OBJECTION by Diane M. Puckhaber, Perkins & Puckhaber to [22-1] motion for Declaratory Judgment on Count 1 . Date of service of objection was 5/22/03 (mm) (Entered: 05/23/2003)
05/23/2003	31	OBJECTION by Steven Kimball to [24-1] motion for Injunctive relief/ Temporary Restraining Order . Date of service of objection was 5/22/03 (mm) (Entered: 05/23/2003)
05/23/2003		ENDORSED ORDER granting [21-1] motion to Dismiss claims against Municipal defendants (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 05/23/2003)

05/23/2003		ENDORSED ORDER denying [24-1] motion for Injunctive relief/ Temporary Restraining Order (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 05/23/2003)
05/23/2003		ENDORSED ORDER granting [15-1] motion to Dismiss complaint against Judge Fitzgerald (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 05/23/2003)
05/23/2003		Terminated party Epsom, party Edward J. Fitzgerald, party Philip Dail, party Gregory Bowen, party Joel Dail, party Robert Berry, party Peter B. Bosiak, party John F. Hickey, party Laurence D. Yeaton, party Henry Farrin (mm) (Entered: 05/23/2003)
05/27/2003	32	MOTION by Diane M. Puckhaber, Perkins & Puckhaber to Dismiss the complaint with memorandum served on: 5/27/03. Objection to Motion Deadline 6/13/03 (mm) (Entered: 05/27/2003)
05/27/2003	33	OBJECTION by Diane M. Puckhaber, Perkins & Puckhaber to [24-1] motion for Injunctive relief/ Temporary Restraining Order . (mm) (Entered: 05/27/2003)
05/28/2003	34	MOTION by John A. Baldi to Clarify [0-0] endorsed order dismissing Municipal defendants served on: 5/28/03. Objection to Motion Deadline 6/16/03 (mm) (Entered: 05/28/2003)
05/28/2003	35	NOTICE OF INTERLOCUTORY APPEAL of by John A. Baldi re: 5/23/03 [0-0] endorsed orders , Filing fee \$ 105 ; receipt # 023621. (mm) (Entered: 05/28/2003)
05/28/2003		Appeal record sent to CCA with Clerk's certificate on -- transmitting documents: 15,18,20,21,23,24,31,35 (mm) (Entered: 05/28/2003)
05/29/2003	36	ANSWER to Complaint [1-1] by Diane M. Puckhaber, Perkins & Puckhaber (mm) (Entered: 05/29/2003)
05/30/2003	37	MOTION by John A. Baldi for Recusal of Judge Barbadoro and Magistrate Judge Muirhead with memorandum and attachments served on: 5/30/03. Objection to Motion Deadline 6/18/03 (mm) (Entered: 05/30/2003)
06/02/2003		ENDORSED ORDER denying [37-1] motion for Recusal of Judge Barbadoro and Magistrate Judge Muirhead (signed by Chief Judge Paul J. Barbadoro) (jar) (Entered: 06/02/2003)
06/02/2003	38	ANSWER to Complaint [1-1] by Ronald Brown (jar) (Entered: 06/03/2003)
06/02/2003	39	MOTION by Ronald Brown to Dismiss this action with memo; served on: 6/2/03. Objection to Motion Deadline 6/19/03 (jar) (Entered: 06/02/2003)

		06/03/2003)
06/04/2003	40	OBJECTION with cites by John A. Baldi, Elsie M. Baldi to [32-1] motion to Dismiss the complaint . Date of service of objection was 6/4/03 (jeb) (Entered: 06/04/2003)
06/04/2003	41	OBJECTION with memorandum by John A. Baldi, Elsie M. Baldi to [27-1] motion to Dismiss the action . Date of service of objection was 6/4/03 (jeb) Modified on 06/04/2003 (Entered: 06/04/2003)
06/05/2003		NOTICE of Docketing Record on Appeal from First Circuit Court of Appeals Re: [35-1] interlocutory appeal by John A. Baldi . CCA NUMBER: 03-1776 (jeb) (Entered: 06/05/2003)
06/05/2003	42	OBJECTION by John A. Baldi to endorsed order on [37-1], Plaintiff's Motin to Recuse and Remove Pursuant to Title 28 USC 455. (jeb) (Entered: 06/06/2003)
06/09/2003	43	OBJECTION with memorandum by John A. Baldi, Elsie M. Baldi to [39-1] motion to Dismiss this action . Date of service of objection was 6/9/03 (mm) (Entered: 06/10/2003)
06/09/2003	44	MOTION by R. Matthew Cairns, Marie McPartlin, Stephen A. Duggan, Ransmeier & Spellman for Judgment with respect to Count 6 under FRCP 12(c) with cites served on: 6/6/03. Objection to Motion Deadline 6/25/03 (mm) (Entered: 06/10/2003)
06/09/2003	45	MOTION by R. Matthew Cairns, Marie McPartlin, Stephen A. Duggan, Ransmeier & Spellman for Judgment on Count 5 pursuant to FRCP 12(c) with cites served on: 6/6/03. Objection to Motion Deadline 6/25/03 (mm) (Entered: 06/10/2003)
06/11/2003		ENDORSED ORDER denying [42-1]. I treat the objection as a motion to reconsider and deny the motion. (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 06/11/2003)
06/11/2003	46	MOTION by John A. Baldi for Reconsideration of [21-1] motion to Dismiss claims against Municipal defendants, [15-1] motion to Dismiss complaint , and to make the order final pursuant to FRCP 54(b) with memorandum served on: 6/11/03. Objection to Motion Deadline 6/30/03 (mm) (Entered: 06/11/2003)
06/12/2003	47	OBJECTION by Epsom defendants to [34-1] motion to Clarify [0-0] endorsed order dismissing Municipal defendants . (mm) (Entered: 06/13/2003)
06/13/2003	48	OBJECTION by Epsom defendants to [46-2] motion to make the order final pursuant to FRCP 54(b) . (mm) (Entered: 06/13/2003)

06/16/2003		ENDORSED ORDER denying [46-1] motion for Reconsideration of [21-1] motion to Dismiss claims against Municipal defendants, [15-1] motion to Dismiss complaint, denying [46-2] motion to make the order final pursuant to FRCP 54(b) (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 06/17/2003)
06/16/2003		ENDORSED ORDER denying [34-1] motion to Clarify [0-0] endorsed order dismissing Municipal defendants (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 06/17/2003)
06/16/2003		ENDORSED ORDER denying [22-1] motion for Declaratory Judgment on Count 1 (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 06/17/2003)
06/16/2003		ENDORSED ORDER denying [19-1] motion for Declaratory judgment (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 06/17/2003)
06/17/2003	49	OBJECTION by John A. Baldi, Elsie M. Baldi to [45-1] motion for Judgment on Count 5 pursuant to FRCP 12(c) . (mm) (Entered: 06/18/2003)
06/17/2003	50	OBJECTION with memorandum by John A. Baldi, Elsie M. Baldi to [44-1] motion for Judgment with respect to Count 6 under FRCP 12(c) . (mm) (Entered: 06/18/2003)
06/23/2003		Terminated party Perkins & Puckhaber, party Diane M. Puckhaber per doc #32 (mm) (Entered: 06/24/2003)
06/23/2003		ENDORSED ORDER granting [27-1] Steven Kimball's motion to Dismiss the action. See Orders dated 5/23/03 and 6/23/03 (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 06/24/2003)
06/23/2003		Terminated party Steven Kimball per doc#27 (mm) (Entered: 06/24/2003)
06/23/2003		ENDORSED ORDER granting [39-1] Ronald Brown's motion to Dismiss this action (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 06/24/2003)
06/23/2003		Terminated party Ronald Brown per doc #39. (mm) (Entered: 06/24/2003)
06/24/2003		ENDORSED ORDER denying [45-1] motion for Judgment on Count 5 pursuant to FRCP 12(c). Defendants directed to file a motion to dismiss based on a lack of subject matter jurisdiction. (signed by Chief Judge Paul J. Barbadoro) (mm) Modified on 06/24/2003 (Entered: 06/24/2003)
06/24/2003		ENDORSED ORDER denying [44-1] motion for Judgment with respect to Count 6 under FRCP 12(c). Defendants directed to file a motion to

		dismiss based on lack of subject matter jurisdiction. (signed by Chief Judge Paul J. Barbadoro) (mm) Modified on 06/24/2003 (Entered: 06/24/2003)
06/24/2003		ENDORSED ORDER granting [32-1] motion to Dismiss the complaint. See orders dated 5/23/03 and 6/23/03 (signed by Chief Judge Paul J. Barbadoro) (mm) Modified on 06/24/2003 (Entered: 06/24/2003)
07/07/2003	51	OBJECTION by John A. Baldi, Elsie M. Baldi to [0-0] endorsed order dated 6/23/03. (mm) (Entered: 07/07/2003)
07/11/2003	52	NOTICE of Petition for Writ of Mandamus filed at US Court of Appeals by John A. Baldi, Elsie M. Baldi (mm) (Entered: 07/11/2003)
07/25/2003	53	MOTION by R. Matthew Cairns, Marie McPartlin, Stephen A. Duggan, Ransmeier & Spellman for Judgment on the pleadings with memorandum and attachments served on: 7/25/03. Objection to Motion Deadline 8/13/03 (mm) (Entered: 07/25/2003)
08/05/2003	54	OBJECTION with attachment by John A. Baldi, Elsie M. Baldi to [53-1] motion for Judgment on the pleadings . Date of service of objection was 8/5/03 (mm) (Entered: 08/05/2003)
08/18/2003		PRETRIAL CONFERENCE before: Magistrate Judge Muirhead set at 10:30 9/18/03 . Discovery Plan Follow-up Deadline set to 9/15/03 for Case Manager to verify filing of Discovery Plan. (jgb) (Entered: 08/18/2003)
08/20/2003		ENDORSED ORDER granting Ransmeier defendants' [53-1] motion for Judgment on the pleadings (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 08/21/2003)
08/21/2003		Terminated party Ransmeier & Spellman, party Stephen A. Duggan, party Marie McPartlin, party R. Matthew Cairns per doc #53 (mm) (Entered: 08/21/2003)
08/22/2003	55	JUDGMENT is hereby entered in accordance with the Endorsed Orders by Chief Judge Paul Baradoro dated May 23, June 23, June 24, and August 20, 2003, granting defendants' Motions to Dismiss or for Judgment on the Pleadings. (Signed by Clerk James R. Starr) (mm) (Entered: 08/22/2003)
08/22/2003		Case closed (mm) (Entered: 08/22/2003)
08/22/2003		**Set interlocutory appeal flag. (mm) (Entered: 08/22/2003)
08/25/2003	56	OBJECTION by John A. Baldi to [0-0] endorsed order granting motion by Ransmeier defendants for judgment on the pleadings. (mm) (Entered: 08/26/2003)

08/27/2003	57	AMENDED NOTICE OF APPEAL by John A. Baldi, Elsie M. Baldi . . Appeal Record Transmittal Due 9/2/03 File-stamped copy to parties/CCA with Appeal Information Sheet. (mm) (Entered: 08/27/2003)
08/29/2003		Appeal record sent to CCA with Clerk's certificate on [57-1] appeal by Elsie M. Baldi, John A. Baldi -- transmitting documents: 1-57 (mm) (Entered: 08/29/2003)
09/05/2003	58	MOTION by R. Matthew Cairns, Marie McPartlin, Stephen A. Duggan, Ransmeier & Spellman for Attorney Fees with attachments served on: 9/5/03. Objection to Motion Deadline 9/24/03 (mm) (Entered: 09/05/2003)
09/15/2003	59	OBJECTION with memorandum and attachment by John A. Baldi, Elsie M. Baldi to [58-1] motion for Attorney Fees . (mm) (Entered: 09/16/2003)
09/15/2003	60	MOTION by Steven Kimball for Attorney Fees and approval of Bill of Costs with memorandum and attachments served on: 9/15/03. Objection to Motion Deadline 10/2/03 (mm) (Entered: 09/16/2003)
09/22/2003	61	OBJECTION with memorandum and attachment by John A. Baldi, Elsie M. Baldi to [60-1] motion for Attorney Fees and approval of Bill of Costs . (mm) (Entered: 09/22/2003)
10/07/2003		ENDORSED ORDER denying [58-1] Ransmeier defendants' motion for Attorney Fees (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 10/08/2003)
10/07/2003		ENDORSED ORDER denying [60-1] Steven Kimball's motion for Attorney Fees and approval of Bill of Costs (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 10/08/2003)
01/02/2004	62	MOTION to Depose Ronald Brown and Philip Dail filed by John A. Baldi , with memorandum and attachments. Follow up on 1/22/2004 (mm,) (Entered: 01/05/2004)
01/06/2004	63	ORDER on Nonconforming Document re: 62 Motion for Miscellaneous Relief filed by John A. Baldi. Fails to comply with 7.1(c) no concurrence sought. Cure Document by 1/16/2004. Signed by Judge Paul Barbadoro. (mm,) (Entered: 01/07/2004)
01/12/2004	64	Addendum/correction of hearing date to 12/18/03 to 62 MOTION to Depose Ronald Brown and Philip Dail by John A. Baldi.(mm,) (Entered: 01/13/2004)
01/12/2004	65	Nonconforming Document 62 Motion to depose Ronald Brown and Philip Dail cured with "plaintiff will seek consent to depose defendants

		Brown and Dail, at another time or perhaps in another forum" by John A. Baldi. Follow up on 2/2/2004(mm,) (Entered: 01/13/2004)
01/12/2004	66	OBJECTION to 62 MOTION to Depose Ronald Brown and Philip Dail filed by Robert Berry, Peter B. Bosiak, Gregory Bowen, Henry Farrin, John F. Hickey, Town of Epsom, Laurence D. Yeaton. (mm,) (Entered: 01/13/2004)
01/12/2004	67	OBJECTION to 62 MOTION to Depose Ronald Brown and Philip Dail filed by Steven Kimball. (mm,) (Entered: 01/13/2004)
01/16/2004	68	OBJECTION to 62 MOTION to Depose Ronald Brown and Philip Dail filed by Edward J. Fitzgerald III. (mm,) (Entered: 01/20/2004)
01/27/2004		ENDORSED ORDER denying as moot 62 Motion to depose Brown and Dail. <i>Text of Order: The motion is denied as moot as plaintiffs are no longer seeking to depose Brown and Dail in this action.</i> Signed by Judge Paul Barbadoro.(mm,) (Entered: 01/28/2004)
02/24/2004	69	USCA JUDGMENT as to 57 Notice of Appeal filed by John A. Baldi, Elsie M. Baldi the judgment of the district court is affirmed.Appellant's motion forleave to file an expanded appendix is denied.(mm,) (Entered: 02/26/2004)
03/26/2004	70	MANDATE of USCA as to 35 Notice of Interlocutory Appeal filed by John A. Baldi, 57 Notice of Appeal filed by John A. Baldi, Elsie M. Baldi District court judgment affirmed.(mm,) (Entered: 03/29/2004)
12/01/2005		File located at National Archives and Records Administration (NARA), Waltham, MA. Transfer No. 021-06-0002, Location No. A146931, Box No. 18(jeb,) (Entered: 12/01/2005)

CLOSED

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:01-cv-00396-JD**

Baldi v. Bourn, et al
Assigned to: Judge Joseph A. DiClerico, Jr
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 10/22/2001
Date Terminated: 10/31/2002
Jury Demand: Both
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

John A. Baldi

represented by **John A. Baldi**
19 Ledge St
Melrose, MA 02176
781-665-5011
PRO SE

V.

Defendant

Eric A. Bourn

represented by **R. Matthew Cairns**
Gallagher Callahan & Gartrell PC
214 No Main St
PO Box 1415
Concord, NH 03302-1415
603 228-1181
Fax: 603 224-7588
Email: cairns@gcglaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Paul Pearson

represented by **Paul A. Maggiotto**
58 Pleasant Street
Concord, NH 03301
225-5152
Email: pmaggiotto@usa.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**James McKenzie**

represented by **Amy B. Mills**
 ME Attorney General's Office
 6 State House Station
 Augusta, ME 04333
 207 626-8878
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/22/2001	1	COMPLAINT; jury demand FILING FEE \$ 150.00 ; RECEIPT # 020766. (bc) (Entered: 10/22/2001)
10/22/2001		CASE REFERRED to Magistrate Judge James R. Muirhead for initial review (bc) (Entered: 10/22/2001)
10/24/2001	2	ORDER: Pltf has alleged a civil rights cause of action. The Clerk's office is to issue the necessary summonses against the defts to enable this action to proceed. Pltf shall complete service w/i 120 days following issuance of the summonses. Defts shall answer or otherwise plead w/i 20 days from the date of service. (signed by Magistrate Judge James R. Muirhead) (jab) (Entered: 10/24/2001)
10/25/2001		SUMMONS(ES) issued for Eric A. Bourn, Paul Pearson, James McKenzie and forwarded to pltf . (jab) (Entered: 10/25/2001)
11/13/2001		CASE NO LONGER REFERRED TO Magistrate Judge James R. Muirhead (jab) (Entered: 11/13/2001)
11/13/2001	3	RETURN OF SERVICE executed as to Eric A. Bourn, Paul Pearson, James McKenzie 11/7/01 . Answer due on 11/27/01 for James McKenzie, for Paul Pearson, for Eric A. Bourn (jab) (Entered: 11/13/2001)
11/19/2001	4	NOTICE of attorney appearance for Paul Pearson by Paul A. Maggiotto (amm) (Entered: 11/20/2001)
11/20/2001	5	ANSWER to Complaint [1-1] by Eric A. Bourn (Attorney R. Matthew Cairns); jury demand (amm) (Entered: 11/20/2001)
11/21/2001	6	ANSWER to Complaint [1-1] by Paul Pearson (amm) (Entered: 11/21/2001)
11/26/2001	7	MOTION by James McKenzie to Dismiss pursuant to F.R.Civ.P. 12(b)(6) with memorandum. Objection to Motion Deadline 12/17/01 (jab) (Entered: 11/26/2001)

11/28/2001		PRETRIAL CONFERENCE before: Magistrate Judge Muirhead set at 9:00 12/28/01. Discovery Plan Follow-up Deadline set to 12/24/01 for Case Manager to verify filing of Discovery Plan. (cm) (Entered: 11/28/2001)
12/06/2001	8	MOTION by Paul Pearson to Continue Preliminary Pretrial Conference to after 1/3/02 no memorandum. (jab) (Entered: 12/06/2001)
12/10/2001	9	OBJECTION with cites by John A. Baldi to [7-1] motion to Dismiss pursuant to F.R.Civ.P. 12(b)(6) (jab) (Entered: 12/10/2001)
12/10/2001	10	ORDER on Nonconforming Document; Document [9-1] motion objection fails to comply with LR 7.1(a)(1) - Motions shall be considered only if submitted separately from other filings. Court will accept the pleading as an Objection to Deft McKenzie's Motion to Dismiss. Pltf will need to refile his Motion to Find James McKenzie in Default for Failure to File an Answer as a separate document. (signed by Judge Steven J. McAuliffe) (jab) (Entered: 12/10/2001)
12/20/2001		ENDORSED ORDER granting [8-1] motion to Continue Preliminary Pretrial Conference to after 1/3/02, reset discovery plan deadline to 1/14/02 , reset Pretrial Conference for 2:00 1/18/02 (signed by Judge Steven J. McAuliffe) (jab) Modified on 12/21/2001 (Entered: 12/20/2001)
12/31/2001	11	MOTION by James McKenzie to Continue Preliminary Pretrial Conference to after 1/21/02 no memo; with partial assent. Objection to Motion Deadline 1/22/02 (jab) (Entered: 01/02/2002)
01/02/2002	12	OBJECTION with no memorandum by John A. Baldi to [11-1] motion to Continue Preliminary Pretrial Conference to after 1/21/02 (jab) (Entered: 01/02/2002)
01/04/2002	13	MOTION by James McKenzie to Withdraw [11-1] motion to Continue Preliminary Pretrial Conference to after 1/21/02 no memorandum. (jab) (Entered: 01/04/2002)
01/04/2002		ENDORSED ORDER granting [13-1] motion to Withdraw [11-1] motion to Continue Preliminary Pretrial Conference to after 1/21/02 (signed by Judge Steven J. McAuliffe) (jab) (Entered: 01/04/2002)
01/14/2002	14	Proposed Discovery Plan (jab) (Entered: 01/14/2002)
01/15/2002		ENDORSED ORDER DISCOVERY PLAN ***Case track set--STNDRD granting [14-1] discovery plan. Ready for trial deadline set for 1/7/03; Summary Judgment Motion Deadline set to 8/1/02; Dispositive Motion Filing Deadline set to 4/15/02; Discovery deadline set to 10/31/02; Mediation List Deadline set for 4/5/02; Length of Trial: 3 days (signed by Magistrate Judge James R. Muirhead). (jab) (Entered: 01/15/2002)

		01/15/2002)
01/15/2002		TRIAL NOTICE: Final Pretrial Statements Due 12/3/02 ; Final Pretrial Conference set for 10:00 12/20/02 ; Jury Trial set for 2-week period beginning 9:30 1/7/03 before Judge Steven J. McAuliffe . LR 16.2(d) Objections Due 12/17/02. (jab) (Entered: 01/15/2002)
01/25/2002	15	MOTION by James McKenzie to Stay Initial Disclosures Required Pursuant to F.R. Civ.P. 26(a)(1) with memorandum. Objection to Motion Deadline 2/14/02 (jab) (Entered: 01/25/2002)
02/04/2002	16	OBJECTION with memorandum by John A. Baldi to [15-1] motion to Stay Initial Disclosures Required Pursuant to F.R. Civ.P. 26(a)(1) (jab) (Entered: 02/05/2002)
02/05/2002		Motion(s) referred: [15-1] motion to Stay Initial Disclosures Required Pursuant to F.R. Civ.P. 26(a)(1) referred to Magistrate Judge James R. Muirhead (jab) (Entered: 02/05/2002)
02/05/2002		ENDORSED ORDER denying [15-1] motion to Stay Initial Disclosures Required Pursuant to F.R. Civ.P. 26(a)(1). Denied - plaintiff, in his objection, raises facts which, if included in an amended complaint (he could file as of right) would make the motion to dismiss more problematic. (signed by Magistrate Judge James R. Muirhead) (jab) (Entered: 02/05/2002)
02/12/2002	17	MOTION by John A. Baldi to Amend [1-1] complaint no memo; with 1st Amended Complaint attached. (jab) (Entered: 02/12/2002)
02/13/2002	18	ORDER on Nonconforming Document; Document [17-1] motion to Amend [1-1] complaint fails to comply with 71.(c) No Statement of Concurrence; Cured document deadline 2/25/02 for John A. Baldi (signed by Judge Steven J. McAuliffe) (jab) (Entered: 02/13/2002)
02/19/2002	19	Addendum/Statement of Concurrence by plaintiff John A. Baldi to [17-1] motion to Amend [1-1] complaint (jab) (Entered: 02/19/2002)
02/22/2002	20	OBJECTION with cites by Eric A. Bourn to [17-1] motion to Amend [1-1] complaint (jab) (Entered: 02/22/2002)
02/26/2002	21	OBJECTION with no memorandum by James McKenzie to [17-1] motion to Amend [1-1] complaint (jab) (Entered: 02/28/2002)
02/26/2002	22	MOTION by John A. Baldi for Leave to File surreply to Deft Bourn's Objection to Motion to Amend no memo; with Surreply attached. Objection to Motion Deadline 3/18/02 (jab) (Entered: 02/28/2002)
03/01/2002	23	OBJECTION with no memorandum by Paul Pearson to [17-1] motion to Amend [1-1] complaint (jab) (Entered: 03/01/2002)

03/25/2002		ENDORSED ORDER denying [17-1] motion to Amend [1-1] complaint. Motion denied, for the reasons set out in Defendant Bourne's objection (document no. 20); plaintiff seeks to add numerous defendants and unrelated claims to this suit which will unnecessarily complicate and add to the expense of litigating this case, and, plaintiff is free to sue on the unrelated claims pertaining to unrelated defendants separately. (signed by Judge Steven J. McAuliffe) (jab) (Entered: 03/25/2002)
03/25/2002		ENDORSED ORDER granting [22-1] motion for Leave to File surreply to Deft Bourn's Objection to Motion to Amend (signed by Judge Steven J. McAuliffe) (jab) (Entered: 03/25/2002)
03/25/2002	24	REPLY by John A. Baldi to objection to [17-1] motion to Amend [1-1] complaint (jab) (Entered: 03/25/2002)
04/15/2002	25	MOTION by Eric A. Bourn for Judgment on the Pleadings (Counts 15-21) Pursuant to Fed.R.Civ.P. 12 with no memorandum. Objection to Motion Deadline 5/6/02 (jab) (Entered: 04/16/2002)
04/16/2002	26	ORDER: Parties are to confer, select a mediator from the names given and notify the court w/i 10 calendar days of the agreed upon selection of mediator. set Notice of Compliance deadline to 4/26/02 for James McKenzie, for Paul Pearson, for Eric A. Bourn, for John A. Baldi (signed by Magistrate Judge James R. Muirhead) (jab) (Entered: 04/16/2002)
04/24/2002	27	OBJECTION with cites by John A. Baldi to [25-1] motion for Judgment on the Pleadings (Counts 15-21) Pursuant to Fed.R.Civ.P. 12 (jab) (Entered: 04/24/2002)
04/25/2002	28	PARTIALLY ASSENTED-TO MOTION by Eric A. Bourn to Continue Court Sponsored Mediation until after 10/1/02 withno memorandum. Objection to Motion Deadline 5/15/02 (jab) (Entered: 04/25/2002)
04/30/2002	29	RESPONSE/Assent by Paul Pearson to [28-1] motion to Continue Court Sponsored Mediation until after 10/1/02 . (jab) (Entered: 04/30/2002)
05/01/2002		ENDORSED ORDER granting [28-1] motion to Continue Court Sponsored Mediation until after 10/1/02 (signed by Magistrate Judge James R. Muirhead) (jab) (Entered: 05/01/2002)
05/02/2002		CASE reassigned to Judge Joseph A. DiClerico Jr. (jab) (Entered: 05/02/2002)
05/16/2002	30	///ORDER granting [25-1] motion for Judgment on the Pleadings (Counts 15-21) Pursuant to Fed.R.Civ.P. 12, granting in part as to federal claims, denying in part as to state claims [7-1] motion to Dismiss pursuant to F.R.Civ.P. 12(b)(6) (signed by Judge Joseph A. DiClerico Jr) (jgb) Modified on 06/04/2002 (Entered: 05/17/2002)

05/24/2002	31	ANSWER to Complaint [1-1] by James McKenzie (dae) (Entered: 05/24/2002)
05/28/2002	32	MOTION by John A. Baldi for Reconsideration of [30-1] order dismissing federal counts against McKenzie with memorandum (no concurrence) (dae) (Entered: 05/29/2002)
05/29/2002	33	ORDER on Nonconforming Document; Document [32-1] motion for Reconsideration of [30-1] order dismissing federal counts against McKenzie fails to comply with 7.1(c) no concurrence statement; Cured document deadline 6/7/02 for John A. Baldi (signed by Judge Joseph A. DiClerico Jr) (dae) Modified on 06/04/2002 (Entered: 05/30/2002)
06/03/2002	34	Nonconforming Document [32-1] motion for Reconsideration of [30-1] order dismissing federal counts against McKenzie cured; concurrence statement filed by plaintiff John A. Baldi (jgb) (Entered: 06/04/2002)
06/05/2002	35	OBJECTION with no memorandum statement by Eric A. Bourn to [32-1] motion for Reconsideration of [30-1] order dismissing federal counts against McKenzie (jgb) (Entered: 06/05/2002)
06/05/2002	36	ORDER on Nonconforming Document; Document [35-1] motion objection fails to comply with 7.1(a)(2) no memo; Cured document deadline 6/17/02 for Eric A. Bourn (signed by Judge Joseph A. DiClerico Jr) (dae) (Entered: 06/06/2002)
06/10/2002	37	OBJECTION by James McKenzie to [32-1] motion for Reconsideration of [30-1] order dismissing federal counts against McKenzie ; joining in Officer Bourn objection also (jgb) (Entered: 06/11/2002)
06/11/2002	38	OBJECTION by Eric A. Bourn to [32-1] motion for Reconsideration of [30-1] order dismissing federal counts against McKenzie (jgb) (Entered: 06/11/2002)
06/18/2002	39	MOTION by John A. Baldi for Summary Judgment with memorandum and appendix of exhibits. Objection to summary judgment deadline 7/22/02 (jgb) (Entered: 06/19/2002)
07/16/2002	40	///ORDER denying [32-1] motion for Reconsideration of [30-1] order dismissing federal counts against McKenzie (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 07/17/2002)
07/17/2002	41	OBJECTION with memorandum and affidavit by James McKenzie to [39-1] motion for Summary Judgment (jgb) (Entered: 07/17/2002)
07/18/2002	42	OBJECTION with memorandum by Paul Pearson to [39-1] motion for Summary Judgment (jgb) (Entered: 07/23/2002)

07/18/2002	43	OBJECTION with separate memorandum (see #45) by Eric A. Bourn to [39-1] motion for Summary Judgment (jgb) (Entered: 07/23/2002)
07/18/2002	44	MOTION by Eric A. Bourn for Summary Judgment with separate memorandum (see #45). Objection to summary judgment deadline 8/20/02 (jgb) (Entered: 07/23/2002)
07/18/2002	45	MEMORANDUM by Eric A. Bourn in support of/to [44-1] motion for Summary Judgment, [43-1] motion objection (jgb) (Entered: 07/23/2002)
07/18/2002	46	MOTION by Eric A. Bourn to Strike Affidavit of Perry S. Faison in Support of [39-1] motion for Summary Judgment with no memorandum. with partial assent; Objection to Motion Deadline 8/7/02 (jgb) (Entered: 07/23/2002)
07/18/2002	47	MOTION by Eric A. Bourn to Strike "Expert Designation" of Perry S. Faison and preclude from Testimony with partial assent and no memorandum. Objection to Motion Deadline 8/7/02 (jgb) (Entered: 07/23/2002)
07/22/2002	48	NOTICE of intent to file reply brief by John A. Baldi to objection by Paul Pearson to [39-1] motion for Summary Judgment . Reply Brief due on 7/29/02 for Paul Pearson . (jgb) Modified on 07/23/2002 (Entered: 07/23/2002)
07/22/2002	49	NOTICE of intent to file reply brief by John A. Baldi to objection by Eric Bourn to [39-1] motion for Summary Judgment . Reply Brief due on 7/29/02 for John A. Baldi . (jgb) (Entered: 07/23/2002)
07/22/2002	50	NOTICE of intent to file reply brief by John A. Baldi to McKenzie's Objection to [39-1] motion for Summary Judgment . Reply Brief due on 7/29/02 for John A. Baldi . (jgb) (Entered: 07/23/2002)
07/23/2002	51	ORDER on Nonconforming Document; Document [42-1] motion objection fails to comply with LR 7.1(a)(1) motion not filed separately from other documents; Cross Motion for Summary Judgment to be refiled; Cured document deadline 8/12/02 for Paul Pearson (signed by Magistrate Judge James R. Muirhead) (jgb) (Entered: 07/23/2002)
07/29/2002	52	MOTION by Paul Pearson for Summary Judgment with memorandum. Objection to summary judgment deadline 9/3/02 (jgb) (Entered: 07/30/2002)
07/29/2002	53	REPLY by John A. Baldi to objection by McKenzie to [39-1] motion for Summary Judgment (jgb) (Entered: 07/30/2002)
07/29/2002	54	REPLY Memorandum by John A. Baldi to Bourn's objection to [39-1] motion for Summary Judgment (jgb) (Entered: 07/30/2002)

07/29/2002	55	OBJECTION by John A. Baldi to [46-1] motion to Strike Affidavit of Perry S. Faison in Support of [39-1] motion for Summary Judgment (jgb) (Entered: 07/30/2002)
07/29/2002	56	OBJECTION by John A. Baldi to [47-1] motion to Strike "Expert Designation" of Perry S. Faison and preclude from Testimony (jgb) (Entered: 07/30/2002)
07/30/2002	57	MOTION by James McKenzie for Summary Judgment with memorandum, affidavit. Objection to summary judgment deadline 9/3/02 (jgb) (Entered: 07/30/2002)
08/19/2002	58	OBJECTION with memorandum and exhibits by John A. Baldi to [44-1] motion for Summary Judgment (jgb) (Entered: 08/20/2002)
08/28/2002	59	MOTION by John A. Baldi for Subpoena for Deposition of Stacey Manning with assent (dae) (Entered: 08/28/2002)
08/28/2002		ENDORSED ORDER granting [59-1] motion for Subpoena for Deposition of Stacey Manning, 9/19/02, 9 AM at US District Court (signed by Judge Joseph A. DiClerico Jr) (dae) (Entered: 08/28/2002)
08/29/2002	60	OBJECTION with memorandum by John A. Baldi to [52-1] motion for Summary Judgment (dae) (Entered: 08/29/2002)
08/30/2002	61	MOTION by Eric A. Bourn to Strike [58-1] objection to Bourn's Cross Mot for SJ with law. Objection to Motion Deadline 9/19/02 (dae) (Entered: 08/30/2002)
09/03/2002	62	OBJECTION with memorandum and exhibits by John A. Baldi to [57-1] motion for Summary Judgment (jgb) (Entered: 09/04/2002)
09/09/2002	63	OBJECTION with memorandum by John A. Baldi to [61-1] motion to Strike [58-1] objection to Bourn's Cross Mot for SJ (dae) (Entered: 09/09/2002)
09/18/2002	64	OBJECTION by Eric A. Bourn to John Baldi's request to Postpone Consideration of Defendants' Pending Summary Judgment Motions until Baldi deposes Stacy Manning and notifies the Court as to the Content of her Testimony (jgb) (Entered: 09/20/2002)
09/23/2002	65	ORDER, the plaintiff shall have until 9/27/02 to file additional discovery derived from the Manning deposition. No further extensions set Notice of Compliance deadline to 9/27/02 for John A. Baldi (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 09/23/2002)
09/23/2002	66	MOTION by John A. Baldi for Subpoena(s) for video tapes from Stacy Manning Harwood with subpoena attached (jgb) (Entered: 09/23/2002)

09/27/2002	67	NOTICE of Discovery Material by John A. Baldi with 2 affidavits (jgb) (Entered: 09/27/2002)
09/27/2002	68	MOTION by John A. Baldi for Hearing on Motions for Summary Judgment Objection to Motion Deadline 10/17/02 (jgb) (Entered: 09/27/2002)
09/30/2002	69	MOTION by John A. Baldi to Strike affidavits in support of motions: [57-1] motion for Summary Judgment, [52-1] motion for Summary Judgment, [44-1] motion for Summary Judgment with no memorandum. (jgb) Modified on 10/01/2002 (Entered: 10/01/2002)
10/01/2002	70	OBJECTION by Eric A. Bourn, James McKenzie to [68-1] motion for Hearing on Motions for Summary Judgment (jgb) (Entered: 10/01/2002)
10/04/2002	71	ORDER on Nonconforming Document; Document [69-1] motion to Strike affidavits in support of motions: [57-1] motion for Summary Judgment, [52-1] motion for Summary Judgment, [44-1] motion for Summary Judgment fails to comply with LR 7.1(a)(2) & (c) no memo no concurrence statement; Cured document deadline 10/15/02 for John A. Baldi (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 10/07/2002)
10/07/2002	72	ORDER denying [68-1] motion for Hearing on Motions for Summary Judgment, denying [66-1] motion for Subpoena(s) for video tapes from Stacy Manning Harwood, granting [61-1] motion to Strike [58-1] objection to Bourn's Cross Mot for SJ granting [46-1] motion to Strike Affidavit of Perry S. Faison in Support of [39-1] motion for Summary Judgment (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 10/09/2002)
10/18/2002	73	Addendum by plaintiff John A. Baldi to [39-1] motion for Summary Judgment and objections; with copy of deposition of Stacey Manning-Harwood and Eric A. Bourn (jgb) (Entered: 10/22/2002)
10/23/2002	74	RESPONSE by Eric A. Bourn to [73-1] addendum, Supplemental Summary Judgment Materials . (jgb) (Entered: 10/23/2002)
10/25/2002	75	RESPONSE by James McKenzie to [73-1] addendum, supplemental summary judgment materials . (jgb) (Entered: 10/28/2002)
10/28/2002	76	ORDER striking [69-1] motion to Strike affidavits in support of motions: [57-1] motion for Summary Judgment, [52-1] motion for Summary Judgment, [44-1] motion for Summary Judgment; for failure to comply with Order dated 10/4/02 (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 10/28/2002)

10/30/2002	77	///ORDER denying [57-1] motion for Summary Judgment, granting in part, denying in part [52-1] motion for Summary Judgment, mootng [47-1] motion to Strike "Expert Designation" of Perry S. Faison and preclude from Testimony, granting in part, denying in part [44-1] motion for Summary Judgment, denying [39-1] motion for Summary Judgment (signed by Judge Joseph A. DiClerico Jr) ; The federal claims against McKenzie were previously dismissed. Plaintiff's state law claims, Cts VII thru XXI, are dismissed for lack of subject matter jurisdiction. Plaintiff's Motion for summary judgment #39, McKenzie's Mtoion for summary Judgment #57, and parts of motions filed by Bourn and Pearson addressing the merits of the state law claims #44, and 52 are denied for lack of subject matter jurisdiction. Judgment entered accordingly. (jgb) (Entered: 10/31/2002)
10/31/2002	78	JUDGMENT is hereby entered in accordance with the Orders dated May 16, 2002 and October 30, 2002 by Judge Joseph A. DiClerico, Jr. (Signed by Clerk James R. Starr) (jgb) (Entered: 10/31/2002)
10/31/2002		Case closed (jgb) (Entered: 10/31/2002)
11/14/2002	79	MOTION by Eric A. Bourn for Attorney Fees with attachments Objection to Motion Deadline 12/4/02 (jgb) (Entered: 11/15/2002)
11/18/2002	80	ORDER, pending the decision on the Motion for Attorney's Fees, the court herewith extends the time for appeal pursuant to Fed.R.Civ.P.58. (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 11/18/2002)
11/25/2002	81	OBJECTION with memorandum cites by John A. Baldi to [79-1] motion for Attorney Fees (jgb) (Entered: 11/27/2002)
11/25/2002	82	MOTION by John A. Baldi to Extend Time until 20 days after ruling from CCA in 02-1447 (C.01-98-JD) with attachments Objection to Motion Deadline 12/16/02 (jgb) (Entered: 11/27/2002)
11/27/2002	83	OBJECTION by James McKenzie to [82-1] motion to Extend Time until 20 days after ruling from CCA in 02-1447 (C.01-98-JD) (jgb) (Entered: 11/27/2002)
11/27/2002		Motion(s) referred: [79-1] motion for Attorney Fees referred to Magistrate Judge James R. Muirhead (jgb) (Entered: 11/27/2002)
12/02/2002	84	REPLY by John A. Baldi to collective objection to [82-1] motion to Extend Time until 20 days after ruling from CCA in 02-1447 (C.01-98-JD) (jgb) (Entered: 12/03/2002)
12/17/2002	85	ORDER denying [82-1] motion to Extend Time until 20 days after ruling from CCA in 02-1447 (C.01-98-JD), denying [79-1] motion for Attorney Fees (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 12/18/2002)

01/14/2004	File located at National Archives and Records Administration (NARA), Waltham, MA. Transfer No. 021-04-0018, Location No. A63629, Box No. 14(rs,) (Entered: 01/14/2004)
03/24/2004	File Request to National Archives and Record Administration(mm,) (Entered: 03/24/2004)
03/25/2004	File received from National Archives and Record Administration(bc,) (Entered: 03/25/2004)
04/30/2004	File Returned to National Archives and Record Administration(bc,) (Entered: 04/30/2004)

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1.	1/24/07 - Unreserved Writ of Summons ret. 2/6/07 - Pro Se (Jury)		
2	1/25/07 - Motion to Amend Ret Date to 3/07. (10-1-2007) ac		
3	2/2/07 - Special App for Ronald & Gail Brown by Charles Russell, Esq.		
4	2/2/07 - Defs' (Ronald + Gail Brown's) Notice of Removal to Federal Court		
5	2/5/07 - Clerk's Certificate		
6	2/5/07 - Removal Cover letter		
7.	4/30/07 - Certified Copy - US Dist Ct. Docket		
8	4/30/07 - Certified Copy - US Dist Ct. Order		
9	4/30/07 - Special App for himself by Charles Russell, Esq.		
10	4/30/07 - Special App for Ronald & Gail Brown by Charles Russell, Esq.		
11.	5/4/07 - Special App for Town of Epsom by Brian J. S. Cullen, Esq.		
12	5/9/07 - Special App for Merrimack County (Sheriff's Office) by John Curran, Esq (Jury)		
13	5/14/07 - Plf's Motion, with a Hearing for Oral Arguments, for the Court to Recuse Defendant Charles Russell as Counsel for Defendants Ronald & Gail Brown		
14	5/14/07 - Plf's Motion for a Change of Venue & Assignment of a Judge from Outside the State of NH, with a Hearing for Presentation of Oral Arguments		
15.	5/14/07 - Court Order. LYNN, J.		
16.	Defendants (state defendants) Response to #14		5-22-07
17.	Plaintiffs Response to and Motion to Strike #16		5-24-07
18.	Defendants (Merrimack Cty Sheriff) Objection to #14		5-24-07

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20.	Defendants (Browns & Russell) Joint Objection to #14	5-25-07
21.	Plaintiffs Response to # 18	5-29-07
22.	Plaintiffs Response to # 19	5-29-07
23.	Defendants' (Browns) Objection to # 13	5-25-07
24.	Defendants' (Russell) Objection to # 13	5-25-07
T 25. 6-11-07	Plaintiff's Motion to Default Defendants for Failure to Comply w/ Rule 14 and Failure to File Answer Denied, see #71	11-14-07 Hrd. Barry, J. 1-25-08 5-30-07
26.	Scheduling Order / Notice of Hearing (7-26-07 @ 9)	6-1-07
27.	Special Appearance - Defendant (Mary E. Maloney, Esq., APPEAR for State of NH, NH DES and William S McGraw)	6-4-07
28.	Defendants' (State Defendants) Objection to #25	6-4-07
29.	Defendants' (Merrimack Chy Sheriff) Objection to #25	6-4-07
30.	Defendants' (Merrimack Chy. Sheriff) Brief Statement	6-4-07
31.	Defendant (Epsom) Objection to # 25	6-6-07
32.	Plaintiffs Response to #25	6-6-07
33.	Defendants (Epsom) Brief Statement	6-11-07
34.	Defendants' (Browns) Answer	6-12-07
35.	Defendants' (Browns) Objection to #25	6-12-07
36.	Defendants' (Russell) Answer	6-12-07
37.	Defendants' (Russell) Objection to #25	6-12-07
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LOOSE IN FILE 39	Defendants' (Merrimack Chy. Sheriff) Motion to DISMISS, etc.	11-14-07 Hrd. Barry, J. 1-25-08 7-2-07
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42.	Defendants' (Ronald Brown) Motion to Dismiss	11-14-07 Hrd. Barry J. Granted, see #71 1-25-08	7-9-0
43.	Defendants' (Gail Brown) Motion to Dismiss	11-14-07 Hrd. Barry J. Granted, see #71 1-25-08	7-9-0
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45.	Defendants' (Browns & Russell) Summary Statement		7-9-0
46.	Plaintiff's Objection to #38 and #39		7-10-0
47.	Defendants' (Merrimack County Sheriff) Replication to #46		7-12-07
48.	Defendants' (Browns & Russell) Objection to #40		7-12-07
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50.	Defendants' (Epsom) Objection to #40		7-12-07
51.	Defendants' (Merrimack County Sheriff) Objection to #40		7-12-07
52.	Plaintiff's Summary Statement		7-13-07
53.	Defendants' (State Defendants) Brief Statement		7-16-07
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55.	Defendants' (State Defendants) Motion to Dismiss	11-14-07 Hrd. Barry J. Granted, see #71 1-25-08	7-16-07
56.	Defendants' (Epsom) Summary Statement		7-17-07
57.	Defendants' (Merrimack County Sheriff) Partially Assented to Motion to Stay Structuring Conference Pending Ruling on Motions to Dismiss		7-18-07
58.	Plaintiff's Objection to #55		7-26-07
59.	Plaintiff's Objection to #57		7-20-07
60.	Defendants' (Merrimack County Sheriff) Motion to Continue Hearing of 9-17-07		7-31-07
61.	DFTS' Brown Supplemental Exhibit		11-15-07
62.	DFT Merrimack Cty Sheriff's Suppl Exhibits to #39		11-26-07
63.	PLF's Mo to Issue Orders for Arrest		1-2-08
64.	DFT Merrimack Cty Sheriff's obj to #63		1-7-08
65.	DFT TOWN of Epsom obj to #63		1-8-08

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66	Dft Russell's Obj to #63	1-8-08
67	Dft State NH/State Dept. Envirom Obj to #63	1-9-08
68	Sp. Appearance-R. Matthew Cairns, Esq. & managing Partner of Ransmeier & Spellman <i>(Charles P. Bauer, Esq.)</i> (non party to action)	1-14-08
69	R. Matthew Cairns, Esq./Managing Partner of R&S Obj to #63	1-14-08
70	Plf's Mo for Order commanding appearance in Court	1-23-08
71	Order of Court as to #25, 40, 42, 43, 44, 38, 39 & 55 (Barry, J.)	1-25-08
72	Dft State NH/State Dept. Envirom. Obj to #70	1-29-08
73	Plf's Motion to reconsider Order dated 1-25-08	^{8-1-08 (Barry, J.)} Denied, see #72 2-4-08
74	Dfts' Brown Motion to reconsider & extend Order	^{5-1-08 (Barry, J.)} Granted, see #88 8-08
75	Dft Town of Epsom's Mo for approval of Atty's fees	^{5-1-08 (Barry, J.)} Approved, see #88 2-12-08
76	Dft Merrimack Cty Sheriff's Obj to #73	2-13-08
77	Dft (Town of Epsom) Obj to #73	2-15-08
78	Plf's objection to #74	2-19-08
79	Dft Merrimack Cty Sheriff's Motion for approval of attys' fees & costs	^{5-1-08 Approved, see #88 (Barry, J.)} 2-26-08
80	Dfts' Brown Motion to approve attorney's fees w/ affidavit	⁸⁻¹⁻⁰⁸ Approved, see #88 (Barry, J.) 3-12-08
81	Dfts' Brown Motion to continue 5-5-08 hearing	³⁻⁷⁻⁰⁸ Granted (Abramson, J.) 3-13-08
82	Plf's Objection to #81	3-17-08
83	Defendant's (Brown) Replication to #82	3-24-08
84	Plaintiff's Motion to Clarify re. Order of 3-27-08	4-25-08
85	DFTS' BROWN mo to continue hg sch FOR 6-3-08	^{6-2-08 (Abramson, J.)} Granted 5-14-08
86	Sp. App-R. Matthew Cairns, Esq. & Managing Partner of Ransmeier & Spellman (Andrew B. Livermore, Esq.)	8-1-08

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Document #	Document	Cash
1 8-11-08 87.	4-29-09 Hed- Hg continued for 30 days, see Order. Dft Browns' Mo to produce	8-1-08
1 9-5-08 88.	HED 8-1-08 ORDER as to #73, 74, 75, 79 + 80 + PLF TO POST Bond.	8-1-08
89	Defendant's Motion for Payment Hearing See #116	12-02-08
90	Defendant's Motion to Produce ^{3-16-09 (Mangones, J.)} Granted as to prayer A+B	12-02-08
91	Plaintiff's Obj. to #89	12-08-08
	(order of notice issued on #89 + 90: 1 service, 1 return)	01-26-09
92	Dft Merrimack Cty Sheriff mo to join #89 See #116	1-28-09
93	Dft Town of Epsom mo for payment Hg See #116	2-19-09
94	Return of service	2-20-09
95	Dft's Brown Mo for Contempt w/decree - see #109	4-27-09
96	Dft's Brown taxation of Costs	4-29-09
97.	To Barry J for ruling - see #108 Plf's mo to vacate all orders	4-21-09 See #108 Denied (Barry J.)
98.	Plf's obj to #95	4-29-09
99.	Dft's Brown obj to #97	4-30-09
100	Dft Russell's obj to #97	4-30-09
101	Dft Town of Epsom obj to #97	5-6-09
102	Plf's notice re ctp of service on #97	5-7-09
103	Dft Merrimack Cty Sheriff's mo to join in #101	5-11-09
104	Dft State of NH - Dept Envir obj to #97	5-13-09
105	Plf's response to #90	6-1-09
106	Dft's (Brown) Partially assented to mo to continue 7-16-09 Hg	6-23-09
107	9-11-09 Hed - O'Neill Motions for Payment Held in Abeyance Pending Order on #97	
108	Order on mo to vacate - Denied (Barry J.)	9-21-09

FOLDER #2

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John A. Baldi

v. Ronald Brown, et al

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Document #	Document	Cash
109	Order as to scheduling Mo for payment hearing, see order. (O'Neill, J) 9-22-09	
110	Dfts' mo to continue 1-20-10 ¹⁻²⁰⁻¹⁰ Ag. Granted (O'Neill, J.)	1-19-10
111	Dfts' (Brown) Updated Tax of costs + interest	3-8-10
112	Plf's Mo for Court + counsel to comply w/ 18 USC Denied (O'Neill, J.)	3-18-10
113	Plf's Memos of Law as ordered by Ct on 3-8-10	3-15-10
114	Dfts' (Brown) Obj + legal Memos opposing plf's non-disclosure of pension + social security info	3-15-10
115	Dfts' (Brown) Obj to #112	3-17-10
116	Order as to # 89, 92, 93 + 112	3-18-10
117	Dfts' (Brown) Second mo to produce Granted in part	3-31-10
118	Plf's obj to #117	4-12-10
119	Dft (Brown) Mo to continue 7-21-10 Ag	5-14-10
120	Withdrawal - dft Charles A. Russell	9-28-10
121	Withdrawal - dfts Ronald + Gail Brown (C. Russell, Esq)	9-28-10
122	Mo to w/d as counsel for dfts Ronald + Gail Brown	9-28-10
123	Plf's Objection to Def. Russell's Motion to Withdraw as counsel for Defendants Ronald and Gail Brown	10-04-10
124	Defendant, Ronald P. Brown, Pro Se Appearance	10-04-10
125	Defendant, Gail L. Brown, Pro Se Appearance	10-04-10
126	Defendants' Revised Motion to Withdraw as Counsel granted	10-12-10
127	Plf's Motion for Injunctive Relief ordering the Court's Clerk, John Safford, to Strike from all Court Forms and all Requests for Information Regarding Disclosure of Social Security benefits/	10-14-10

Payment and funds such as IRAs, 401k's, annuities, or any other funds protected or guaranteed pursuant to the Federal Employee Retirement Income Security Act, and to Enjoin counsel for the Dfts and the Dfts' themselves, from continuing to seek the Courts assistance in ordering the Plf. to produce/ disclose, information regarding Social Security

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John A. Baldi

v.

Ronald Brown, et al

Document #	Document	Cash
128	Dft C. Russell's Obj to & Mo to strike plf's pleading #127	10-25-10
129	Dft Town of Epsom's Obj to #127	10-27-10
130	Plf's response to #128 & 129	10-28-10
131	Withdrawal-dft Merrimack Cty Sheriff (John Curran, Esq)	10-28-10
132	App-dft Merrimack Cty Sheriff (Elizabeth J. Hurley, Esq.)	10-28-10
133	Dft Merrimack Cty Sheriff's Obj to #127	11-15-10
134	Dft Russell Mo to excuse further attendance	12-1-10
135	ORDER- re: issue of atty's fees (Garfunkel, J.)	2-23-11
136	Withdrawal-dft Merrimack Cty Sheriff's Office (Elizabeth L. Hurley, Esq.)	3-3-11
137	Substitute app-dft Merrimack Cty Sheriff (John A. Curran, Esq.)	3-7-11
138	Plf's Obj to Order dated 2-23-11 & MOTION for Clarification of Order	3-7-11
139	ORDER as to scheduling of show cause hearing, see order. (Garfunkel, J.)	7-15-11
140	^{9-1-11 HRD} Plf found in contempt. Committed to HOC for 30 days, see order. (Garfunkel, J.)	9-1-11
141	Copy of Order from Supreme Court	9-26-11
142	Copy of Order from Supreme Court	9-30-11
143	Dft (Merrimack County) Mo to waive award of fees & permit w/d of counsel	9-30-11
144	^{9-30-11 HRD} ORDER OF COURT - Plf released from custody, see order. (Garfunkel, J.)	9-30-11
¹¹⁻⁵⁻¹¹ 145	Copy of Order from Supreme Court-Petn dismissed; Appeal dismissed.	10-25-11
146	Certificate from Supreme Court-Petn dismissed; Appeal dismissed.	11-14-11

CLOSED

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:01-cv-00098-JD**

Baldi, et al v. Farrin, et al
Assigned to: Judge Joseph A. DiClerico, Jr
Demand: \$0
Case in other court: 02-01447
Cause: 42:1983 Civil Rights Act

Date Filed: 03/19/2001
Date Terminated: 03/19/2002
Jury Demand: Both
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

John A. Baldi

represented by **John A. Baldi**
19 Ledge St
Melrose, MA 02176
781-665-5011
PRO SE

Plaintiff

Elsie M. Baldi

represented by **Elsie M. Baldi**
20 Mount Zion Rd
Melrose, MA 02176
781 665-5011
PRO SE

V.

Defendant

Henry J. Farrin

represented by **R. Matthew Cairns**
Gallagher Callahan & Gartrell PC
214 No Main St
PO Box 1415
Concord, NH 03302-1415
603 228-1181
Fax: 603 224-7588
Email: cairns@gcglaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Laurence D. Yeaton

represented by **R. Matthew Cairns**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John F. Hickey

represented by **R. Matthew Cairns**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Peter P. Bosiak

represented by **R. Matthew Cairns**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Epsom, Town of

represented by **R. Matthew Cairns**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/19/2001	1	COMPLAINT; jury demand FILING FEE \$ 150.00 ; RECEIPT # 19762. (bc) (Entered: 03/20/2001)
03/19/2001		CASE REFERRED to Magistrate Judge James R. Muirhead (jgb) (Entered: 03/21/2001)
03/23/2001	2	MOTION by John A. Baldi, Elsie M. Baldi for Immediate Reading of Complaint by the Court (jgb) (Entered: 03/23/2001)
03/27/2001	3	ORDER; that plaintiffs have invoked this court's subject matter jurisdiction ; the complaint be served on the defendants; Clerk's office to issue the necessary summons forms against the defendnats and forward them to the plaintiffs for service. Plaintiffs to complete service within 120 days; service shall include the summonses and copies of the complaint and this order.; defendants shall answer within 20 days from date of service. (signed by Magistrate Judge James R. Muirhead) (jgb) (Entered: 03/27/2001)
03/27/2001		SUMMONS(ES) issued for Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom . returned to plaintiff for service (jgb)

		(Entered: 03/27/2001)
03/27/2001		Terminated Document [2-1] motion for Immediate Reading of Complaint by the Court ; reviewed by court and order issued 3/27/01 (jgb) (Entered: 03/27/2001)
03/27/2001		CASE NO LONGER REFERRED TO Magistrate Judge James R. Muirhead (dae) (Entered: 04/24/2001)
04/23/2001	4	ANSWER to Complaint [1-1] by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom (Attorney R. Matthew Cairns); jury demand (dae) (Entered: 04/24/2001)
04/23/2001	5	MOTION by John A. Baldi for him to be allowed to serve as legal council to Elsie Baldi, pursuant to State of NH Rules of Civil Procedure (dae) (Entered: 04/24/2001)
04/24/2001	6	ORDER denying [5-1] motion for him (John Baldi) to be allowed to serve as legal council to Elsie Baldi, pursuant to State of NH Rules of Civil Procedure (signed by Judge Joseph A. DiClerico Jr) (dae) (Entered: 04/25/2001)
04/25/2001		PRETRIAL CONFERENCE before: Magistrate Judge Muirhead set at 10:00 5/30/01. (cm) (Entered: 04/25/2001)
05/22/2001	7	Proposed Discovery Plan (jgb) (Entered: 05/22/2001)
05/30/2001		PRETRIAL CONFERENCE held before: Magistrate Judge Muirhead Tape B:171 (5628-end); B:172 (0-2632). Pretrial issues discussed. Trial 6/18/02. (cm) (Entered: 05/30/2001)
05/30/2001		ENDORSED ORDER DISCOVERY PLAN ***Case track set--STNDRD granting in part, denying in part as amended [7-1] discovery plan . Ready for trial deadline set for 6/18/02 ; Summary Judgment Motion Deadline set to 2/15/02 ; Discovery deadline set to 5/1/02 ; Length of Trial: 4 days (signed by Magistrate Judge James R. Muirhead). (jgb) (Entered: 05/31/2001)
05/31/2001		TRIAL NOTICE: Joint mediation statement due 3/18/02 ; Final Pretrial Statements Due 5/20/02 ; Final Pretrial Conference set for 2:30 6/3/02 ; Jury Trial set for 2-week period beginning 9:30 6/18/02 before Judge Joseph A. DiClerico Jr . LR 16.2(d) Objections Due 6/3/02. (jgb) (Entered: 05/31/2001)
07/09/2001	8	MOTION by John A. Baldi, Elsie M. Baldi for Summary Judgment with memorandum. Objection to summary judgment deadline 8/13/01 (dae) (Entered: 07/09/2001)

07/09/2001	9	Disclosure of experts by plaintiff John A. Baldi (dae) (Entered: 07/09/2001)
07/26/2001	10	MOTION by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom to Extend Time to respond to Motion for SJ to 8/17/01 with assent (jgb) (Entered: 07/26/2001)
07/26/2001		Motion(s) referred: [10-1] motion to Extend Time to respond to Motion for SJ to 8/17/01 referred to Magistrate Judge James R. Muirhead (jgb) (Entered: 07/26/2001)
07/26/2001		ENDORSED ORDER granting [10-1] motion to Extend Time to respond to Motion for SJ to 8/17/01, reset Objection to summary jgm deadline reset to 8/17/01 [8-1] motion for Summary Judgment (signed by Magistrate Judge James R. Muirhead) (jgb) (Entered: 07/26/2001)
08/17/2001	11	OBJECTION with memorandum filed separately by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom to [8-1] motion for Summary Judgment (jgb) (Entered: 08/20/2001)
08/17/2001	12	MOTION by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom for Cross Summary Judgment with memorandum filed separately. Objection to summary judgment deadline 9/19/01 (jgb) (Entered: 08/20/2001)
08/17/2001	13	MEMORANDUM with exhibits by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom in Support of/to [12-1] motion for Cross Summary Judgment, [11-1] motion objection (jgb) (Entered: 08/20/2001)
08/27/2001	14	OBJECTION with memorandum by John A. Baldi, Elsie M. Baldi to [12-1] motion for Cross Summary Judgment (dae) (Entered: 08/27/2001)
08/28/2001	15	MOTION by John A. Baldi to Strike/Challenge the Truthfulness of the Affidavits of Farrin, Dail and Brown as part of [13-1] Defts' response (no memorandum) (dae) (Entered: 08/28/2001)
08/29/2001	16	ORDER on Nonconforming Document; Document [15-1] motion to Strike/Challenge the Truthfulness of the Affidavits of Farrin, Dail and Brown as part of [13-1] Defts' response fails to comply with 7.1(a)(2) no memo; Cured document deadline 9/10/01 for John A. Baldi (signed by Judge Joseph A. DiClerico Jr) (dae) (Entered: 08/30/2001)
09/04/2001	17	MEMORANDUM by John A. Baldi, Elsie M. Baldi in support of/to [15-1] motion to Strike/Challenge the Truthfulness of the Affidavits of Farrin, Dail and Brown as part of [13-1] Defts' response (jgb) (Entered: 09/05/2001)

09/06/2001	18	OBJECTION by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom to [15-1] motion to Strike/Challenge the Truthfulness of the Affidavits of Farrin, Dail and Brown as part of [13-1] Defts' response (jgb) (Entered: 09/07/2001)
09/24/2001	19	///ORDER denying [15-1] motion to Strike/Challenge the Truthfulness of the Affidavits of Farrin, Dail and Brown as part of [13-1] Defts' response, granting in part as to IV, V, VI, VII & VIII, otherwise denying in part [12-1] motion for Cross Summary Judgment, denying [8-1] motion for Summary Judgment; time remains for filing motions for summary judgment, the present motions are denied without prejudice to file appropriately supported motions on the remaining issues. (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 09/25/2001)
11/23/2001	20	MOTION by John A. Baldi, Elsie M. Baldi for a change of trial date with assent; to notify the Court week of 1/1/02 as to whether or not a change of trial date is necessary; if change is necessary, continue trial to not prior to last full week of September 2002 (dae) (Entered: 11/23/2001)
11/26/2001		ENDORSED ORDER granting [20-1] motion for a change of trial date, to 9/02 if necessary set Notice of Compliance deadline to 1/4/02 for John A. Baldi to notify the court of need to change trial date from 6/02 to 9/02 (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 11/26/2001)
01/03/2002	21	MOTION by John A. Baldi to Continue trial date to end of 9/02 with assent (jgb) (Entered: 01/03/2002)
01/03/2002		ENDORSED ORDER granting [21-1] motion to Continue trial date to end of 9/02, reset Jury Trial for 9:30 10/15/02 , reset Final Pretrial Conference for 9:00 9/30/02 , reset Pretrial material deadline for 9/16/02 (signed by Judge Joseph A. DiClerico Jr) (jgb) Modified on 03/19/2002 (Entered: 01/04/2002)
01/08/2002	22	MOTION by John A. Baldi, Elsie M. Baldi for Summary Judgment with memorandum. Objection to summary judgment deadline 2/11/02 (jgb) (Entered: 01/08/2002)
01/09/2002	23	NOTICE of Potential Trial Conflict by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom (jgb) (Entered: 01/09/2002)
01/14/2002	24	Stipulation by John A. Baldi, Elsie M. Baldi, Henry J. Farrin, et al re 11/14/01 request to admit served on defendants (jgb) (Entered: 01/15/2002)
02/08/2002	25	OBJECTION with memorandum and exhibits (including A- Video tape) by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom to [22-1] motion for Summary Judgment (jgb) (Entered: 02/08/2002)

		02/11/2002)
02/11/2002	26	ORDER on Nonconforming Document; Document [25-1] motion objection fails to comply with LR 7.1(a)(1) motions must be filed separately from other pleadings; cross-motion for summary judgment rejected; accepted as to objection to motion for summary judgment; Cured document deadline 2/21/02 for Epsom, for Peter P. Bosiak, for John F. Hickey, for Laurence D. Yeaton, for Henry J. Farrin (signed by Magistrate Judge James R. Muirhead) (jgb) (Entered: 02/11/2002)
02/12/2002	27	MOTION by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom for Summary Judgment with memorandum by reference to #25 objection. Objection to summary judgment deadline 3/18/02 (jgb) (Entered: 02/12/2002)
02/19/2002	28	REPLY by John A. Baldi, Elsie M. Baldi to objection to [22-1] motion for Summary Judgment (jgb) (Entered: 02/19/2002)
03/07/2002	29	MOTION by John A. Baldi for Hearing with witnesses, on the truthfulness of statements in affidavits and interrogatories by defense counsel with affidavit. Objection to Motion Deadline 3/27/02 (jgb) (Entered: 03/08/2002)
03/07/2002	30	MOTION by John A. Baldi for View of the Property Prior to Ruling on Summary Judgment Motions with affidavit Objection to Motion Deadline 3/27/02 (jgb) (Entered: 03/08/2002)
03/07/2002	31	OBJECTION with memorandum , affidavit, and exhibits (bound) by John A. Baldi, Elsie M. Baldi to [27-1] motion for Summary Judgment (jgb) (Entered: 03/08/2002)
03/11/2002	32	MOTION by John A. Baldi That they be given sufficient notice of any repairs or removal of Culvert Crossing with exhibits. Objection to Motion Deadline 4/1/02 (jgb) Modified on 03/19/2002 (Entered: 03/13/2002)
03/18/2002	33	///ORDER; Plaintiff's remaining claims, Counts I,II, and III, are dismissed without prejudice for lack of subject matter jurisdiction. Denying [32-1] motion as moot that they be given sufficient notice of any repairs or removal of Culvert Crossing, denying [30-1] motion as moot for View of the Property Prior to Ruling on Summary Judgment Motions, denying [29-1] motion as moot for Hearing with witnesses, on the truthfulness of statements in affidavits and interrogatories by defense counsel, denying [27-1] motion as moot for Summary Judgment, denying [22-1] motion as moot for Summary Judgment (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 03/19/2002)
03/18/2002	34	REPLY with exhibits by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom to objection to [27-1] motion for

		Summary Judgment (jgb) (Entered: 03/19/2002)
03/18/2002	35	MOTION by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom to Strike exhibits 12,13a, 14 & 15 to [31-1] motion objection (jgb) Modified on 03/19/2002 (Entered: 03/19/2002)
03/18/2002	36	MOTION by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom to Strike all pending affidavits of Plaintiff John A. Baldi re [32-1] motion that they be given sufficient notice of any repairs or removal of Culvert Crossing, [31-1] motion objection, [30-1] motion for View of the Property Prior to Ruling on Summary Judgment Motions (jgb) (Entered: 03/19/2002)
03/19/2002	37	JUDGMENT is hereby entered in accordance with the Orders dated September 24, 2001 and March 18, 2002 by Judge Joseph A. DiClerico, Jr. (Signed by Clerk James R. Starr) (jgb) (Entered: 03/19/2002)
03/19/2002		Case closed (jgb) (Entered: 03/19/2002)
03/19/2002		ENDORSED ORDER mooting [36-1] motion to Strike all pending affidavits of Plaintiff John A. Baldi re [32-1] motion that they be given sufficient notice of any repairs or removal of Culvert Crossing, [31-1] motion objection, [30-1] motion for View of the Property Prior to Ruling on Summary Judgment Motions, mooting [35-1] motion to Strike exhibits 12,13a, 14 & 15 to [31-1] motion objection (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 03/19/2002)
03/26/2002	38	MOTION by John A. Baldi, Elsie M. Baldi for Reconsideration of [33-1] order with memorandum cites. Objection to Motion Deadline 4/15/02 (jgb) (Entered: 03/26/2002)
03/28/2002	39	OBJECTION with memorandum cites by Henry J. Farrin, Laurence D. Yeaton, John F. Hickey, Peter P. Bosiak, Epsom to [38-1] motion for Reconsideration of [33-1] order (jgb) (Entered: 03/28/2002)
03/28/2002		///ENDORSED ORDER denying [38-1] motion for Reconsideration of [33-1] order (signed by Judge Joseph A. DiClerico Jr) (jgb) (Entered: 03/28/2002)
03/28/2002	40	POST-JUDGMENT JUDGMENT is hereby entered in accordance with the endorsed order dated March 28, 2002 by Judge Joseph A. DiClerico, Jr. and the judgment dated March 19, 2002. (Signed by Clerk, James R. Starr) (jgb) Modified on 03/28/2002 (Entered: 03/28/2002)
04/12/2002	41	NOTICE OF APPEAL by John A. Baldi, Elsie M. Baldi . Filing fee \$ 105.00 ; receipt # 021559. File-stamped copy to parties/CCA with Appeal Information Sheet. (jgb) (Entered: 04/19/2002)

04/19/2002		Appeal record sent to CCA with Clerk's certificate on [41-1] appeal by Elsie M. Baldi, John A. Baldi -- transmitting documents: 1-41 (jgb) (Entered: 04/19/2002)
04/29/2002		NOTICE of Docketing Record on Appeal from First Circuit Court of Appeals Re: [41-1] appeal by Elsie M. Baldi, John A. Baldi . CCA NUMBER: 02-1447 (jgb) (Entered: 04/29/2002)
07/23/2002		Pursuant to Local Rule 80.1(b), all named parties to the action were notified that a copy of the audiotape of the following proceeding was requested. Date of proceeding: 5/30/01. Type of proceeding: pretrial conference. Tape #: B:171 & B:172. Name of requester: John Baldi. (cm) (Entered: 07/23/2002)
07/26/2002	42	OPINION of CCA Re: [41-1] appeal ; motion to remand with instructions to vacate the order of dismissal is denied without prejudice to appellants' rearguing in appellate brief (jgb) (Entered: 07/26/2002)
08/02/2002	43	TRANSCRIPT for Audiotaped Pretrial Conference held on 5/30/01; Court Reporter: Celeste Quimby (jgb) (Entered: 08/05/2002)
08/08/2002		Supplemental clerk's certificate to CCA on [41-1] appeal by Elsie M. Baldi, John A. Baldi -- transmitting documents: 43 Transcript (jgb) (Entered: 08/08/2002)
12/26/2002	44	JUDGMENT of CCA re: [41-1] appeal (dated 12/23/02) affirm the judgment of the district court dismissing appellants' claim as not yet ripe. (jgb) (Entered: 12/26/2002)
02/25/2003	45	MANDATE OF CCA Re: [41-1] appeal (amm) (Entered: 03/03/2003)
07/26/2004		File located at National Archives and Records Administration (NARA), Waltham, MA. Transfer No. 021-04-0059, Location No. D217133, Box No. 5(bc,) (Entered: 07/26/2004)

MERRIMACK SUPERIOR COURT
CASE SUMMARY
CASE NO. 217-2001-CV-00491

John A. Baldi et al vs. Henry Farrin et al

§
§
§
§
§

Location: Merrimack Superior Court
Judicial Officer: Fitzgerald, Edward J, III
Filed on: 11/14/2001
Appear by: 12/04/2001

CASE INFORMATION

Case Type: **Negligence**
Case Status: **06/15/2004 Reopened - Closed**
*Status from Special Status Term.
Date in Sustain: Date from Special
Status Term. Date in Sustain Status
Date: 12/30/2003 Term Date:
6/15/2004; Status: CLOSED*

PARTY INFORMATION

Defendant	Berry, Robert	
	Bosiack, Peter	
	Bowen, Gregory	Cairns, R. Matthew, ESQ <i>Retained</i> 603-228-1181(W)
	Brown, Ron	
	Dail, Joel	
	Farrin, Henry	RUSSELL, CHARLES A, ESQ <i>Retained</i> 603-225-3185(W)
	Hickey, John	
	Kimball, Steve	
	SAK Enterprise	
	Town of Epsom	McCandless, Roy S, ESQ <i>Retained</i> 603-224-6777(W)
	Yeaton, Lawrence	
Plaintiff	Baldi, Elsie M	
Pro Se Plaintiff/Petitioner	Baldi, John A	Pro Se 781-665-5011(H)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
11/14/2001	Writ of Summons <i>Filed by: ATP</i>	
11/14/2001	Appearance <i>Filed by: OTH; Memo: Power of Attorney for Elsie Baldi by John A. Baldi</i>	
11/14/2001	Appearance <i>Filed by: PROSEP; Memo: John A. Baldi</i>	
11/14/2001	Power Of Attorney <i>Filed by: PLF; Memo: by John A. Baldi for Elsie Baldi</i>	

MERRIMACK SUPERIOR COURT
CASE SUMMARY
CASE NO. 217-2001-CV-00491

11/14/2001 Memo from Case Screen
01-C-0491: STC 3/22/02 8:45 A.M. FMC TRJ HRG Pending Mot's 6/24/02-cont. HRG Pending Mot's 7/1/02 @ 1:30pm; Case Filing Type: Negligence; Orig. Case Type: 501; Brought Fwd: 12/30/03; Spec Event of Trial Jury Request: TRJ-B; Return Date: 12/4/2001

11/14/2001 Motion to Amend (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: PROSEP; Motion Num: 3; Memo: Plf's Mot to Amend the Writ; add Elsie M. Baldi as a Plf & X the Jury Box

11/30/2001 Granted (Judicial Officer: Fitzgerald, Edward J, III)

11/26/2001 Special Appearance
Filed by: ATD; Memo: R. Matthew Cairns, Esq. spapp's for Henry Farrin, John Hickey, Peter Bosiak, Laurence Yeaton, Robert Berry, Steve Kimball, Gregory Bowen & Town of Epsom

11/27/2001 Response
Filed by: ATD; Memo: Municipal Def's Response to Amend Writ

11/29/2001 Withdrawal
Filed by: ATD; Memo: Withdrawal by R. Matthew Cairns, Esq. for Steve Kimball

11/29/2001 Special Appearance
Filed by: ATD; Memo: spapp by R. Matthew Cairns, Esq. for Joel Dail

11/30/2001 Special Appearance
Filed by: ATD; Memo: for Steven Kimball by Atty Roy McCandless

11/30/2001 Special Appearance
Filed by: ATD; Memo: for Steven Kimball by Atty Roy McCandless, Esq.

12/04/2001 Brief Statement
Filed by: ATD; Memo: MUNICIPAL DEFS STATEMENT OF DEFENSES

12/04/2001 Special Appearance
Filed by: ATD; Memo: APP FOR DEF RON BROWN BY DIANE PUCKHBER, ESQ.

12/07/2001 Motion to Dismiss
Filed by: ATD; Disp Type: ; Memo: Municipal Def's Mot to Dismiss Counts 5, 8-11, and 14

12/10/2001 Response
Filed by: ATD; Memo: Def Steven Kimball's Response to Plf's Mot to Amend Writ

12/10/2001 Summary Stmt. of Provable Facts
Filed by: ATD; Memo: Def Steven Kimball's Statement of Defenses

12/10/2001 Obj-Motion to Dismiss
Filed by: ATP; Memo: Plf's Obj to Municipal Def's Mot to Dismiss Counts 5, 8-11, and 14

12/10/2001 Motion to Dismiss
Filed by: ATD; Disp Type: ; Memo: Def Steven Kimball's Motion to Dismiss Counts 5, 8-11, and 14

12/12/2001 Obj-Motion to Dismiss
Filed by: ATP; Memo: Plf's Obj to Def S.Kimball's Mot to Dismiss Counts 5,8-11, & 14 & his Statement of Def,& Plf's Mot to Deny the Def's Listed by Def Kimball on Lines 1-14

12/21/2001 Summary Stmt. of Provable Facts
Filed by: ATD; Memo: Defendant Ron Brown's Statement of Defenses

12/21/2001 Motion to Dismiss

MERRIMACK SUPERIOR COURT
CASE SUMMARY
CASE NO. 217-2001-CV-00491

Filed by: ATD; Disp Type: ; Memo: Defendant Ron Brown's Motion to Dismiss

12/31/2001 Obj-Motion to Dismiss
Filed by: ATP; Memo: Plf's Obj to Def Ron Brown's Mot to Dismiss

12/31/2001 Memorandum of Law
Filed by: ATP; Memo: Memo of Law in support of the Plfs Obj to Def Ron Brown's Mot to Dismiss; and in support of the Plf Mot for SJ as a matter of law

12/31/2001 Motion for Summary Judgment
Filed by: ATP; Memo: Plf's Mot for SJ against Def Ronald Brown on Counts 1, 6, & 8

01/18/2002 Withdrawal
Filed by: ATD; Memo: Municipal Withdrawal of Fees & Costs - Request for Count 14

01/28/2002 Order-Motion to Dismiss
Filed by: JUD

01/28/2002 Order Issued
; Judge: McGuire

02/05/2002 Motion to Clarify (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: PROSEP; Motion Num: 24; Memo: MOTION FOR THE COURT TO CLARIFY IT'S ORDER DATED 1/28/02

05/17/2002 Denied (Judicial Officer: Fitzgerald, Edward J, III)

02/07/2002 Memorandum of Law
Filed by: PROSEP; Memo: IN SUPPORT OF PLF'S MO RECONSIDER

02/07/2002 Memorandum of Law
Filed by: PROSEP; Memo: IN SUPPORT OF PLF'S MO FOR SJ ON COUNTS 1,2,& 3 OF THEIR SPECIAL DECLARATION

02/07/2002 Affidavit
Filed by: PROSEP; Memo: AFFIDAVIT OF JOHN BALDI

02/07/2002 Motion to Reconsider (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: PROSEP; Motion Num: 26; Memo: PLFS' MO FOR THE CT TO RECONSIDER IT'S ORDER DATED 1/28/02, & TO REINSTATE COUNTS 1,2,3,6,7,12,13 & 16 AGAINST DEF RONALD BROWN Granted & Reinstated-See Court Ord

05/17/2002 Granted (Judicial Officer: Fitzgerald, Edward J, III)

02/07/2002 Motion for Summary Judgment
Filed by: ATP; Disp Type: ; Memo: PLFS' MOTION FOR SUMMARY JUDGMENT ON COUNTS 1,2,& 3 OF THEIR SPECIAL DECLARATION

02/08/2002 Affidavit
Filed by: PROSEP; Memo: AFFIDAVIT OF JOHN BALDI

02/08/2002 Motion to Amend (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATP; Motion Num: 29; Disp Type: OTH; Disp Date: 5/17/2002; Memo: PLAINTIFFS' MOTION TO AMEND THE WRIT; ADD B & B CONTRACTORS INC. AND SAK ENTERPRISE AS DEFENDANTS "DEN RE: B&B Contractors Inc. & GRA RE: SAK Enterprises"

02/11/2002 Obj-Motion to Reconsider
Filed by: ATD; Memo: DEF RON BROWN'S OBJ TO MOTION FOR RECONSIDERATION (CLARIFICATION)

02/11/2002 Obj-Motion to Reconsider

MERRIMACK SUPERIOR COURT
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CASE NO. 217-2001-CV-00491

Filed by: ATD; Memo: DEFENDANT RON BROWN'S OBJ TO MOTION FOR RECONSIDERATION

02/19/2002 Response
Filed by: ATP; Memo: Plf's Response to Def Ron Brown's Objection to Plaintiffs Motion for Reconsideration

02/19/2002 Obj-Motion to Amend
Filed by: ATD; Memo: Obj to Plf's Mot to Amend Writ; and B&B Contractors, Inc. & SAK Enterprise as Defendants

02/22/2002 Response
Filed by: ATP; Memo: Plf's Response to "Obj to Plf's Mot to Amend Writ; add B&B Contractors, Inc. and SAK Enterprise as Defendants

02/22/2002 Motion to Recuse or Disqualify
Filed by: ATP; Disp Type: ; Memo: Plf's Motion to Recuse & Sanction Counsel for Def Ron Brown or B&B Contractors, Inc.

02/26/2002 Motion to Withdraw
Filed by: ATD; Disp Type: ; Memo: Motion to Withdraw Obj to Plf's Motion to Amend Writ; add B&B Contractors, Inc. & SAK Enterprise as Defendants

02/28/2002 Summary Stmt. of Provable Facts
Filed by: ATD; Memo: Def, Steven Kimball's Summary Statement

03/05/2002 Other
Filed by: ATP; Memo: Def Steven Kimball's Memorandum in Opposition to Plf's Motion for SJ on Counts 1, 2, and 3 of their Special Declaration.

03/07/2002 Obj-Motion Summary Judgment
Filed by: ATD; Memo: Municipal Defendants' Obj to Plf's Motion for Summary Judgment

03/07/2002 Memorandum of Law
Filed by: ATD; Memo: Municipal Defendants' Memorandum in Support of their Obj to Plf's Mot for Summary and in Support of Their Mot for SJ on Counts 1-4 & 6-7

03/07/2002 Motion for Summary Judgment
Filed by: ATD; Disp Type: ; Memo: Municipal Defendants' Motion for Summary Judgment of Counts 1-4, 6-7

03/07/2002 Motion to Strike
Filed by: ATD; Disp Type: ; Memo: Municipal Defendants' Motion to Strike Affidavit of John A. Baldi

03/11/2002 Summary Stmt. of Provable Facts
Filed by: PROSEP; Memo: Plf's Summary Statement

03/11/2002 Motion to Excuse (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATD; Memo: Partially Assented to Motion to Excuse Attendance at March 22, 2002 Case Structuring Conference

03/18/2002 Granted (Judicial Officer: Fitzgerald, Edward J, III)

03/12/2002 Summary Stmt. of Provable Facts
Filed by: ATD; Memo: Municipal Defendants' Summary Statement

03/12/2002 Other
Filed by: PROSEP; Memo: Plf's Assent to Defense Counsel Diane M. Puckhaber's, Absence from the Structuring Conference

03/12/2002 Motion to Withdraw
Filed by: PROSEP; Disp Type: ; Memo: Plf's Mot to Withdraw thier Motion to Recuse & Sanction Counsel for Defendant Ron Brown or B&B Contractors, Inc.

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CASE NO. 217-2001-CV-00491

03/15/2002 Response
Filed by: ATP; Memo: Plfs Response to Defendant Steven Kimball's Memo in Opposition to Plf's Mot for SJ on Counts 1,2,& 3 of their Special Declaration

03/19/2002 Memorandum of Law
Filed by: PROSEP; Memo: Memo of Law in Support of the Plfs Obj to the Defs Mot for SJ on Counts 1-4 and 6-8 and Plf's Cross Mot for SJ

03/19/2002 Obj-Motion Summary Judgment
*Filed by: PROSEP; Memo: Plfs' Obj to Municipal Defs' Mot for SJ on Counts 1-4, 6-7 and their Cross Motion for SJ on count 4 & 6-8 ** With Exhibits 1-15 in seperate cover*

03/21/2002 Motion for Summary Judgment
Filed by: ATD; Disp Type: : Memo: Def Steven Kimball's Mot for SJ on counts 1-4 and 6-7

03/22/2002 **Structuring Conference** (Judicial Officer: Converted, No Judge in Sustain)
Date Sched: 2/15/2002

03/22/2002 Structuring Conference Order
Filed by: JUD

03/22/2002 Order Issued
: Judge: Fitzgerald

03/25/2002 Affidavit
Filed by: PROSEP; Memo: Affidavit of John A. Baldi

03/25/2002 Motion to Compel
Filed by: PROSEP; Disp Type: ; Memo: Plf John A. Baldi's Mot to Compel Def Ron Brown to Produce Doc's Supporting his Alleged Inc.

03/25/2002 Motion to Recuse or Disqualify (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: PROSEP; Memo: Mot to Recuse R. Matthew Cairns as Counsel for the Municipal Def SEE GREEN ORDER

07/02/2002 Denied (Judicial Officer: Fitzgerald, Edward J, III)

03/28/2002 Response
Filed by: ATD; Memo: Municipal Defs' Reply to Plfs' Obj to Defs' Mot for SJ, Plfs' Memo in Support of their Opposition to Def Mot for SJ, & Plfs' Mot for SJ & Obj to Plfs' Cross-Mot for SJ

03/28/2002 Request
Filed by: ATD; Memo: Municipal Defs' Req for Immediate HRG on their Mot to Strike with Sanctions

03/28/2002 Other (Judicial Officer: Fitzgerald, Edward J. III)
Filed by: ATD; Memo: Municipal Defs' Mot for Plf Elsie Baldi to Post Cash Bond as Security for Costs SEE GREEN ORDER

07/02/2002 Denied (Judicial Officer: Fitzgerald, Edward J, III)

03/28/2002 Motion to Stay (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATD; Disp Type: MOOT; Disp Date: 7/2/2002; Memo: Municipal Defs' Mot to Stay

03/28/2002 Motion to Strike (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATD; Disp Type: GRP; Disp Date: 7/2/2002; Memo: Municipal Defs' Mot to Strike with Sanctions SEE GREEN ORDER

03/28/2002 Motion to Strike
Filed by: ATD; Disp Type: : Memo: Municipal Defs' Mot to Strike Plfs Exhibits

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1,2,5,8 and 18

04/02/2002 Motion to Strike
Filed by: ATP; Disp Type: ; Memo: Def Steven Kimball's Mot to Strike Plfs' Exhibit 1,2,5,8 and 18

04/08/2002 Obj-Motion Summary Judgment
Filed by: ATP; Memo: Plfs' Obj to Def Steven Kimball's Mot for SJ on Counts 1-4 and 6-7

04/09/2002 Obj-Motion to Strike
Filed by: PROSEP; Memo: Plfs' Obj to Municipal Defendants Motion to Strike Plfs' Exhibits 1,2,5,8 and 18

04/10/2002 Obj-Motion to Strike
Filed by: ATP; Memo: Plfs' Obj to Def Steven Kimball's Mot to Strike Plfs' Exhibits 1,2, 5,8 and 18

04/11/2002 Response
Filed by: PROSEP; Memo: Plf John A. Baldi's Response to R. Matthew Cairns Letter to the Court Dated April 9, 2002.

04/11/2002 Other
Filed by: PROSEP; Disp Type: ; Memo: Plfs' Mot for the Court to Immediately Recant It's Order Dated 1/28/02 & Reinstate Counts 1,2,3,6,7,12,13 & 16 Against Def Ron Brown, & Grant the Plf Mot SJ

04/15/2002 Other (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: PROSEP; Memo: Plf John A. Baldi's Mot for a Restraining Order Against all the Defendants SEE GREEN ORDER

07/02/2002 Denied (Judicial Officer: Fitzgerald, Edward J, III)

04/17/2002 Motion to Amend (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATP; Motion Num: 63; Memo: Plfs' Mot to Amend the Writ by Adding Gail Brown as a Def & Adding as Count 17, 18 U.S.C., 1964 Civil Rico, Against All the Defs, to the Plfs Special Declaration

05/17/2002 Denied (Judicial Officer: Fitzgerald, Edward J, III)

04/18/2002 Obj-Motion Summary Judgment
Filed by: ATP; Memo: Def Ronald Brown's Objection to Plfs' Motion for Summary Judgment

04/18/2002 Obj-Motion
Filed by: ATP; Memo: Def Ronald Brown's Obj to Plfs' Mot for the Court to Immediately Recant its Order Dated 1/28/02 and Reinstate Counts 1,2,3,6,7,12,13 & 16 Against Def Ronald Brown

04/22/2002 Response
Filed by: ATP; Memo: Plf John A. Baldi's Response to Def Ronald Brown's Obj to Plfs' Mot for the Court to Immediately Recant its Order dated 1/28/02 & Reinstate Counts 1,2,3,6,7,12,13 &

04/24/2002 Obj-Motion
Filed by: ATP; Memo: Def Steven Kimball's Obj to Plf John Baldi's Mot for an Injunction with Respect to the Dumping of "Dirty Dirt"

04/24/2002 Obj-Motion
Filed by: ATP; Memo: Def Steven Kimball's Obj to Plfs' Mot to Amend the Writ by Adding Gail Brown as a Def and Adding as Count 17,18 U.S.C. 1964, Civil Rico, Against All the Defs, to ...

04/25/2002 Response
Filed by: ATP; Memo: Def Ron Brown's Response to Plfs' Motion for a Restraining Order Against All Defendants

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04/25/2002 Response
Filed by: ATD; Memo: Def Ron Brown's Response to Plfs' Mot to Amend Writ; by Adding Gail Brown as a Def & Adding as Count 17,18 USC. 1964 Civil Rico. Against all the Defs, to the

04/26/2002 Obj-Motion
Filed by: ATD; Memo: Municipl Defs' Obj to Plfs' Mot for a Restraining Order

04/30/2002 Obj-Motion
Filed by: ATD; Memo: Municipal Defs' Obj to Plfs' Mot to Amend the Writ to Add Gail Brown as a Def & to Add and Additional Count Pursuant to 18USA 1964(Civil Rico) Against All Defs

05/15/2002 Other (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: PROSEP; Motion Num: 79; Memo: Un-Assented To Mot to Hold the Above Referenced Case in Abeyance Until the Attorney General Acts on John A. Baldi's Request for him to Seek Judicial Dissolution

05/17/2002 Denied (Judicial Officer: Fitzgerald, Edward J, III)

05/17/2002 Order on Pending Motions
Filed by: JUD

05/17/2002 Order Issued
; Judge: Fitzgerald

05/17/2002 Order on Pending Motions
Filed by: JUD

05/17/2002 Order Issued
; Judge: Fitzgerald

05/17/2002 Court Order
Filed by: JUD; Memo: Scheduling Hearing on Motions

05/17/2002 Order Issued
; Judge: Fitzgerald

05/20/2002 Withdrawal
Filed by: ATD; Memo: for Ronald Brown by Diane M. Puckhaber, Esq.

05/20/2002 Motion to Withdraw (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATD; Motion Num: 83; Memo: as Counsel for Ronald Brown by Diane M. Puckhaber, Esq.

06/03/2002 Granted (Judicial Officer: Fitzgerald, Edward J, III)

05/23/2002 Other
Filed by: PROSEP; Memo: Plf's Assent To "Motion to Withdraw as Counsel for Ronald Brown"

05/23/2002 Request
Filed by: ATP; Doc Disp: OTH; Disp Date: 6/5/2002; Judge: Fitzgerald; Memo: Request for Additional Information "Parties shall proceed on argument and offers of proof."

05/23/2002 Motion to Excuse (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATP; Motion Num: 87; Memo: Assented-To Mot to Excuse Elsie M. Baldi's from the Ct Ordered Hrg Schd 6/24/02. "GRA-On condition John Baldi have a Power of Atty Authorizing him to Represent Elsie

05/29/2002 Granted (Judicial Officer: Fitzgerald, Edward J, III)

05/24/2002 Order of Notice Issued

MERRIMACK SUPERIOR COURT
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CASE NO. 217-2001-CV-00491

Filed by: CT

05/28/2002 Other
Filed by: ATP; Memo: Plf John A. Baldi's Exception to the Court Order Dated 5/17/02 and his Notice to Preserve Prayer D of his Mot to "Recant" Dated 4/11/02, for Appeal to the Supreme Court

05/30/2002 Appearance
Filed by: ATD; Memo: by Charles A. Russell, Esq. for Ron Brown

05/31/2002 Acceptance of Service
Filed by: PROSEP; Memo: for Orders of Notice to add SAK Enterprise

06/04/2002 Motion to Clarify (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATD; Motion Num: 92; Memo: Assented-To Motion to Clarify Status of Parties

06/05/2002 Granted (Judicial Officer: Fitzgerald, Edward J, III)

06/17/2002 Obj-Motion Summary Judgment
Filed by: ATD; Memo: Def Ron Brown's Obj to Plfs' Mot for SJ as to Counts 1,4,6, and 7

06/20/2002 Response
Filed by: ATP; Memo: Plf's Response to Def Brown's Obj to the Plfs Mot for SJ as to Counts 1,4,6 and 7

07/01/2002 **Hearing on Pending Motions** (Judicial Officer: Fitzgerald, Edward J, III)
Date Sched: 6/27/2002

07/01/2002 Obj-Motion
Filed by: ATD; Memo: DEF RON BROWN'S OBJ TO MOTION FOR INJUNCTION W/AFFIDAVIT

07/01/2002 Other
Filed by: PLF; Disp Type: ; Memo: PLF JOHN A. BALDI'S MOTION FOR A JUDGES ORDER TO ARREST PURSUANT TO RSA 594:11

07/02/2002 Order on Pending Motions
Filed by: JUD; Disp Date: 7/2/2002; Judge: Fitzgerald; Memo: SEE GREEN ORDER: REQ FOR REST ORD DEN. MO RECUSE M CAIRNS DEN. MO STAY MOOT. MO STRIKE W/SANCTIONS GRA PART. MO CASH BOND/SECURITY DEN.

07/02/2002 Court Order
Filed by: JUD; Disp Date: 7/2/2002; Judge: Fitzgerald; Memo: SEE GREEN ORDER. PLFS TO SUBMIT MEMO W/IN 10 DAYS OF CLERK'S NOTICE. DEFS HAVE 7 DAYS THERE- AFTER TO RESPOND.

07/02/2002 Obj-Motion
Filed by: ATD; Memo: MUNICIPAL DEFS' OBJ TO PLF JOHN BALDI'S MOTION FOR JUDGE'S ORDER TO ARREST

07/05/2002 Objection
Filed by: PROSEP; Memo: PLF JOHN A. BALDI'S EXCEPTION TO THE CT'S ORD DATED 7/2/02, PART 4. MUNICIPAL DEFS' MO STRIKE WITH SANCTIONS AND NOTICE PLF WILL APPEAL CT'S RULING

07/05/2002 Response to Objection
Filed by: PROSEP; Memo: PLF JOHN A. BALDI'S RESP TO THE MUNICIPAL DEFS OBJ TO HIS MOTION FOR A JUDGE'S ORDER TO ARREST

07/05/2002 Motion for Clarification
Filed by: PROSEP; Disp Type: ; Memo: MOTION FOR THE COURT TO CLARIFY WHAT IS STATED IN RSA 231:70 IF THE LANGUAGE IS NOT PLAIN OR FOR

MERRIMACK SUPERIOR COURT
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CASE NO. 217-2001-CV-00491

*THE CT TO REQ CLARIFICATION OF THE STATUTES MEANING FROM
SUPREME CT*

07/08/2002 Affidavit
*Filed by: ATD; Memo: AFFIDAVIT IN SUPPORT OF JULY 2, 2002 ATTORNEY'S
FEES AWARD*

07/11/2002 Obj-Motion
*Filed by: ATD; Memo: DEFENDANT RON BROWN'S OBJ TO PLF'S MOTION
FOR JUDGE'S ORDER TO ARREST UNDER NHRSA594:11*

07/11/2002 Motion to Dismiss
*Filed by: ATD; Disp Type: ; Memo: DEFENDANT RON BROWN'S MOTION TO
DISMISS*

07/12/2002 Response to Objection
*Filed by: ATP; Memo: PLF'S RESPONSE TO DEF BROWN'S OBJ TO PLF'S MO
FOR A JUDGE'S ORDER TO ARREST UNDER RSA 549:11*

07/12/2002 Other
*Filed by: PROSEP; Disp Type: ; Memo: PLF JOHN A. BALDI'S MOTION FOR
THE COURT TO DECLARE WHETHER OR NOT THE PLFS' HAVE DISCOVERY
RIGHTS TO WRITTEN INTERROGATORIES AS ALLOWED IN RULE 36.*

07/17/2002 Response
*Filed by: ATD; Memo: MUNICIPAL DEFS' REPLY TO PLF'S "EXCEPTION" AND
"RESPONSE"*

07/18/2002 Obj-Motion to Dismiss
Filed by: PROSEP; Memo: PLFS' OBJ TO DEF BROWN'S MOTION TO DISMISS

07/18/2002 Other
*Filed by: PROSEP; Memo: NOTICE OF THE COURT OF ALTERNATIVE OF
CENTER HILL RD.*

07/18/2002 Response to Objection
*Filed by: PROSEP; Memo: PLF JOHN A. BALDI'S RESPONSE TO THE
MUNICIPAL DEFS REPLY TO PLF'S EXCEPTION AND RESPONSE*

07/19/2002 Memorandum of Law
*Filed by: ATD; Memo: In Support of Motion to Dismiss/ and/or Mot. Summary
Judgment for Steve Kimball*

07/19/2002 Affidavit
Filed by: ATD; Memo: For Steve Kimball

07/19/2002 Motion to Dismiss
Filed by: ATD; Disp Type: ; Memo: and/or Motion for Summary Judgment

07/26/2002 Memorandum of Law
*Filed by: PROSEP; Memo: IN SUPPORT OF THEIR MOTION FOR AN ORDER TO
ARREST DEFENDANTS DAIL, KIMBALL, BROWN & FARRIN*

07/26/2002 Other
*Filed by: PROSEP; Disp Type: ; Memo: PLF'S MOTION FOR AN ORDER TO
ARREST DEFENDANTS JOEL DAIL, STEVE KIMBALL, RONALD BROWN &
HENRY FARIN PURSUANT TO RSA 594:11, FOR FELONY CRIM. MIS., RSA
634:2 II(A)*

07/29/2002 Obj-Motion to Dismiss
*Filed by: PROSEP; Memo: PLFS' OBJ TO DEF KIMBALL'S MO DISMISS AND/OR
MO FOR SJ AGAINST DONALD BALDI*

07/29/2002 Obj-Motion Summary Judgment
Filed by: PROSEP; Memo: SEE OBJ MSJ

MERRIMACK SUPERIOR COURT
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07/29/2002 Response
Filed by: PROSEP; Memo: RES OF JOHN BALDI TO CTS ORD OF 7/2/02 INSTRUCTING THE PLFS TO SUBMIT A MEMO OF LAW DETAILING BASES FOR HOLDING DEFS HENRY FARRIN, JOHN HICKEY....

08/01/2002 Obj-Motion
Filed by: ATD; Memo: MUNICIPAL DEFS' OBJ TO PLF JOHN BALDI'S MO FOR AN ORD TO ARREST DEFS JOEL DAIL, STEVE KIMBALL, RONALD BROWN, HENRY FARRIN PURSUANT TO RSA 594:11, FOR

08/01/2002 Response
Filed by: ATD; Memo: MUNICIPAL DEFS' REPLY TO PLF'S RESP RE ORDER ASKING FOR MEMO ON WHY INDIV DEFS SHOULD REMAIN IN CASE

08/01/2002 Interlocutory Transfer
Filed by: PROSEP; Memo: INTERLOCUTORY TRANSFER STATEMENT

08/02/2002 Objection
Filed by: ATD; Memo: STEVEN KIMBALL'S OF TO THE RESP OF JOHN A. BALDI TO THE CT'S ORD DATED 7/2/02 ET AL

08/02/2002 Objection
Filed by: ATD; Memo: STEVEN KIMBALL'S OBJ TO PLFS' MO FOR AN ORD TO ARREST DEFS JOEL DAIL, STEVE KIMBALL, RON BROWN, HENRY FARRIN PURSUANT TO RSA 594:11, FOR FELONLY CRIMINAL.....

08/02/2002 Response
Filed by: ATD; Memo: STEVEN KIMBALL'S SUR-REPLY TO PLF'S OBJ TO DEF STEVEN KIMBALL'S MO TO DISMISS AND/OR MOTION FOR SJ AGAINST JOHN & ELSIE BALDI

08/05/2002 Supplemental Filing
Filed by: ATD; Memo: W/ATTACHMENTS FILED 8/6/02 MUNICIPAL DEFS' SUPPLEMENTAL REPLY TO JOHN BALDI'S JULY 5, 2002 "RESPONSE" AND "EXCEPTION"

08/05/2002 Other
Filed by: PROSEP; Disp Type: ; Memo: PLAINTIFFS' MOTION FOR A COURT ORDER INSTRUCTING R. MATTHEW CAIRNS TO CEASE UNAUTHORIZED CONTACT WITH ELSIE BALDI

08/07/2002 Response to Objection
Filed by: ATP; Memo: PLFS' RESP TO MUNICIPAL DEFS' OBJ TO PLF JOHN BALDI'S MO FOR AN ORDER TO ARREST DEFS JOEL DAIL, STEVEN KIMBALL, RONALD BROWN, & HENRY FARRIN PURSUANT TO

08/07/2002 Objection
Filed by: ATD; Memo: MUNICIPAL DEFS' RESP & OBJ TO PLFS' MO FOR ORDER INSTRUCTING COUNSEL TO CEASE CONTACT W/ELSIE M. BALDI.

08/12/2002 Other
Filed by: AFR; Disp Type: ; Memo: Mot. for Order of Contempt Against Petitioner

08/21/2002 Objection-Motion for Contempt
Filed by: PROSEP; Memo: PLF JOHN BALDI'S OBJ TO THE MUNICIPAL DEFS MO FOR AN ORDER OF CONTEMPT AGAINST HIM

08/21/2002 Motion to Stay
Filed by: PROSEP; Disp Type: ; Memo: PLFS' MO TO STAY THE PROCEEDINGS IN THE PRESENT CASE UNTIL AFTER THE US CT OF APPEALS FOR THE FIRST CIRCUIT RULES ON THE MATTER

08/26/2002 Obj-Motion to Stay
Filed by: ATD; Memo: DEFENDANT STEVEN KIMBALL'S OBJ TO PLFS' MO TO STAY PROCEEDINGS IN THE PRESENT CASE UNTIL AFTER THE UNITED

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STATES COURT OF APPEALS FOR THE FIRST CIRCUIT RULES ON MATTER

08/29/2002 Obj-Motion to Stay
 Filed by: ATD; Memo: MUNICIPAL DEFS' OBJ TO MOTION TO STAY

09/25/2002 Request
 Filed by: ATD; Memo: REQ FOR EXPEDITED ORD PRECLUDING PLF JOHN BALDI'S INTERFERENCE W/ DISCOVERY & REGULATING THEIR CONDUCT GENERALLY

09/25/2002 Affidavit
 Filed by: ATD; Memo: AFF OF MATTHEW CAIRNS IN SUPPORT OF REQ FOR EXPEDITED ORD PRECLUD PLF JOHN BALDI'S INTERFERENCE W/ DISCOVERY & REGULATING THEIR CONDUCT GENERALLY

09/25/2002 Proposed Order
 Filed by: ATD; Memo: ON MUNICIPAL DEFS' REQ FOR EXPEDITED ORD PRECLUDING PLF JOHN BALDI'S INTERFERENCE W/DISC & REGULATING HIS CONDUCT GENERALLY

09/27/2002 Order-Motion for Contempt
 Filed by: JUD; Disp Date: 9/27/2002; Judge: Fitzgerald; Memo: MUNICIPAL DEFENDANTS' MUNICIPAL DEFENDANTS'

09/27/2002 Order-Motion for Summary Judgment
 Filed by: JUD; Disp Date: 9/27/2002; Judge: Fitzgerald; Memo: MOTIONS AND CROSS-MOTIONS FOR SJ MOTIONS AND CROSS-MOTIONS FOR SJ

09/27/2002 Court Order
 Filed by: JUD; Disp Date: 9/27/2002; Judge: Fitzgerald; Memo: STATUS OF REPRESENTATION BY NON-LAWYER

09/27/2002 Court Order
 Filed by: JUD; Disp Date: 9/27/2002; Judge: Fitzgerald; Memo: DISMISSAL AS TO INDIVIDUAL DEFENDANTS

09/27/2002 Court Order
 Filed by: JUD; Disp Date: 9/27/2002; Judge: Fitzgerald; Memo: PLF JOHN BALDI'S MO ORD OF ARREST PLF JOHN BALDI'S MOTIONS FOR JUDGE'S ORDER OF ARREST

10/02/2002 Affidavit
 Filed by: ATD; Memo: R. Matthew Cairns' AFFIDAVIT IN SUPPORT OF SEPT. 27, 2002 ATTY'S FEES AND COSTS AWARDS

10/07/2002 Other
 Filed by: ATD; Memo: DEFENDANT RON BROWN'S SUBMISSION IN SUPPORT OF AWARD OF ATTORNEY'S FEES

10/07/2002 Objection
 Filed by: ATP; Memo: PLF JOHN A. BALDI'S OBJ TO THE MUNICIPAL DEF & THEIR COUNSEL'S REQ FOR AN EXPEDITED ORDER PRECLUDING PLF JOHN BALDI'S ALLEGED INTERFERENCE W/DISCOVERY..

10/07/2002 Other
 Filed by: ATP; Disp Type: ; Memo: PLF JOHN A. BALDI'S MOTION FOR THE COURT TO PURGE MR. BALDI OF CONTEMPT

10/07/2002 Motion to Stay
 Filed by: PROSEP; Disp Type: ; Memo: PLF JOHN A. BALDI'S MO FOR THE CT TO SAY EXECUTION OF 3 ORDERS ISS BY CT ON 9/27/02 UNTIL THE U.S. CT OF APPEALS FOR THE 1ST CIRCUIT ADDRESSES WHETHER STATE CAN

10/08/2002 Other
 Filed by: ATD; Memo: DEF STEVEN KIMBALL'S SUBMISSION FOR REIMBURSEMENT OF ATTY'S FEES & COSTS, PURSUANT TO CT'S 9/27/02

MERRIMACK SUPERIOR COURT
CASE SUMMARY
CASE No. 217-2001-CV-00491

ORDER (W/AFFIDAVIT OF ROY MCCANDLESS)

10/09/2002 Obj-Motion to Stay
Filed by: ATD; Memo: DEF STEVEN KIMBALL'S OBJ TO PLFS' MO FOR CT TO STAY EXEC OF 3 ORDS ISSUED BY CT ON 9/27/02 UNTIL US CT OF APPEALS FOR THE FIRST CIRCUIT ADDRESS WHETHER STATE...

10/09/2002 Other
Filed by: PROSEP; Memo: CERTIFICATION OF PAYMENT

10/09/2002 Objection
Filed by: ATP; Memo: PLF JOHN BALDI'S OBJ TO PAYMENT OF COSTS & FEES TO THE INDIV DEFS & HIS DECLARATION THAT THE SUBMISSIONS BY DEFENSE COUNSEL ARE EXCESSIVE

10/09/2002 Affidavit
Filed by: ATD; Memo: AFFIDAVIT OF LEGAL FEES OF DIANE PUCKHABER

10/09/2002 Motion to Vacate
Filed by: ATP; Disp Type: ; Memo: PLF JOHN A. BALDI'S MO FOR THE CT TO VACATE ITS "ORDER ON MOTIONS & CROSS-MOTIONS FOR SJ DATED 9/27/02 & ITS ORDER ON DISMISSAL AS TO INDIV DEFS, DATED 9/27/02

10/11/2002 Obj-Motion to Vacate
Filed by: ATD; Memo: MUNICIPAL DEFS' OBJ TO PLF JOHN BALDI'S MOTION TO VACATE

10/11/2002 Obj-Motion to Stay
Filed by: ATD; Memo: MUNICIPAL DEFS' OBJ TO PLF JOHN BALDI'S MOTION TO STAY EXECUTION

10/11/2002 Other
Filed by: ATP; Disp Type: ; Memo: PLFS' JOINT MOTION FOR A JUDGMENT ON THE PLEADINGS, GRANTING THEM THEIR DAMAGES AS A MATTER OF LAW

10/17/2002 Obj-Motion
Filed by: ATD; Memo: DEFENDANT STEVEN KIMBALL'S OBJ TO PLFS' JOINT MOTION FOR A JUDGMENT ON THE PLEADINGS

10/17/2002 Obj-Motion to Vacate
Filed by: ATD; Memo: DEFENDANT STEVEN KIMBALL'S OBJ TO PLF JOHN A. BALDI'S MO FOR THE CT TO VACATE ITS "ORDER ON MOTIONS" ETC.

10/17/2002 Obj-Motion to Stay
Filed by: ATD; Memo: DEFENDANT STEVEN KIMBALL'S OBJ TO PLF'S MO FOR THE CT TO STAY EXECUTION OF 3 ORDERS ISSUED BY CT ON 9/27/02 UNTIL US CT OF APPEALS ADDRESSES WHETHER STATE CAN ...

10/17/2002 Obj-Motion
Filed by: ATD; Memo: MUNICIPAL DEFS' OBJ TO PLFS' JOINT MOTION FOR A JUDGMENT ON THE PLEADINGS

10/24/2002 Other
Filed by: ATD; Memo: COPY OF ORDER FROM U.S. COURT OF APPEALS

10/28/2002 Notice of Appeal to Supreme Court
Filed by: PROSEP

11/06/2002 Certified Copies Made

12/09/2002 Order on Pending Motions
*Filed by: JUD; Disp Date: 12/9/2002; Judge: Fitzgerald; Memo: Mo Purge Mr B of contempt gra. Mo Stay Exec den. Mo Vacate Ord on Mots & Cross Mo den. Joint Mo for Jdgmnt on Pldgs den. *SEE GREEN ORDER***

MERRIMACK SUPERIOR COURT
CASE SUMMARY
CASE NO. 217-2001-CV-00491

12/18/2002 Opinion from the Supreme Court
Filed by: SPRCT; Memo: MO AMEND NOA TO ADD QUESTION 6 IS GRA. PLF'S MO VACATE ALL ORDERS OF TRIAL JUDGE & MO FOR WRIT OF MAND DEN. RULING OF TRIAL COURT SUMMARILY AFFIRMED.

12/19/2002 Objection
Filed by: PLF; Memo: PLAINTIFF ELSIE M. BALDI'S OBJ TO THE COURTS ORDER DATED 12/9/02/ CLERKS NOTICE DATED 12/10/02 AND HER INTENT TO APPEAL

12/19/2002 Objection
Filed by: PLF; Memo: PLAINTIFF JOHN A. BALDI OBJECTS TO THE CTS ORDER DATED 12/9/02, CLERKS NOTICE DATED 12/10/02, DENYING PLF'S JOINT MO FOR JDGMNT ON PLDGS, GRANTING DMGS....

12/19/2002 Motion to Vacate
Filed by: PLF; Disp Type: ; Memo: PLAINTIFF JOHN A. BALDI'S MOTION FOR THE CT TO VACATE ITS ORDER ON MOTIONS & CROSS MOTIONS FOR SJ DATED 9/27/02. & ITS ORDER ON DISMISSAL AS TO INDIV. DEFS,9/27/2

01/02/2003 Objection
Filed by: ATD; Memo: DEF'S OBJECTION TO PLF'S OBJECTION TO COURT'S ORDER DATED 12-9-02, CLERK'S NOTICE DATED 12-10-02 AND HER INTENT TO APPEAL

01/02/2003 Objection
Filed by: ATD; Memo: DEF'S OBJECTION TO PLF'S OBJECTION TO THE COURT'S ORDER DATED 12-9-02 CLERK'S NOTICE DATED 12-10-02.

01/09/2003 Supreme Court Certificate
Filed by: SPRCT

01/09/2003 Supreme Court Order
Filed by: SPRCT

01/29/2003 Court Order
Filed by: JUD; Disp Date: 1/29/2003; Judge: Fitzgerald

02/06/2003 Court Order
Filed by: JUD; Disp Date: 2/6/2003; Judge: Fitzgerald

02/18/2003 **Final Management Conference** (Judicial Officer: Converted, No Judge in Sustain)
Date Sched: 3/26/2002; Original Date: 2/18/2003

03/03/2003 **Jury Selection** (Judicial Officer: Converted, No Judge in Sustain)
Date Sched: 3/26/2002; Original Date: 3/3/2003

04/23/2003 Motion for Attorney Fees
Filed by: ATD; Motion Num: 173; Disp Type: ; Memo: DEFENDANT RON BROWN'S

04/28/2003 Motion for Attorney Fees
Filed by: ATD; Motion Num: 174; Disp Type: ; Memo: DEFENDANT STEVEN KIMBALL'S

05/01/2003 Obj-Motion for Attorney Fees
Filed by: PROSEP; Memo: TO STEVEN KIMBALL'S

05/01/2003 Obj-Motion for Attorney Fees
Filed by: PROSEP; Memo: TO DEF RONALD BROWN'S

05/13/2003 Court Order
Filed by: JUD; Disp Date: 5/13/2003; Judge: Vaughan

MERRIMACK SUPERIOR COURT
CASE SUMMARY
CASE NO. 217-2001-CV-00491

05/21/2003 Objection
Filed by: PLF; Memo: PLF ELSIE BALDI'S OBJ TO CT'S ORD DATED 5/13/03 & HER MO FOR CT TO RECONSIDER ITS ORD &/OR STAY EXECUTION OF THE ORDER

06/12/2003 Denied
: Judge: VAUGHAN

05/21/2003 Objection
Filed by: PLF; Memo: JOHN A. BALDI'S OBJ TO CTS ORDER AWARDING ATTY'S FEES DATED 5/19/03 (CLERK'S NOTICE) AND NOTICE OF DECISION

06/12/2003 Denied
: Judge: VAUGHAN

05/23/2003 Response
Filed by: ATD; Memo: DEFENDANT STEVEN KIMBALL'S RESP AND OBJ TO PLFS' OBJ TO THE CT'S ORDER DATED MAY 19, 2003 AND MOTION TO RECONSIDER

05/29/2003 Objection
Filed by: ATD; Memo: STEVEN KIMBALL'S OBJ TO PLF ELSIE M. BALDI'S OBJ TO TE CT'S ORDER DATED 5/13/03 AND HER MOT FOR THE CT TO RECONSIDER ITS ORDER AND/OR STAY EXECUTION OF THE ORDER

06/12/2003 Denied
; Judge: VAUGHAN

06/12/2003 Court Order
Filed by: JUD; Disp Date: 6/12/2003; Judge: VAUGHAN

09/29/2003 **Dismissed** (Judicial Officer: Fitzgerald, Edward J, III)

12/24/2003 Writ of Execution
Filed by: CT; Memo: against plfs for atty fees owed to Steven Kimball

12/30/2003 Motion for Contempt
Filed by: ATD; Disp Type: ; Memo: DEFENDANT RON BROWN'S MOTION FOR CONTEMPT

01/15/2004 Orders of Notice
Filed by: CT

02/23/2004 Return of Service
Filed by: ATD; Memo: RE: JOHN A. & ELSIE BALDI

03/10/2004 Motion to Produce (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATD; Obj. Filed: 3/16/2004; Memo: TO BE PRODUCED NOT LATER THAN 4-2-04.

03/23/2004 Granted (Judicial Officer: Fitzgerald, Edward J, III)

03/11/2004 Motion for Contempt (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATD; Memo: DEF STEVEN KIMBALL'S MOTION FOR CONTEMPT & FOR PERMISSION TO JOIN THE APRIL 4, 2004 HEARING. 4/7/04 changed, only prayer A gra.

03/23/2004 Granted (Judicial Officer: Fitzgerald, Edward J, III)

03/11/2004 Other (Judicial Officer: Fitzgerald, Edward J, III)
Filed by: ATD; Memo: STEVEN KIMBALLS PARTIALLY ASSENTED TO MOTION TO JOIN 4-4-04 HEARING TO HEAR HIS MOTION FOR CONTEMPT WITH RON BROWNS SIMILAR MOTION. 4/7/04 changed, only prayer A gra.

03/23/2004 Granted (Judicial Officer: Fitzgerald, Edward J, III)

MERRIMACK SUPERIOR COURT
CASE SUMMARY
CASE NO. 217-2001-CV-00491

03/16/2004 Obj-Motion to Produce
 Filed by: ATP

03/22/2004 Objection-Motion for Contempt
 *Filed by: PROSEP; Memo: PLF'S OBJECTION TO BOTH DEF'S MOT. FOR
 CONTEMPT & DEF KIMBALL JOINING THE HEARING ON 4-4-04.*

04/02/2004 Affidavit
 Filed by: PROSEP; Memo: Affidavit of John A. Baldi

04/02/2004 Objection
 *Filed by: PROSEP; Memo: Plf's Objection to the Courts Order Dated March 23,
 2004 Issued by Judge Fitzgerald and Notice of Appeal*

04/02/2004 Other
 *Filed by: PROSEP; Disp Type: ; Memo: Plf's Partially Assented-To Motion to
 Remove Contempt*

04/05/2004 Receipt
 Filed by: ATP; Memo: Receipt of Payment of Attorney's Fees

04/05/2004 Other
 *Filed by: ATD; Memo: RECEIPT OF PAYMENT OF ATTORNEY'S FEES BY ROY
 MCCANDLESS, ESQ. FOR STEVEN KIMBALL*

04/07/2004 Court Order
 *Filed by: JUD; Disp Date: 4/7/2004; Judge: Fitzgerald; Memo: SEE ORDER-CT
 ORD OF 3/23/04 BY EFJ SHOULD HAVE REFLECTED THAT ONLY PRAYER A
 OF STEVEN KIMBALL'S MO WAS GRA...*

04/08/2004 Contempt Hearing (Judicial Officer: Converted, No Judge in Sustain)
 Date Sched: 1/15/2004

04/08/2004 Taxation of Costs
 *Filed by: ATD; Memo: DEFENDANT RONALD BROWN'S TAX OF COSTS,
 INTEREST AND ATTORNEY'S FEES*

04/08/2004 Motion for Attorney Fees
 *Filed by: ATD; Disp Type: ; Memo: DEFENDANT RONALD BROWN'S MOTION
 FOR AWARD OF ATTORNEY FEES, COSTS AND INTEREST*

04/09/2004 Court Order
 *Filed by: JUD; Disp Date: 4/9/2004; Judge: Lewis; Memo: SEE ORDER. (RONALD
 BROWN'S MO FOR CONTEMPT AND MOT FOR AWARD OF ATTY FEES,
 COSTS, INT RESOLVED.*

CLOSED, REGISTRY

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:03-cv-00342-PB**

Baldi v. Farrin, et al
Assigned to: Judge Paul J. Barbadoro
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 08/07/2003
Date Terminated: 07/29/2004
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Catherine M. Baldi

represented by **Catherine M. Baldi**
19 Ledge St
Melrose, MA 02176
781 665-5011
PRO SE

V.

Intervenor Plaintiff

John A. Baldi
TERMINATED: 07/27/2004

represented by **John A. Baldi**
19 Ledge St
Melrose, MA 02176
781-665-5011
PRO SE

V.

Defendant

Henry Farrin

represented by **Brian J.S. Cullen**
CullenCollimore PLLC
10 E Pearl St
Nashua, NH 03060
603 881-5500
Fax: 603-881-5507
Email: bcullen@cullencollimore.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Ricker
Primex
46 Donovan St
Concord, NH 03301-2624
603-225-2841
Fax: 603-228-3905
Email: mricker@nhprimex.org
TERMINATED: 03/10/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Peter Bosiak

represented by **Brian J.S. Cullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Ricker
(See above for address)
TERMINATED: 03/10/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Laurence Yeaton

represented by **Brian J.S. Cullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Ricker
(See above for address)
TERMINATED: 03/10/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Robert Berry

represented by **Brian J.S. Cullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Ricker
(See above for address)
TERMINATED: 03/10/2005

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Joel Dail

represented by **Brian J.S. Cullen**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Michael A. Ricker
(See above for address)
*TERMINATED: 03/10/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Ronald Brown

represented by **Charles A. Russell**
Russell Law Office
PO Box 2124
Concord, NH 03302-2124
225-3185
Email: chales-
a-russell@myfairpoint.net
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Steven Kimball

represented by **Roy S. McCandless**
McCandless Law Office
6 Loudon Rd., Ste. 4
PO Box 4137
Concord, NH 03302-4137
603 856-8441
Fax: 603 218-6177
Email: roy@roymccandlesslaw.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Jonilyn Kitson

represented by **Michael A. Ricker**
(See above for address)
*TERMINATED: 03/10/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Michael Dempsey

represented by **Brian J.S. Cullen**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Ricker
 (See above for address)
TERMINATED: 03/10/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Epsom, Town of
 NEW HAMPSHIRE**

represented by **Brian J.S. Cullen**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Ricker
 (See above for address)
TERMINATED: 03/10/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John Hickey

represented by **Brian J.S. Cullen**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Ricker
 (See above for address)
TERMINATED: 03/10/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/07/2003	1	COMPLAINT; jury demand FILING FEE \$ 150.00 ; RECEIPT # 023978. (jeb) (Entered: 08/08/2003)
08/08/2003		SUMMONS(ES) issued for Henry Farrin, John F. Hickey, Peter Bosiak, Laurence Yeaton, Robert Berry, Joel Dail, Ronald Brown, Steven Kimball, Jonilyn Kitson, Michael Dempsey, Epsom . (jeb) (Entered: 08/08/2003)

		08/08/2003)
08/08/2003		CASE REFERRED to Magistrate Judge James R. Muirhead for preliminary review. (jeb) (Entered: 08/08/2003)
08/28/2003	2	MOTION by Henry Farrin, Peter Bosiak, Laurence Yeaton, Robert Berry, Joel Dail, Jonilyn Kitson, Michael Dempsey, Epsom, John Hickey to Dismiss for lack of subject matter jurisdiction with cites and attachments served on: 8/29/03. Objection to Motion Deadline 9/17/03 (mm) Modified on 09/09/2003 (Entered: 08/29/2003)
09/02/2003	3	NOTICE of attorney appearance for Ronald Brown by Charles A. Russell (mm) (Entered: 09/03/2003)
09/02/2003	4	MOTION by Ronald Brown to Extend Time until 10/10/03 to answer or otherwise plead with partial assent. served on: 8/29/03. Objection to Motion Deadline 9/18/03 (mm) (Entered: 09/03/2003)
09/04/2003	5	RETURN OF SERVICE executed as to Henry Farrin, Peter Bosiak, Laurence Yeaton, Robert Berry, Joel Dail, Ronald Brown, Steven Kimball, Jonilyn Kitson, Michael Dempsey, Epsom, John Hickey 8/21/03 . Answer due on 9/10/03 for John Hickey, for Epsom, for Michael Dempsey, for Jonilyn Kitson, for Steven Kimball, for Ronald Brown, for Joel Dail, for Robert Berry, for Laurence Yeaton, for Peter Bosiak, for Henry Farrin (mm) (Entered: 09/05/2003)
09/08/2003	6	ANSWER to Complaint [1-1] by Steven Kimball (Attorney Roy S. McCandless) (mm) (Entered: 09/09/2003)
09/09/2003		CASE NO LONGER REFERRED TO Magistrate Judge James R. Muirhead. Appearance rec'd (mm) (Entered: 09/09/2003)
09/09/2003	7	OBJECTION with memorandum and attachments by Catherine M. Baldi to [2-1] motion to Dismiss for lack of subject matter jurisdiction . Date of service of objection was 9/9/03 (mm) (Entered: 09/09/2003)
09/11/2003		PRETRIAL CONFERENCE before: Magistrate Judge Muirhead set at 9:00 10/17/03 . Discovery Plan Follow-up Deadline set to 10/14/03 for Case Manager to verify filing of Discovery Plan. (jgb) (Entered: 09/11/2003)
09/17/2003	8	REPLY by municipal defendants to objection to [2-1] motion to Dismiss for lack of subject matter jurisdiction (mm) (Entered: 09/17/2003)
09/17/2003	9	NOTICE of attorney appearance for Henry Farrin, Peter Bosiak, Laurence Yeaton, Robert Berry, Joel Dail, Jonilyn Kitson, Michael Dempsey, Epsom, John Hickey by Michael A. Ricker (mm) (Entered: 09/17/2003)

09/20/2003	10	MOTION by Catherine M. Baldi to Stay pretrial conference until after ruling on her motion for summary judgment served on: 9/20/03. Objection to Motion Deadline 10/8/03 (mm) (Entered: 09/22/2003)
09/20/2003	11	MOTION by Catherine M. Baldi for Summary Judgment with memorandum and attachments served on: 9/20/03. Objection to summary judgment deadline 10/20/03 (mm) (Entered: 09/22/2003)
09/23/2003	12	ORDER on Nonconforming Document; Document [10-1] motion to Stay pretrial conference until after ruling on her motion for summary judgment fails to comply with concurrence statement; Cured document deadline 10/2/03 for Catherine M. Baldi (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 09/24/2003)
09/25/2003		ENDORSED ORDER granting [4-1] motion to Extend Time until 10/10/03 to answer or otherwise plead, reset Answer deadline to 10/10/03 for Ronald Brown (signed by Chief Judge Paul J. Barbadoro) (mm) (Entered: 09/25/2003)
09/29/2003	13	OBJECTION by Henry Farrin, Peter Bosiak, Laurence Yeaton, Robert Berry, Joel Dail, Jonilyn Kitson, Michael Dempsey, Epsom, John Hickey to [11-1] motion for Summary Judgment . Date of service of objection was 9/26/03 (mm) (Entered: 09/29/2003)
10/02/2003	14	REPLY by Catherine M. Baldi to objection to [11-1] motion for Summary Judgment (mm) (Entered: 10/02/2003)
10/02/2003	15	OBJECTION by Steven Kimball to [11-1] motion for Summary Judgment . Date of service of objection was 10/1/03 (mm) (Entered: 10/02/2003)
10/02/2003	16	MOTION by Steven Kimball to Dismiss the action with memorandum served on: 10/1/03. Objection to Motion Deadline 10/21/03 (mm) (Entered: 10/02/2003)
10/06/2003	17	MOTION by Ronald Brown to Dismiss the complaint with cites and attachments served on: 10/6/03. Objection to Motion Deadline 10/24/03 (mm) (Entered: 10/07/2003)
10/08/2003	18	REPLY by Catherine M. Baldi to objection to [11-1] motion for Summary Judgment (mm) (Entered: 10/08/2003)
10/08/2003	19	OBJECTION with memorandum by Catherine M. Baldi to [16-1] motion to Dismiss the action . Date of service of objection was 10/8/03 (mm) (Entered: 10/08/2003)
10/09/2003	20	RESPONSE by Steven Kimball to [10-1] motion to Stay pretrial conference until after ruling on her motion for summary judgment indicating assent. (mm) (Entered: 10/09/2003)

10/10/2003	21	MOTION by Catherine M. Baldi to Stay the pretrial conference until after ruling on the Summary Judgment motions served on: 10/10/03. Objection to Motion Deadline 10/30/03 (mm) (Entered: 10/10/2003)
10/10/2003	22	MOTION by Catherine M. Baldi to Clarify a ruling issued in C. 3-96-B served on: 10/10/03. Objection to Motion Deadline 10/30/03 (mm) (Entered: 10/10/2003)
10/14/2003		ENDORSED ORDER granting [10-1] motion to Stay pretrial conference until after ruling on her motion for summary judgment (signed by Magistrate Judge James R. Muirhead) (mm) (Entered: 10/14/2003)
10/14/2003	23	ORDER on Nonconforming Document; Document [22-1] motion to Clarify a ruling issued in C. 3-96-B fails to comply with 7.1(c) as No concurrence sought; Cured document deadline 10/27/03 for Catherine M. Baldi (signed by Magistrate Judge James R. Muirhead) (mm) (Entered: 10/14/2003)
10/14/2003		ENDORSED ORDER mootng [21-1] motion to Stay the pretrial conference until after ruling on the Summary Judgment motions (signed by Magistrate Judge James R. Muirhead) (mm) (Entered: 10/14/2003)
10/14/2003		PRETRIAL CONFERENCE before: Magistrate Judge Muirhead reset to 9:00 2/9/04 . Disc Plan Follow-Up Deadline reset to 2/4/04 for Case Manager to verify filing of Discovery Plan. (mm) (Entered: 10/14/2003)
10/14/2003	24	MOTION by Catherine M. Baldi to Strike [17-1] Ronald Brown's motion to Dismiss the complaint served on: 10/11/03. Objection to Motion Deadline 10/30/03 (mm) (Entered: 10/15/2003)
10/16/2003	25	NOTICE of intent to file reply brief by Steven Kimball to [16-1] motion to Dismiss the action . Reply Brief due on 10/23/03 for Steven Kimball . (mm) (Entered: 10/17/2003)
10/17/2003	26	REPLY by Steven Kimball to objection to [16-1] motion to Dismiss the action (mm) (Entered: 10/17/2003)
10/20/2003	27	OBJECTION with memorandum by Ronald Brown to [11-1] motion for Summary Judgment . Date of service of objection was 10/20/03 (mm) (Entered: 10/21/2003)
10/20/2003	28	Nonconforming Document [22-1] motion to Clarify a ruling issued in C. 3-96-B cured; concurrence sought, filed by plaintiff Catherine M. Baldi. Objection to Magistrate Judge Muirhead issuing rulings in this case. (mm) (Entered: 10/21/2003)
10/20/2003	29	MOTION by Catherine M. Baldi for a district judge from outside the district of NH be seated to hear the present case served on: 10/17/03. Objection to Motion Deadline 11/6/03 (mm) (Entered: 10/21/2003)

10/22/2003	30	OBJECTION by Steven Kimball to [29-1] motion for a district judge from outside the district of NH be seated to hear the present case . (mm) (Entered: 10/22/2003)
10/23/2003	31	Second MOTION by Henry Farrin, Peter Bosiak, Laurence Yeaton, Robert Berry, Joel Dail, Jonilyn Kitson, Michael Dempsey, Epsom, John Hickey to Dismiss for lack of subject matter jurisdiction with attachments. served on: 10/22/03. Objection to Motion Deadline 11/10/03 (mm) (Entered: 10/23/2003)
10/23/2003	32	OBJECTION by Henry Farrin, Peter Bosiak, Laurence Yeaton, Robert Berry, Joel Dail, Jonilyn Kitson, Michael Dempsey, Epsom, John Hickey to [29-1] motion for a district judge from outside the district of NH be seated to hear the present case . (mm) (Entered: 10/23/2003)
10/23/2003	33	OBJECTION by Henry Farrin, Peter Bosiak, Laurence Yeaton, Robert Berry, Joel Dail, Jonilyn Kitson, Michael Dempsey, Epsom, John Hickey to [22-1] motion to Clarify a ruling issued in C. 3-96-B . (mm) (Entered: 10/23/2003)
11/01/2003	34	OBJECTION to 31 Motion to Dismiss, served on 11/1/03, filed by Catherine M. Baldi. Notice of Compliance Deadline set for 11/17/2003. (mm,) (Entered: 11/03/2003)
11/03/2003	35	REPLY to Objection to Motion re 22 Motion to Clarify. filed by Catherine M. Baldi. (mm,) (Entered: 11/05/2003)
11/03/2003	36	REPLY to Objection to Motion re 29 Motion for a judge from outside of NH sit on this case filed by Catherine M. Baldi. (mm,) (Entered: 11/05/2003)
11/07/2003		Endorsed ORDER denying 11 Plaintiff's Motion for Summary Judgment. Signed by Judge Paul Barbadoro. (mm,) (Entered: 11/07/2003)
11/07/2003		ORDER denying 29 Motion for for a district judge from outside of NH be seated to hear the case Signed by Judge Paul Barbadoro. (mm,) (Entered: 11/07/2003)
11/07/2003		Endorsed ORDER denying 22 Motion to Clarify. The clerk shall schedule a status conference so that plaintiff can seek clarification of any matters that pertain to her claims in this action. Signed by Judge Paul Barbadoro. (mm,) (Entered: 11/07/2003)
11/07/2003		Endorsed ORDER I will defer ruling on defendants' motions to dismiss until I hold a status conference to give plaintiff an opportunity to seek clarification of any matters that pertain to her actions in this action Signed by Judge Paul Barbadoro. (mm,) (Entered: 11/07/2003)

11/07/2003		NOTICE of Hearing. Status Conference set for 11/17/2003 09:30 AM before Chief Judge Paul Barbadoro. (mm,) (Entered: 11/07/2003)
11/10/2003		NOTICE of Amended Ruling on Document #11. Motion denied. (mm,) (Entered: 11/10/2003)
11/17/2003	37	Objection to Court's Order on Motion for Summary Judgment, Order on Motion for Miscellaneous Relief, Order on Motion to Clarify,, Order., filed by Catherine M. Baldi. (mm,) (Entered: 11/17/2003)
11/17/2003	38	ORDER all pending motions are denied without prejudice. By agreement of the parties, the case shall be stayed until the court of Appeals resolves the appeal brought by Mr. Baldi in the related case.denying 2 Motion to Dismiss, denying 16 Motion to Dismiss, denying 17 Motion to Dismiss, denying 24 Motion to Strike, denying 31 Motion to Dismiss. Signed by Judge Paul Barbadoro.(mm,) (Entered: 11/18/2003)
11/17/2003		Minute Entry for proceedings held before Judge Paul Barbadoro. STATUS CONFERENCE held on 11/17/2003. Parties agree to stay this case pending the outcome of 3-96-B (on appeal) All pending motions denied without prejudice. (Court Reporter: S. Kulacz) (Pltfs Atty: John Baldi, pro se) (Defts Atty: Charles Russell, Michael Ricker, Roy McCandless)(Total Hearing Time:.35) (mm,) (Entered: 11/18/2003)
11/20/2003	39	RESPONSE/Corrected Objection re 22 Motion to Clarify. filed by Robert Berry, Peter Bosiak, Joel Dail, Michael Dempsey, Henry Farrin, John Hickey, Jonilyn Kitson, Town of Epsom, Laurence Yeaton. (mm,) (Entered: 11/21/2003)
11/24/2003	40	TRANSCRIPT of Proceedings for Status conference before Judge Barbadoro held on 11/17/03, Court Reporter: S. Kulacz.(mm,) (Entered: 11/25/2003)
07/15/2004	<u>41</u>	ORDER Response deadline set for 8/2/2004 for objection to the dismissal of the case Signed by Judge Paul Barbadoro. (mm,) (Entered: 07/16/2004)
07/20/2004	42	Objection to <u>41</u> Order dated 7/15/04 filed by Catherine M. Baldi. (mm,) (Entered: 07/21/2004)
07/22/2004	43	RESPONSE re <u>41</u> Order, and plaintiff's 42 Objection to order filed by Steven Kimball. (mm,) (Entered: 07/22/2004)
07/26/2004	44	JOINDER IN RESPONSE to 43 Steven Kimball's Response to <u>41</u> Order filed by Municipal Defendants. (cm,) (Entered: 07/26/2004)
07/26/2004	45	MOTION to Intervene as plaintiff filed by John A. Baldi .Served on 7/26/04. Follow up on 8/16/2004 (cm,) (Entered: 07/27/2004)

07/26/2004	46	AMENDED COMPLAINT/Petition for a Declaratory Judgment as to the Constitutionality of NH Statutes, Easement Takings and his Complaint Seeking Damages for the Torts Committed by the Defendants Named in the Civil Counts Stated against Robert Berry, Peter Bosiak, Ronald Brown, Joel Dail, Henry Farrin, Laurence Yeaton, John Hickey, Steven Kimball, Gregory Bowen, R. Matthew Cairns, Ransmeier & Spellman, Diane Puckhaber, Perkins & Puckhaber, Michael Ricker, Charles Russell, Roy McCandless, filed by John A. Baldi.(cm,) (Entered: 07/27/2004)
07/26/2004	47	RESPONSE/Reply to 43 Response to <u>41</u> Order filed by Catherine M. Baldi. (cm,) (Entered: 07/27/2004)
07/26/2004	48	Objection to 43 Response to <u>41</u> Order (the request to renew motion to dismiss contained in the response) with memorandum, filed by Catherine M. Baldi. (cm,) Modified on 7/27/2004 to add "with memorandum" (cm,). (Entered: 07/27/2004)
07/27/2004		ENDORSED ORDER denying without prejudice 45 Motion to Intervene. Text of Order: Motion denied without prejudice to plaintiff's right to file a separate action and to later move to consolidate. Signed by Judge Paul Barbadoro.(ja,) (Entered: 07/28/2004)
07/27/2004	49	Objection to 44 JOINDER IN RESPONSE to 43 Steven Kimball's Response to <u>41</u> Order filed by John A. Baldi. (cm,) (Entered: 07/28/2004)
07/27/2004	<u>50</u>	///ORDER, the Rooker-Feldman doctrine bars this action and the case must be dismissed. Ruling on <u>41</u> Notice of Ruling. Signed by Judge Paul Barbadoro. (cm,) Modified on 7/29/2004 to add the text between the (cm,). (Entered: 07/29/2004)
07/27/2004		Party John A. Baldi terminated. Motion to Intervene was denied (mm,) (Entered: 01/18/2005)
07/29/2004	51	JUDGMENT is hereby entered in accordance with <u>50</u> Order dismissing case, re: <u>41</u> Order. The defendant(s) shall recover their costs of the action from the plaintiff(s) if appropriate. Signed by Clerk James R. Starr. (Case Closed) (cm,) (Entered: 07/29/2004)
07/29/2004	52	MOTION to Compel the U.S. Attorney for the District of New Hampshire, Tom Colantuono, pursuant to 28 USC 1361, to Investigate and Convene a Federal Grand Jury Seeking Criminal Indictments for Violation of Civil Rights Criminal Statutes, Perjury, Subornation of Perjury, Conspiracy, and any other charges He Deems Appropriate, Against All of the Defendant and their Counsel in the Present Case, as well as L. Gail Brown, Edward Fitzgerald, III; Katherine McGuire and

		any other party that his Investigation and the Grand Jury Deem Appropriate filed by John A. Baldi , with affidavit, and attachments.Served on 7/29/04. Follow up on 8/18/2004 (jab,) (Entered: 07/29/2004)
07/29/2004	53	Objection to JOINDER IN 44 Response filed by Catherine M. Baldi. (jab,) (Entered: 07/29/2004)
08/06/2004	54	MOTION to deem the awarding of costs to the defendants inappropriate filed by Catherine M. Baldi .Served on 8/4/04. Follow up on 8/26/2004 (mm,) (Entered: 08/10/2004)
08/10/2004	55	OBJECTION to 52 MOTION to Compel the U.S. Attorney for the district of New Hampshire, Tom Colantuono, pursuant to 28 USC 1361, to Investigate and Convene a Federal Grand Jury Seeking Criminal Indictments for Violation of Civil Rights Criminal Statutes, Perjury, Suborn, served on 8/9/04, filed by Steven Kimball. (mm,) (Entered: 08/11/2004)
08/10/2004	<u>56</u>	ORDER on Nonconforming Document re: 54 Motion for Miscellaneous Relief filed by Catherine M. Baldi. Fails to comply with 7.1(c) No concurrence statement. Cure Document by 8/23/2004. Signed by Judge Paul Barbadoro. (mm,) (Entered: 08/11/2004)
08/23/2004	57	Nonconforming Document <u>56</u> Order on Nonconforming Document,, 54 Motion for Miscellaneous Relief cured with statement indicating concurrence not sought due to motion being dispositive by Catherine M. Baldi. Follow up on 9/13/2004(mm,) (Entered: 08/23/2004)
08/30/2004	58	MOTION for Attorney Fees filed by Steven Kimball , with memorandum, affidavit, and attachments.Served on 8/30/04. Follow up on 9/20/2004 (mm,) (Entered: 09/01/2004)
09/14/2004	59	OBJECTION to 58 MOTION for Attorney Fees with memorandum, served on 9/14/04, filed by Catherine M. Baldi. (mm,) (Entered: 09/16/2004)
09/14/2004	60	OBJECTION to 58 MOTION for Attorney Fees with memorandum, served on 9/14/04, filed by John A. Baldi. (mm,) (Entered: 09/16/2004)
09/16/2004	<u>61</u>	ORDER striking 60 Objection to Motion. Signed by Judge Paul Barbadoro. (mm,) (Entered: 09/20/2004)
09/16/2004		ORDER REFERRING MOTION to Magistrate Judge Muirhead: 58 Motion for Attorney Fees. Text of Order: I refer this motion to the Magistrate Judge for resolution. Signed by Judge Paul Barbadoro. (mm,) (Entered: 09/20/2004)

09/21/2004		ENDORSED ORDER denying 52 Motion to Compel. <i>Text of Order: Denied.</i> Signed by Judge James R. Muirhead.(djb,) (Entered: 09/21/2004)
09/21/2004		ENDORSED ORDER denying 54 Motion To Deem The Awarding Of Costs To The Defendants Inappropriate. <i>Text of Order: Denied.</i> Signed by Judge James R. Muirhead.(djb,) (Entered: 09/21/2004)
12/29/2004	<u>62</u>	ORDER denying 58 Motion for Attorney Fees. Signed by Judge James R. Muirhead.(djb,) (Entered: 12/29/2004)
01/03/2005	<u>63</u>	MOTION for Reconsideration re <u>62</u> Order on Motion for Attorney Fees filed by Steven Kimball. Follow up on Objection on 1/24/2005 (McCandless, Roy) (Entered: 01/03/2005)
01/03/2005	<u>64</u>	ORDER. Attorney McCandless filed <u>63</u> Motion for Reconsideration electronically in a conventional case. The document shall be filed conventionally. Notice of Compliance Deadline set for 1/13/2005. (mm,) (Entered: 01/03/2005)
01/11/2005	65	OBJECTION to <u>63</u> MOTION for Reconsideration re <u>62</u> Order on Motion for Attorney Fees, served on 1/11/05, filed by John A. Baldi. (mm,) (Entered: 01/13/2005)
01/11/2005	66	OBJECTION to <u>63</u> MOTION for Reconsideration re <u>62</u> Order on Motion for Attorney Fees, served on 1/11/05, filed by Catherine M. Baldi. (mm,) (Entered: 01/13/2005)
01/14/2005		ORDER REFERRING MOTION to Magistrate Judge Muirhead: <u>63</u> Motion for Reconsideration. <i>Text of Order: This motion is referred to the Magistrate Judge</i> Signed by Judge Paul Barbadoro. (mm,) (Entered: 01/18/2005)
01/14/2005	<u>67</u>	ORDER striking 65 Objection to Motion. Signed by Judge Paul Barbadoro. (mm,) (Entered: 01/18/2005)
01/18/2005	68	REPLY to Objection to Motion re <u>63</u> MOTION for Reconsideration re <u>62</u> Order on Motion for Attorney Fees filed by Steven Kimball. (mm,) (Entered: 01/19/2005)
01/21/2005	69	MOTION for the Magistrate Judge to issue arrest warrants filed by John A. Baldi, with attachments.Served on 1/21/05. Follow up on Objection on 2/10/2005 (mm,) (Entered: 01/24/2005)
01/21/2005	70	OBJECTION to <u>63</u> MOTION for Reconsideration re <u>62</u> Order on Motion for Attorney Fees, served on 1/21/05, with attachments filed by John A. Baldi. (mm,) (Entered: 01/24/2005)

01/27/2005	71	OBJECTION to 69 MOTION for the Magistrate Judge to issue arrest warrants, served on 1/26/05, filed by Steven Kimball. (mm,) (Entered: 01/28/2005)
01/31/2005	72	OBJECTION to 69 MOTION for the Magistrate Judge to issue arrest warrants, served on 1/28/05, filed by Ronald Brown. (mm,) (Entered: 02/01/2005)
02/04/2005	<u>73</u>	ORDER striking 69 Motion for Miscellaneous Relief, 70 Objection to Motion. Signed by Judge James R. Muirhead. (mm,) (Entered: 02/04/2005)
02/04/2005	74	REPLY to Objection to Motion re 69 MOTION for the Magistrate Judge to issue arrest warrants filed by John A. Baldi. (mm,) (Entered: 02/04/2005)
02/07/2005	<u>75</u>	ORDER striking 74 Reply to Objection to Motion. Signed by Judge James R. Muirhead. (mm,) (Entered: 02/10/2005)
02/09/2005	<u>76</u>	ORDER granting <u>63</u> Motion for Reconsideration. Re: <u>62</u> Order on Motion for Attorney Fees granted, upon reconsideration. Signed by Judge James R. Muirhead.(mm,) (Entered: 02/11/2005)
02/14/2005	77	Objection to <u>76</u> Order on Motion for Reconsideration filed by Catherine M. Baldi. (mm,) (Entered: 02/15/2005)
02/23/2005		ENDORSED ORDER Motion to Reconsider 77 Objection to. <i>Text of Order: Denied.</i> Signed by Judge James R. Muirhead. (djb,) (Entered: 02/23/2005)
02/28/2005	78	MOTION for the assigned judge Paul Barbadoro to reverse the order of Magistrate Judge Muirhead issued 2/23/05 filed by Catherine M. Baldi, with attachments.Served on 2/28/05. Follow up on Objection on 3/21/2005 (mm,) (Entered: 03/02/2005)
02/28/2005	<u>79</u>	ORDER the clerk is to hold funds in the registry account Signed by Judge James R. Muirhead. (mm,) (Entered: 03/02/2005)
02/28/2005		Court Ordered Funds Deposited on behalf of/by Catherine M. Baldi in the amount of \$4270., receipt no. 026845. Deposited pursuant to <u>79</u> Order (mm,) (Entered: 03/02/2005)
03/10/2005	80	Notice to Substitute Attorney. Added attorney Brian J.S. Cullen for John Hickey; Henry Farrin; Peter Bosiak; Laurence Yeaton; Robert Berry; Joel Dail; Michael Dempsey and Town of Epsom. Attorney Michael A. Ricker terminated.(mm,) (Entered: 03/10/2005)
03/15/2005	81	OBJECTION to 78 MOTION for the assigned judge Paul Barbadoro to reverse the order of Magistrate Judge Muirhead issued 2/23/05 with

		memorandum, served on 3/14/05, . (mm,) (Entered: 03/17/2005)
03/17/2005	<u>82</u>	ORDER granting 78 Motion for the Assigned Judge Paul Barbadoro to Reverse the Order of Magistrate Judge Muirhead issued 2/23/05 and vacating the order imposing sanctions. Signed by Judge Paul Barbadoro.(ja,) (Entered: 03/18/2005)
03/30/2005	83	MOTION for Release of Funds filed by Catherine M. Baldi.Served on 3/30/05. (mm,) (Entered: 03/31/2005)
03/30/2005	84	MOTION for Reconsideration re <u>82</u> Order on Motion for attorney fees filed by Steven Kimball.Served on 3/29/05. Follow up on Objection on 4/19/2005 (mm,) (Entered: 03/31/2005)
04/07/2005	85	OBJECTION to 84 MOTION for Reconsideration re <u>82</u> Order on Motion for attorney fees, served on 4/7/05, filed by Catherine M. Baldi. (mm,) (Entered: 04/08/2005)
04/08/2005		ENDORSED ORDER denying 84 Motion for Reconsideration. <i>Text of Order: I do not agree that the conduct in question was irreversible. Motion denied.</i> Signed by Judge Paul Barbadoro.(ja,) (Entered: 04/08/2005)
04/21/2005		ENDORSED ORDER granting 83 Motion for Release of Funds. <i>Text of Order: Motion granted.</i> Signed by Judge Paul Barbadoro.(ja,) (Entered: 04/21/2005)
03/13/2006		File located at National Archives and Records Administration (NARA), Waltham, MA. Transfer No. 021-06-0024, Location No. B66747, Box No. 15(jeb,) (Entered: 03/13/2006)

SB 96

New Hampshire General Court - Bill Status System

Docket of SB273

Docket Abbreviations

Bill Title: relative to vexatious litigants.*Official Docket of SB273:*

Date	Body	Description
12/15/2011	S	Introduced 1/4/2012 and Referred to Judiciary
1/10/2012	S	Hearing: 1/19/12, Room 101, LOB, 1:00 p.m.; SC3
3/22/2012	S	Committee Report: Ought to Pass, 3/28/12; SC12
3/28/2012	S	Ought to Pass: MA, VV; OT3rdg
3/29/2012	H	Introduced and Referred to Judiciary; HJ 32 , PG. 1913
4/4/2012	H	Public Hearing: 4/10/2012 1:30 PM LOB 208
4/25/2012	H	Full Committee Work Session: 5/1/2012 1:00 PM LOB 208
4/25/2012	H	==CANCELLED== Executive Session: 5/2/2012 9:00 AM LOB 208
4/27/2012	H	Executive Session: 5/3/2012 9:00 AM LOB 208
5/2/2012	H	If Necessary, Continued Executive Session: 5/8/2012 1:00 PM LOB 208
5/2/2012	H	If Necessary, Continued Executive Session: 5/10/2012 9:00 AM LOB 208
5/10/2012	H	Committee Report: Ought to Pass with Amendment #2115h for May 15 (Vote 12-3; RC); HC 37 , PG.2044
5/10/2012	H	Proposed Committee Amendment #2012-2115h ; HC 37 , PG.2084
5/16/2012	H	Amendment #2115h: AA VV
5/16/2012	H	Floor Amendment #2012-2281h(NT) (Rep Gluda): AA VV
5/16/2012	H	Ought to Pass with Amendment #2115h and #2281h(NT): MA VV
5/23/2012	S	Sen. Houde Moved Nonconcur with House Amendment #2115h, #2281, MA, VV

NH House

NH Senate

SB 273 - AS INTRODUCED

2012 SESSION

12-2913
09/04

SENATE BILL **273**

AN ACT relative to vexatious litigants.

SPONSORS: Sen. Houde, Dist 5

COMMITTEE: Judiciary

ANALYSIS

This bill establishes certain requirements for persons who are determined by the court to be vexatious litigants.

.....

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to vexatious litigants.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Frivolous Lawsuits; Vexatious Litigants. Amend RSA 507 by inserting after
2 section 15 the following new section:

3 507:15-a Vexatious Litigants.

4 I. In this section, "vexatious litigant" means an individual who has been found by a judge to
5 have filed 2 or more frivolous lawsuits which have had a final disposition and which the judge finds,
6 by clear and convincing evidence, were initiated for the primary purpose of harassment.

7 II. The court may require a vexatious litigant to:

8 (a) Retain an attorney or other person of good character to represent him or her in all
9 actions.

10 (b) Post a cash or surety bond sufficient to cover all attorney fees and anticipated
11 damages.

12 III. Upon petition, the supreme court shall, upon clear and convincing evidence, determine
13 that a person who has been determined by a lower court to be a vexatious litigant is no longer a
14 vexatious litigant.

15 2 Effective Date. This act shall take effect January 1, 2013.

House Judiciary
May 8, 2012
2012-2115h
09/03

Amendment to SB 273

Amend RSA 507:15-a, I and II as inserted by section 1 of the bill by replacing them with the following:

I. In this section, "vexatious litigant" means an individual who has been found by a judge to have filed 3 or more frivolous lawsuits which have had a final disposition and which the judge finds, by clear and convincing evidence, were initiated for the primary purpose of harassment.

II. The court may require a vexatious litigant to:

- (a) Retain an attorney or other person of good character to represent him or her in all actions; or
- (b) Post a cash or surety bond sufficient to cover all attorney fees and anticipated damages.

Rep. Giuda, Merr. 7
May 15, 2012
2012-2281h
09/04

Floor Amendment to SB 273

Amend the title of the bill by replacing it with the following:

AN ACT relative to vexatious litigants and relative to confidentiality of police personnel files.

Amend the bill by replacing all after section 1 with the following:

2 Confidentiality of Police Personnel Files. Amend RSA 105:13-b to read as follows:

105:13-b Confidentiality of Personnel Files. ~~[No personnel file on a police officer who is serving as a witness or prosecutor in a criminal case shall be opened for the purposes of that criminal case, unless]~~ ***All exculpatory evidence in a personnel file on a police officer who is serving as a witness or prosecutor shall be provided to the prosecutor by the police department employing the officer and shall be released by the prosecutor to be used as evidence in accordance with all applicable rules regarding evidence in criminal cases. Non-exculpatory evidence shall only be released in that criminal case if the sitting judge makes a specific ruling that probable cause exists to believe that the file contains evidence relevant to that criminal case. If the judge rules that probable cause exists, the judge shall order the police department employing the officer to deliver the file to the judge. The judge shall examine the file in camera and make a determination whether it contains evidence relevant to the criminal case. Only those portions of the file which the judge determines to be relevant in the case shall be released to be used as evidence in accordance with all applicable rules regarding evidence in criminal cases. The remainder of the file shall be treated as confidential and shall be returned to the police department employing the officer.***

3 Effective Date.

- I. Section 1 of this act shall take effect January 1, 2013.
- II. The remainder of this act shall take effect 60 days after its passage.

OBITUARIES/REGION

Local mediator beats another traffic ticket

BY ELIZABETH DINAN
edinan@seacoastonline.com

PORTSMOUTH — For the second time, a local marital mediator beat a state police traffic ticket after filing multiple motions with the court and making numerous demands for information.

In both instances, the cases were dismissed because no one representing state police showed up for court.

Marital mediator Mike Puiia appeared in the Portsmouth Circuit Court on Tuesday, when the second traffic ticket, a \$74.40 citation for improperly passing an emergency vehicle in Greenland, was dismissed for a lack of prosecution. He was scheduled for a hearing on his latest motion for discovery materials, when Portsmouth police prosecutor Rena DiLando told the court she'd called a state police dispatcher who said the trooper knew he was due in court.

The charge alleged that on Dec. 1, 2011, Puiia, 38, of Greenland, drove his Toyota Camry past a state police cruiser with its emergency lights on while it was escorting a truck with an oversized load. The trooper's signature on the ticket is illegible, but his notes state Puiia alleged during the traffic stop that the trooper was "aggressive" and said "he wasn't going to talk to me."

The ticket was filed with the court before Puiia began filing motions for discovery, motions for continuances, motions for discovery to commence, and so on. He filed requests for any audio or video recordings of the stop or of the trooper during his entire escort detail, copies of "all documentation" troopers are given with regard to issuing tickets, and copies of all citations and warnings issued by the trooper during the entire work detail.

Puiia also requested the trooper's time sheets for his work hours from Nov. 15, 2011, through Dec. 2, 2011, including any donning and doffing time, as well as "all documents pertaining to any negative, adverse, punitive, cautionary" evaluations of the trooper.

He asked for the trooper's work history, resume, how much he'd had to drink in the days before Puiia got the ticket, and specifics about the number of details he'd worked escorting wide loads. In addition, Puiia asked state police to tell him how much the trooper would be paid for the detail, if he was taking any prescription medication and if he was well rested at the time on the incident.

In a March 23 response, Trooper Michael Coraluzzo called the requests "beyond the scope" of what was required by law and "unduly burdensome." Puiia replied

that was "discovery abuse" and "willful concealment of discoverable information."

Tuesday's hearing was to debate the issue, but the \$74.40 ticket was tossed by Judge Stephen Morrison, who cited the lack of a trooper at the hearing. Morrison also noted it was the second time Puiia beat a ticket under similar circumstances.

The previous ticket was dismissed Jan. 17, when no trooper went to the Portsmouth court to prosecute Puiia, according to court records. In that case, the ticket alleged that on July 1, 2011, Puiia drove his Camry 75 mph where the speed limit is posted as 55 mph.

Before the January case was dismissed for a lack of prosecution, Puiia filed multiple motions similarly seeking discovery materials and calling for structuring conferences and pretrial hearings. He wrote to the court that other state courts were conducting pretrial hearings for speeding tickets and complained that he was called to appear in a courtroom "overflowing with defendants" and only given a "prearranged" non-negotiable plea offer from one of two troopers and without a judge present.

After Tuesday's hearing, Puiia offered off-the-record comments about his unusual legal strategies for his traffic tickets, but declined to comment on the record.

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BAIL SET IN PORT CITY ASSAULT CASE

BY ELIZABETH DINAN
edinan@seacoastonline.com

since been released from the hospital, according to police.

ney James Reams said Mayo entered into a negotiated plea deal on Oct. 18, 2006, related to

DIXVILLE NOTCH

'Heavy-duty litigator' has colorful past

Man now wants to undo Balsams sale

By LYNNE TUOHY
The Associated Press

Andy Martin, aka Anthony Martin-Trigona, is a legend in his own mind.

He is a self-proclaimed "corruption fighter," "internet powerhouse" and "Republican reign policy expert."

Martin is not a lawyer but he is a serial litigator — a "notoriously vexatious and vindictive" one, in the words of one federal appeals court opinion.

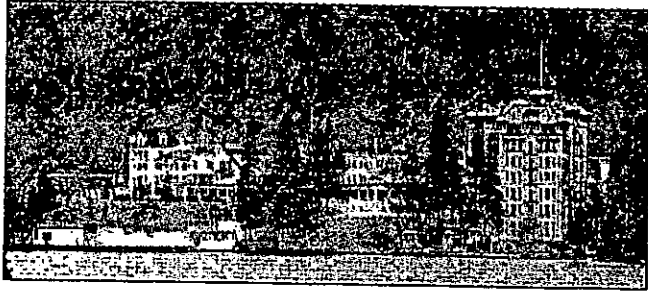


He is trying to get a New Hampshire judge to undo the sale of The Balsams Grand Resort Hotel in Dixville Notch and appoint a receiver to open it immediately. He has volunteered his services to be that receiver.

The 66-year-old Martin has once run for president of the United States and earlier this month apologized to GOP presidential candidate Mitt Romney for not endorsing him earlier.

Martin said his lawsuit in Honolulu instigated the "other movement" that challenges the validity of President Obama's Hawaiian birth certificate and background. He said he plans to return to Hawaii later this month for further investigation.

Martin graduated from the University of Illinois Law



AP

The Balsams Grand Resort Hotel in Dixville Notch.

tem," according to one federal court ruling.

The *Chicago Tribune*, in a profile of Martin three years ago, said the Illinois Supreme Court — in denying his admission to the bar — also cited a Selective Service report that stated Martin has a "moderately severe character defect manifested by well-documented ideation with a paranoid flavor and grandiose character." That profile was triggered by a radio ad by Martin — then running in Illinois for U.S. Senate — in which Martin said he had it on "solid rumor" that his

opponent was a homosexual.

Martin said he was denied admission to the bar because he helped research details of a scandal that rocked the court.

Martin's history of filing lawsuits — some laced with anti-Semitic vitriol — goes back decades.

In Connecticut in 1984, U.S. District Court Judge Jose Cabranes issued an order barring Martin from filing any more lawsuits. The 2nd Circuit Court of Appeals — which covers Connecticut, Vermont and New York — upheld the order, calling Martin "perhaps the

most prolific litigator in this circuit's history."

Years later, when Cabranes was divorcing his first wife, Martin filed a motion to be appointed guardian of the couple's two children.

Martin last week dismissed the numerous federal court opinions critical of his vexatious litigation, saying, "If one judge tells a lie, the others like to pig-pile."

"I've filed hundreds, if not thousands, of cases," Martin said. "Sometimes you have to be abrasive."

Martin said The Balsams lawsuit is "about rich people preying on poor people" and that he is fighting to restore the approximately 300 jobs lost when The Balsams closed in September 2011. He claims New Hampshire Attorney General Michael Delaney's review of the sale by a charitable trust established by the hotel's original owner was cursory and corrupt.

"There's a new sheriff in town, and this sheriff knows how to follow the bad guys,"

Martin said.

Lawyers for the new owners of The Balsams have challenged Martin's standing to bring the lawsuit, maintaining he isn't even a New Hampshire resident and that his only contact with the hotel was having dinner there one night last year.

Martin said he lives in Manchester but declined to give an address, saying the people he is dealing with "have a lot at

stake." In a notice to the New Hampshire judge filed Tuesday, Martin offered to give tours of his Manchester "man cave" to quell "obsession" by the media and opposing counsel about his domicile.

He said he makes money from consulting and writing and alluded to family money.

Martin eschews the label "gadfly" as being frivolous.

"I'm a heavy-duty litigator," he said.

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Date: February 21, 2013

THE COMMITTEE ON Judiciary

to which was referred Senate Bill 96

AN ACT relative to vexatious litigants.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5 - 0

AMENDMENT # 0508s

CONSENT CALENDAR VOTE: 5 - 0

Senator Sharon M. Carson for the Committee

This bill clarifies that persons who are deemed to have filed frivolous litigation against other individuals can be required to provide either a bond or be represented by legal counsel. Currently any attorney who files vexatious litigation can lose his or her license to practice law but no similar penalty exists for pro se litigants. This enables the judge, in those rare instances, to take action against those who attempt to harass individuals in our courts.

Susan Duncan 271-3076

New Hampshire General Court - Bill Status System

Docket of SB96

Docket Abbreviations

Bill Title: relative to vexatious litigants.*Official Docket of SB96:*

Date	Body	Description
1/3/2013	S	Introduced and Referred to Judiciary; SJ 4
1/30/2013	S	Hearing: 2/12/13, Room 100, SH, 9:15 a.m.; SC7
2/21/2013	S	Committee Report: Ought to Pass with Amendment #2013-0508s , 3/7/13; Vote 5-0; CC; SC10
3/7/2013	S	Committee Amendment 0508s, AA, VV
3/7/2013	S	Ought to Pass with Amendment 0508s, MA, VV; OT3rdg; SJ 6
3/27/2013	H	Introduced and Referred to Judiciary; HJ31 , PG.1074
4/2/2013	H	Public Hearing: 4/11/2013 10:00 AM LOB 208
4/10/2013	H	Executive Session: 4/16/2013 11:00 AM LOB 208
4/17/2013	H	Majority Committee Report: Inexpedient to Legislate for April 24 (Vote 11-8; RC)
4/17/2013	H	Minority Committee Report: Ought to Pass; HC33 , PG.1097
4/24/2013	H	Recommit (Rep Berch): MA DIV 280-67; HJ38 , PG.1247
4/30/2013	H	Executive Session: 5/7/2013 10:30 AM LOB 208
5/8/2013	H	Majority Committee Report: Ought to Pass with Amendment #1582h for May 29 (Vote 11-6; RC); HC40 , PG.1371
5/8/2013	H	Proposed Majority Committee Amendment #2013-1582h ; HC40 , PG.1383
5/8/2013	H	Minority Committee Report: Inexpedient to Legislate; HC40 , PG.1371
5/29/2013	H	Amendment #1582h: AA VV; HJ45 , PG.1510
5/29/2013	H	Ought to Pass with Amendment #1582h: MA DIV 198-130; HJ45 , PG.1510
6/6/2013	S	Sen. Carson Moved Concur with House Amendment 1582h, MA, VV
6/12/2013	H	Enrolled, 6/5/13
6/12/2013	S	Enrolled
7/3/2013	S	Signed by the Governor on 07/02/2013; Chapter 0181; Effective 07/02/2013

NH House

NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

ORIGINAL REFERRAL RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

- DOCKET (Submit only the latest docket found in Bill Status)
- COMMITTEE REPORT
- CALENDAR NOTICE
- HEARING REPORT
- PREPARED TESTIMONY AND OTHER SUBMISSIONS HANDED IN AT THE PUBLIC HEARING

SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 0391s - AMENDMENT # 1582h
 - AMENDMENT # 0508s - AMENDMENT # _____

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED AS AMENDED BY THE HOUSE
 FINAL VERSION AS AMENDED BY THE SENATE

OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

DATE DELIVERED TO SENATE CLERK

7/3/2013

By:

Susan A. Decker
COMMITTEE AIDE