

**NEW HAMPSHIRE SUPREME COURT
ORAL ARGUMENTS
JANUARY 13, 20 and 21, 2010**

The cases listed are scheduled for oral argument on January 13, 20 and 21, 2010. Attorneys and parties are advised of the following:

1. The morning sessions are scheduled to begin at 9:30 a.m., and the afternoon sessions are scheduled to begin at 1:00 p.m. Persons presenting oral argument must check-in at the clerk's office before oral argument. **Please note the check-in time for your case.**

2. The order of the arguments is subject to change.

3. The amount of time allotted to each party for oral argument is shown. The court intends to limit parties to the allotted time. If a party intends to divide the allotted time or intends to reserve a portion for rebuttal, the party should notify the courtroom monitor before the session. A maximum of two minutes may be reserved for rebuttal.

4. The justices will refrain from asking questions during the first three minutes of each person's argument; this period of non-questioning may be waived. Persons presenting oral argument should assume that the court is familiar with the facts.

5. The moving party is responsible for presenting and transmitting the portions of the record necessary to decide the questions of law presented by the case. See Rules 13 and 14.

NOTICE

IT IS A CLASS B FELONY TO CARRY A FIREARM OR OTHER DEADLY WEAPON AS DEFINED IN RSA 625:11, V IN A COURTROOM OR AREA USED BY A COURT.

ANY PERSON WHO REQUIRES AN AUXILIARY AID TO HEAR ORAL ARGUMENT SHOULD NOTIFY THE CLERK OF COURT AS FAR IN ADVANCE AS POSSIBLE SO THAT THE EQUIPMENT CAN BE AVAILABLE.

1



Wednesday, January 13, 2010, beginning at 9:30 a.m.:

Check-in time 9:00 a.m.:

- 2009-0126 Pike Industries, Inc. & a. v. Town of Madbury
S&G (Karyn P. Forbes) for C&R (John J. Ryan) for
Pike Industries, Inc. and Intervenor, Brian and
Redimix Companies, Inc. Carolyn Woodward & a.
WBT&B (Christopher A. (15 min.)
Wyskiel) for Town of
Madbury
(15 min. total)
- 2009-0130 Appeal of Timothy Carnahan
(Compensation Appeals Board)
G&M (Jared O'Connor) (15 min.) for Timothy Carnahan
DE&J (Scott Ewing) (15 min.) for Vanliner Insurance Co.

HICKS, J., DISQUALIFIED

Check-in time 10:00 a.m.:

- 2008-0808 Douglas C. Beer v. Terry M. Bennett d/b/a
K&M thenickeledstork.com
(Douglas W. Macdonald) DL&G
(15 min.) (Benjamin T. King)
(15 min.)
- 2008-0834 State of New Hampshire v. Jay Neeper
Attorney General Appellate Defender
(Nicholas P. Cort) (Stephanie C. Hausman)
(15 min.) (15 min.)

CONBOY, J., DISQUALIFIED

Wednesday, January 13, 2010, beginning at 1:00 p.m.:

Check-in time 12:30 p.m.:

- | | | | |
|-----------|--|----------|--|
| 2008-0757 | State of New Hampshire
Attorney General
(Elizabeth C. Woodcock)
(15 min.) | v. | Eric Van Winkle
NRVB&S
(Kirk C. Simoneau)
(15 min.) |
| 2008-0790 | Joseph Laramie
Timothy Hallam
DL&G
(Charles G. Douglas, III)
(15 min.) | v.
v. | Shawn Stone & a.
Shawn Stone & a.
Attorney General
(Richard W. Head)
(15 min.) |

CONBOY, J., DISQUALIFIED

Check-in time 1:30 p.m.:

- | | | | |
|-----------|---|----------|---|
| 2008-0494 | State of New Hampshire
Attorney General
(Ann M. Rice)
(15 min.) | v. | Sheila K. LaBarre
Appellate Defender
(David M. Rothstein)
(15 min.) |
| 2009-0099 | Katherine Carson & a.
Janet Saunders & a.
Scott E. Hogan for Janet and
Peter Saunders
(15 min.) | v.
v. | Town of Kingston
Town of Kingston
CW&B (David W. Rayment) for
Intervenor, Konover Devel.
Corp.
(15 min.) |

Wednesday, January 20, 2010, beginning at 9:30 a.m.:

Check-in time 9:00 a.m.:

- | | | | |
|-----------|---|----|---|
| 2008-0287 | State of New Hampshire
Attorney General
(Nicholas P. Cort)
(15 min.) | v. | Anthony Dilboy
Appellate Defender
(Stephanie C. Hausman)
(15 min.) |
| 2008-0847 | William Batchelder & a.
U&H
(Russell F. Hilliard)
(15 min.) | v. | Town of Plymouth
DT&C (John J. Ratigan) for
Town of Plymouth ZBA
C&R (Peter J. Saari) for
Intervenor, Topsfield Real
Estate Corp.
(15 min. total) |

BRODERICK, C.J. AND DALIANIS, J., DISQUALIFIED

Check-in time 10:00 a.m.:

- | | | | |
|-------------------------------|--|----|---|
| 2008-0885
and
2008-0886 | State of New Hampshire
Attorney General
(Thomas E. Bocian)
(20 min.) | v. | Anthony Parker
Appellate Defender
(Paul Borchardt)
(20 min.) |
| 2009-0158 | Michael Clare, Trustee of
Horizon Realty Trust
David M. Groff
(15 min.) | v. | Town of Hudson
HH
(Stephen C. Buckley)
(15 min.) |

DALIANIS, J., DISQUALIFIED

Wednesday, January 20, 2010, beginning at 1:00 p.m.:

Check-in time 12:30 p.m.:

- | | | | |
|-------------------------------|--|--|--------------------|
| 2008-0912 | State of New Hampshire
Attorney General
(Karen E. Huntress)
(15 min.) | v. Charles Glenn, Jr.
B&A
(Ghazi D. Al-Marayati)
(15 min.)
K&S
(Bruce E. Kenna) | |
| 2009-0168
and
2009-0432 | Appeal of Union Telephone Company d/b/a Union
Communications
(Public Utilities Commission)
RS (Martin C. Rothfelder) (15 min.) for Union Telephone Co.
<i>Amicus:</i> DM&B (Frederick J. Coolbroth) for Bretton Woods
Telephone Co. Inc. & a.
Attorney General (Glenn A. Perlow) for Public Utilities
Commission
MC (Olga L. Bogdanov) for Metrocast Cablevision | | } 15 min.
total |

Check-in time 1:30 p.m.:

- | | | | |
|-----------|--|--|--|
| 2009-0015 | State of New Hampshire
Attorney General
(Stephen D. Fuller)
(15 min.) | v. Randy Riendeau
Appellate Defender
(David M. Rothstein)
(15 min.) | |
| 2009-0199 | Judy Atwater & a.
CA&S
(K. William Clauson)
(15 min.) | v. Town of Plainfield
SB&W
(Barry C. Schuster)
Thomas R. Hanna for
Intervenor Townline
Equipment Sales, Inc.
(15 min. total) | |

✧ Thursday, January 21, 2010, beginning at 9:30 a.m.:

Check-in time 9:00 a.m.:

- 2009-0180 In the Matter of Pamela Taber-McCarthy and Ricky C. McCarthy
Mosca L/O (Edward C. Mosca) (15 min.) for Pamela Taber-
McCarthy
W&B (Kevin E. Buchholz) (15 min.) for Ricky C. McCarthy
- 2009-0227 Appeal of Jeffrey Oligny
(Guardian ad Litem Board)
Jeffrey Oligny, *pro se* (15 min.)
Attorney General (David M. Hilts) (15 min.) for GAL Board

Check-in time 10:00 a.m.:

- 2009-0189 State of New Hampshire v. Angel J. Roldan
Attorney General Francis G. Holland
(Nicholas P. Cort) (15 min.)
(15 min.)
- 2009-0274 Appeal of City of Nashua
Appeal of Pennichuck Water Works, Inc. & a.
(Public Utilities Commission)
U&H (Robert Upton, II) and James M. NcNamee for City
of Nashua } 30 min.
WS&P (Stephen J. Judge) for Merrimack Valley Regional } total
Water District
MGR&M (Thomas J. Donovan) and BDBD&B (Joe A.
Conner, *pro hac vice*) for Pennichuck Water Works, Inc.
& a. }
Richard J. Maloney for Business & Industry Assoc. of } 30 min.
NH } total
B&A (Edward J. Boutin) for Town of Merrimack
R&S (John T. Alexander) for Anheuser-Busch
Mitchell L/G (Laura A. Spector) for Town of Pittsfield)

CONBOY, J., DISQUALIFIED

6

Thursday, January 21, 2010, beginning at 1:00 p.m.:

Check-in time 12:30 p.m.:

- 2009-0265 Petition of Martin Dunn
R&S (Daniel J. Mullen) (15 min.) for Martin J. Dunn
Peter T. Foley (15 min.) for NH Retirement System
- 2009-0266 Petition of Michael Poulicakos
Michael C. Reynolds (15 min.) for Michael Poulicakos
Peter T. Foley (15 min.) for NH Retirement System

Check-in time 1:30 p.m.:

- 2009-0298 State of New Hampshire v. Bryan Brown
Attorney General Appellate Defender
(Susan P. McGinnis) (Paul Borchardt)
(15 min.) (15 min.)
- 2009-0301 Appeal of Chantal Savels
(Department of Employment Security Appellate Board)
NHLA (Michael G. Perez) (15 min.) for Chantal Savels
Attorney General (Suzanne M. Gorman) (15 min.) for
Department of Employment Security

Cases to be submitted on briefs without oral argument:

- 2008-0242 In the Matter of Peter P. Mitrano and Virginia L. Kelly
Peter P. Mitrano, *pro se*
DM&B (Donald L. Smith) for Virginia L. Kelly

HICKS, J., DISQUALIFIED

- 2009-0139 Jason Czekalski & a. v. Town of Rindge
Pro se B&F
(Beth R. Fernald)

Date: December 8, 2009

Attest: Eileen Fox
Eileen Fox, Clerk