

Subject: House Judiciary 2/4/26 - Why History Repeats Itself - The Crisis of Judicial Accountability (Part 2 of 2)

From: Dana Albrecht <dana.albrecht@hushmail.com>

Date: 2/4/26, 06:47

To: Robert Lynn <rjlynn4@gmail.com>

CC: Dennis Mannion <Dennis.Mannion@gc.nh.gov>, Katelyn Kuttab <Katelyn.Kuttab@gc.nh.gov>, Joe Alexander <Joe.Alexander@gc.nh.gov>, Richard Tripp <Richard.Tripp@gc.nh.gov>, Louise Andrus <Louise.Andrus@gc.nh.gov>, Kristine Perez <Kristine.Perez@gc.nh.gov>, Donald McFarlane <Donald.McFarlane@gc.nh.gov>, Kevin Scully <Kevin.Scully@gc.nh.gov>, Lorie Ball <Lorie.Ball@gc.nh.gov>, Paul Berch <Paul.Berch@gc.nh.gov>, Marjorie Smith <msmithpen@aol.com>, Timothy.Horrigan@gc.nh.gov, Mark Paige <mark.paige@gc.nh.gov>, Zoe Manos <zoe.manos@gc.nh.gov>, Eric Turer <Eric.Turer@gc.nh.gov>, Catherine Rombeau <Catherine.Rombeau@gc.nh.gov>, Dan Bergeron <Dan.Bergeron@gc.nh.gov>, Sarah Podraza <sarah.podraza@gc.nh.gov>, Robert Mittelholzer <rmittelholzer@nhjcc.com>, NH Advocates for Parental Equality <parentalequalitynh@gmail.com>, Dana Albrecht <dana.albrecht@hushmail.com>

Good morning Chairman Lynn,

In light of today's agenda before the House Judiciary Committee (2/4/2026), let's *next* take stock of the present situation.

- <https://gc.nh.gov/house/schedule/eventDetails.aspx?event=2265&et=1>

We have a crisis of judicial accountability now – in 2026.

History repeats itself.

In 2000, Justice Stephen Thayer's contentious divorce triggered the Zibel memorandum, the impeachment of Chief Justice David Brock, and the most significant judicial reform effort in New Hampshire's modern history. The Legislature responded by passing Senate Bill 197 by a vote of 290-36, creating an independent Judicial Conduct Commission to hold judges accountable.

Twenty-five years later, the current Chief Justice of the New Hampshire Supreme Court – Gordon MacDonald – has been a party to highly contested divorce proceedings in the Family Division since October 2020. The case, [*In the Matter of Jennifer Eber and Gordon MacDonald, No. 644-2020-DM-00107*](#), has been pending for more than five years. There have been multiple judicial recusals. The parties' daughter was twelve years old when the petition was filed; she is now seventeen.

But while the divorce might be scandalous in its own right, it is not why we are here. What has happened in the New Hampshire Judicial Branch over the past year requires the Legislature's attention – not because of rumor or speculation, but because of documented facts that appear in official transcripts, sworn affidavits, and the Attorney General's own findings.

I. The Irreconcilable Accounts

On October 7, 2025, Associate Justice Anna Barbara Hantz Marconi pleaded nolo contendere to Criminal Solicitation of Misuse of Position, a class B misdemeanor, and was found guilty. She was ordered to pay a \$1,200 fine. The charge arose from a June 2024 meeting Justice Hantz Marconi had arranged with then-Governor Christopher Sununu, during which she discussed an active criminal investigation involving her husband.

In her defense, Justice Hantz Marconi made a specific factual claim: that she had consulted with Chief Justice MacDonald before the meeting, and that he had approved it.

In a sworn motion filed with the New Hampshire Supreme Court on October 23, 2024, Justice Hantz Marconi stated under penalty of perjury:

Justice Hantz Marconi communicated with Chief Justice MacDonald prior to meeting with Governor Sununu. Justice Hantz Marconi explained to Chief Justice MacDonald that she was considering requesting a meeting with the Governor. The Chief Justice's response was, "I think you can do that – You are a constituent and have concerns."

(Motion to Recuse Chief Justice Gordon MacDonald, No. LD-2024-0014, Oct. 23, 2024, ¶11; Affidavit of Anna Barbara Hantz Marconi)

Chief Justice MacDonald's account, given under oath to investigators from the Attorney General's Office on August 2, 2024, is categorically different.

When asked whether Justice Hantz Marconi had cleared the meeting with him beforehand, MacDonald responded: "*Correct.*" When asked what he said upon learning of the meeting from the Governor, MacDonald stated: "*My memory is that's news to me. I did not know she was going to see the Governor.*"

(Interview of Chief Justice MacDonald, N.H. Dep't of Justice, Aug. 2, 2024, at 7–8)

These accounts cannot both be true. Either Justice Hantz Marconi committed perjury in a sworn court filing, or Chief Justice MacDonald made false statements to state investigators. In the first case, a justice committed perjury and remains on the bench. In the second, the Chief Justice may have been an accessory to the very conduct for which Justice Hantz Marconi was convicted.

No entity has investigated this contradiction. No state authority has been willing to do so.

II. The \$50,000 Payout

Dianne Martin served as Chief Justice MacDonald's chief of staff when he was Attorney General. When MacDonald became Chief Justice in 2021, Martin followed him to the Judicial Branch as Director of the Administrative Office of the Courts.

According to one witness who worked in the Judicial Branch's human resources department, Martin was rarely present. The witness told investigators: "Even though she was technically my reports-to person, I saw her twice for no longer than ten-minute periods in 2024."

(Interview of Witness 2, N.H. Dep't of Justice, Nov. 7, 2025, at 11)

On February 28, 2025, Justice Patrick Donovan convened an all-staff meeting in the training room at the Administrative Office of the Courts. According to the same witness, Justice Donovan announced that "effective today, Dianne is no longer the Director and the Interim Director is Judge Keating." When the witness was identified in the room, Judge Ellen Christo told her: "You now have the authority you deserve."

(Interview of Witness 2, N.H. Dep't of Justice, Nov. 7, 2025, at 27–28)

But Dianne Martin was not terminated on February 28. What followed was a month-long effort to structure her departure in a way that would allow her to cash out nearly \$50,000 in accrued benefits – something state

employees can typically only do when they permanently leave state service.

That same day, after the all-staff meeting, Judge Mark Howard pulled Suzanne Gelinias aside. Gelinias had been hired as the Judicial Branch's HR Manager in December 2024. According to her account, Justice Howard told her: "You need to get rid of that fucking MOU." When Gelinias asked if he meant the memorandum of understanding with the Division of Personnel, Howard replied: "Yeah, get rid of it. It's none of their fucking business what we do over here at the Judicial Branch... they're into our business, they have access to our information, and get rid of it."

(Interview of Suzanne Gelinias, N.H. Dep't of Justice, Nov. 3, 2025, at 44–45)

Judge Christopher Keating was installed as Interim Director. According to Gelinias, Keating told her that Martin "needed access to some money" and that "we could not allow her to lose her benefits." When Gelinias could not find authorization for the proposed arrangement in the personnel rules, Keating instructed her to contact the Division of Personnel – but to "make it as discreet as possible." Gelinias testified: "That is a quote. 'Make it as discreet as possible. I don't want them knowing what we're doing, but you need to figure this out.'"

(Interview of Suzanne Gelinias, N.H. Dep't of Justice, Nov. 3, 2025, at 46)

Keating made clear where the orders were coming from. According to Gelinias: "The words were, 'This is not my idea, this is coming from the Chief.'" She understood "the Chief" to mean Chief Justice Gordon MacDonald. Gelinias testified that Keating told her "he was discussing these [drafts] with the Chief," and that his body language conveyed pressure: "You could tell by Judge Keating's body language that he's just saying, just do this, just do this, this is the Chief, man, just do it."

(Interview of Suzanne Gelinias, N.H. Dep't of Justice, Nov. 3, 2025, at 51–53)

The documentary record shows the arrangement went through at least six drafts. According to an investigative report summarizing Gelinias's account, "there are about 6 versions of that letter." The first draft was a termination letter. After learning that Martin "was not terminated and that she had been offered a new position," subsequent drafts were revised to characterize her departure as a layoff due to "restructuring." Gelinias told investigators she "felt it was 'squirrely.'" Judge Keating was "checking in... about every 2 hours to ask if [she] heard back from DOP."

(Report of Investigation, N.H. Dep't of Justice, Dec. 2, 2025, at 4–5)

Keating pressured Gelinias to provide a payout estimate without consulting payroll. According to Gelinias, when she said she needed to verify the numbers: "He goes, 'Don't talk to Becky yet, just give me, just give me a number.'"

(Interview of Suzanne Gelinias, N.H. Dep't of Justice, Nov. 3, 2025, at 71–72)

Martin was not satisfied with the initial terms. Gelinias testified: "This is Dianne dictating what her rehire was going to be." According to the investigative report, "Martin was not happy with the salary for her new position. The sixth and final version of the letter included a salary and labor grade increase."

(Interview of Suzanne Gelinias, N.H. Dep't of Justice, Nov. 3, 2025, at 15; Report of Investigation, N.H. Dep't of Justice, Dec. 2, 2025, at 5)

The final paperwork tells the story. A termination letter dated April 1, 2025 informed Martin that "your non-judicial position is being abolished as part of reorganization." An offer letter dated April 2, 2025 offered her the position of General Counsel for the Office of Bar Admissions. Martin began that position on April 4. The three-day gap in employment allowed her to collect a payout of \$49,855 for accrued leave.

The second witness explained the timing to investigators: if an employee's termination and rehire occur within the same calendar month, there is no gap in health insurance coverage. But if there is a gap between months, "they would have to wait 30 days" for benefits to restart. The witness believed the April 1

termination date – rather than the February 28 date announced to staff – was “structured to preserve the benefits for her rather than make her go through a new waiting period.”

(Interview of Witness 2, N.H. Dep’t of Justice, Nov. 7, 2025, at 63–65)

On April 2, 2025 – the same day as the offer letter – Judge Keating and General Counsel Erin Creegan came to the HR department to ask “how to bring Dianne back.” According to the second witness, the meeting lasted about five minutes; the conclusion was that they needed to speak with payroll “because she’s the one that processes terminations,” and “if she’s not terminated in the system, we can’t rehire someone who’s not terminated in the system.”

(Interview of Witness 2, N.H. Dep’t of Justice, Nov. 7, 2025, at 58–60)

Gelinas reported her concerns to the Division of Personnel at the Department of Administrative Services. According to handwritten notes taken by DOP Director Matthew Mavrogeorge during that conversation, Gelinas reported that “putting Diane into another position is Chief’s idea” – a reference to Chief Justice MacDonald. The notes further reflect: “Diane won’t accept transfer because she wants the layoff payout \$.”

(Report of Investigation: Meeting with DOP, N.H. Dep’t of Justice, Nov. 20, 2025, at 3)

Gelinas told Mavrogeorge she believed “the taxpayers of New Hampshire are basically almost defrauded in a way.”

(Interview of Suzanne Gelinas, N.H. Dep’t of Justice, Nov. 3, 2025, at 48)

Mavrogeorge escalated these concerns to his supervisor, Lori Rudis, and to the Commissioner of Administrative Services, Charlie Arlinghaus. According to the investigative report, Mavrogeorge “never heard back from Commissioner Arlinghaus.”

(Report of Investigation: Meeting with DOP, N.H. Dep’t of Justice, Nov. 20, 2025, at 3)

The second witness explained why she did not report the “weird things happening.” The employee handbook gave the Chief Justice the power to “decide if you get fired or not.” She told investigators: “That’s one of the reasons I didn’t say anything.”

(Interview of Witness 2, N.H. Dep’t of Justice, Nov. 7, 2025, at 18–19)

Gelinas lasted approximately three months at the Judicial Branch. According to the second witness, in early April “that whole week she was out and we hadn’t heard from her.”

(Interview of Witness 2, N.H. Dep’t of Justice, Nov. 7, 2025, at 45)

Martin received her \$49,855 check on April 18, 2025. Investigators later noted that Martin had received a previous payout of \$10,619 when she left the Public Utilities Commission in 2021 – a fact that Judge Keating told investigators he “was not aware of.”

(Interview of Suzanne Gelinas, N.H. Dep’t of Justice, Nov. 3, 2025, at 72; Report of Investigation: Meeting with Judge Keating, N.H. Dep’t of Justice, Dec. 5, 2025, at 2)

When investigators interviewed Judge Keating about the Martin matter, he arrived with two attorneys: Jessica King, General Counsel for the Judicial Branch, and outside counsel Rick Lehman. A separate letter advised the Department of Justice that Attorney Jane E. Young was representing Chief Justice MacDonald “in this matter.”

(Report of Investigation: Meeting with Judge Keating, N.H. Dep’t of Justice, Dec. 5, 2025, at 1)

Keating told investigators he had asked to be kept “in the loop” about contacts with DOP, but claimed that Gelinas “did not include Judge Keating in that meeting as he had asked.” He said he “wondered if [she]

purposely excluded him.”

Keating made one categorical denial: “Judge Keating stated that he never spoke with Mavrogeorge or Rudis about the Martin issue.”

(Report of Investigation: Meeting with Judge Keating, N.H. Dep’t of Justice, Dec. 5, 2025, at 2)

But Mavrogeorge told investigators something different. According to the report of the DOP interview: “Mavrogeorge stated that Lori Rudis had multiple conversations with Judge Keating who seemed troubled by the plan to lay off Dianne Martin and rehire her into another position within the judicial branch.”

(Report of Investigation: Meeting with DOP, N.H. Dep’t of Justice, Nov. 20, 2025, at 3)

These accounts cannot both be true.

The Attorney General conducted a preliminary review and issued his findings on November 25, 2025. He concluded that there was “no reasonable suspicion to believe that further investigation would uncover actionable criminal conduct.” However, the Attorney General’s statement included a significant acknowledgment: “While it would be reasonable to conclude that in certain respects human resources best practices were not followed during the series of events and transactions examined, DOJ does not have oversight authority over the judicial branch for such issues.”

When investigators met with DOP on October 31, 2025, they read aloud the Supreme Court’s public statement defending the personnel actions. Director Mavrogeorge “expressed concern with that statement indicating that goes against his understanding of the situation. Specifically, he stated that DOP did not verify the amount of accrued leave to which Dianne Martin was entitled.”

(Report of Investigation: Meeting with DOP, N.H. Dep’t of Justice, Nov. 20, 2025, at 1)

The Supreme Court has maintained that its “personnel actions in question were carried out in accordance with governing rules and policies.”

III. The Absence of Remedy

We present only documented scandals here – transcripts, sworn affidavits, official findings – because that is the standard required to make accusations in public. But a healthy accountability system does not wait for smoking guns. It investigates smoke. In New Hampshire, **there is no one to call.**

The Attorney General has said it himself: the Department of Justice does not have oversight authority over the Judicial Branch. The Committee on Judicial Conduct answers to the court it is meant to oversee. In 2024, the Legislature repealed the remnants of RSA 494-A entirely, removing even the statutory framework that the Supreme Court had struck down twenty years earlier.

In 2001, the Legislature’s supporters of SB 197 warned that a statutory commission might not survive judicial review. They were right. In 2004, the Supreme Court struck it down, holding that the power to discipline judges belongs exclusively to the judiciary.

But the Court acknowledged what it could not take away:

“To the extent that the Commission is authorized to investigate and report to the legislature on conduct by a judge that may warrant impeachment or removal by address, we decline, on justiciability grounds, to interfere with those functions.”

[*Petition of the Judicial Conduct Committee, 151 N.H. 123 \(2004\)*](#)

The Legislature cannot discipline judges. But it retains the constitutional power to remove them – by impeachment under Part II, Article 17, or by address under Part II, Article 73.

In 2001, this Legislature passed SB 197 by a vote of 290-36. The independent commission it created was struck down. The warnings on the record came true.

The Legislature's constitutional powers remain intact.

But – will the Legislature use them?

Attachments:

The following source documents are attached to this email:

1. **Transcript, *Eber v. MacDonald*** — N.H. Family Division, January 18, 2023
2. **Interview of Chief Justice Gordon MacDonald** — N.H. Department of Justice, August 2, 2024
3. **Motion to Recuse Chief Justice Gordon MacDonald** — No. LD-2024-0014, including Affidavit of Anna Barbara Hantz Marconi, October 23, 2024
4. **Case Summary, *Eber v. MacDonald*** — No. 644-2020-DM-00107, August 14, 2025
5. **Interview of Suzanne Gelinis** — N.H. Department of Justice, November 3, 2025
6. **Interview of Witness 2** — N.H. Department of Justice, November 7, 2025
7. **Report of Investigation: Meeting with Dianne Martin** — N.H. Department of Justice, November 20, 2025
8. **Report of Investigation: Meeting with Division of Personnel** — N.H. Department of Justice, November 20, 2025
9. **Report of Investigation** — N.H. Department of Justice, December 2, 2025
10. **Report of Investigation: Meeting with Judge Christopher Keating** — N.H. Department of Justice, December 5, 2025
11. **Report of Investigation: Meeting with Jessica King and Emma Sisti** — N.H. Department of Justice, December 11, 2025
12. **Report of Investigation (Cover Sheet)** — N.H. Department of Justice, December 11, 2025

News sources referenced in this email include reporting by New Hampshire Public Radio (October–November 2025), the Union Leader (November 2025–January 2026), and official statements from the New Hampshire Department of Justice.

— Attachments: —

2023_01_18_Transcript.pdf

102 KB

2024_08_02_Gordon_MacDonald_Interview.pdf	1.5 MB
2024_10_23_102324-ld-2024-0014-motion-to-recuse-chief-justice-gordon-macdonald.pdf	979 KB
2025_08_14_Eber_v_MacDonald_Case_Summary.pdf	70.1 KB
2025_11_03_Suzanne_Gelinas.pdf	2.5 MB
2025_11_07_Witness_2.pdf	1.7 MB
2025_11_20_Report - Meeting with Dianne Martin (REDACTED).pdf	340 KB
2025_11_20_Report - Meeting with DOP (REDACTED).pdf	398 KB
2025_12_02_Report of Investigation (REDACTED).pdf	774 KB
2025_12_05_Report - Meeting with Judge Christopher Keating (REDACTED).pdf	197 KB
2025_12_11_Report - Meeting with Jessica King and Emma Sisti.pdf	40.9 KB
2025_12_11_Report of Investigation (REDACTED).pdf	52.4 KB

Exhibit 1

STATE OF NEW HAMPSHIRE

6TH CIRCUIT COURT - FAMILY DIVISION - CONCORD

IN THE MATTER OF,) Family Division Case No.
) 644-2020-DM-00107
 JENNIFER EBER,)
) Concord, New Hampshire
 Petitioner,) January 18, 2023
) 1:59 p.m.
 vs.)
)
 GORDAN MACDONALD,)
)
 Respondent.)
 _____)

TELEPHONIC CONFERENCE
 BEFORE THE HONORABLE DAVID BURNS
 JUDGE OF THE CIRCUIT COURT - FAMILY DIVISION

APPEARANCES (all present by video or telephone):

For the Petitioner: Meegan Reis
 DWYER DONOVAN & REIS PA
 461 Middle St
 Portsmouth, NH 03801

For the Respondent: James Tenn, Jr.
 TENN AND TENN PA
 16 High St Suite 3
 Manchester, NH 03101

Audio Operator: Electronically Recorded
 Not Monitored

TRANSCRIPTION COMPANY: eScribers, LLC
 7227 N. 16th Street, Suite 207
 Phoenix, AZ 85020
 (800) 257-0885
 www.escribers.net

Proceedings recorded by electronic sound recording; transcript produced by court-approved transcription service.



1 (Proceedings commence at 1:59 p.m.)

2 THE COURT: Good afternoon. We are on the record in
3 the Concord Family Division. It is Wednesday, January 18th,
4 2023. This is case number 644-2020-DM-00107. It's a matter
5 of Jennifer Eber and Gordon MacDonald.

6 And on the line are Attorney Meegan Reis on behalf
7 of Jennifer Eber and Attorney James Tenn on behalf of Gordon
8 MacDonald.

9 My name is David Burns, and I'm presiding in the
10 Concord Family Division this afternoon. So good afternoon to
11 you both.

12 MR. TENN: Good afternoon, Your Honor.

13 MS. REIS: Good afternoon, Judge.

14 THE COURT: We are scheduled today for a conference
15 regarding the status of your case. And I need to start out
16 with a couple of preliminary remarks, if I can. If I can ask
17 for your indulgence for just a moment or two.

18 For starters, I want both counsel to be aware of --
19 I've reviewed the file, and I'm aware of the recusal of Judge
20 McIntyre and Judge Hersh. And I also have reviewed Attorney
21 Reis' assent to motion for recusal that was granted most
22 recently. And in it, I noted that Attorney Reis requested,
23 and I think Attorney Tenn assented, to the appointment of
24 Judge Tenney to hear the case. But that prayer for relief was
25 not granted, and I suspect I know why.

1 So I'm just going to sort of speculate a little bit
2 as to why. Judge Tenney -- excuse me -- is not sitting here
3 in the Concord Family Division this year. He clearly was back
4 in 2021 when he signed one of the initial orders in the case,
5 but he's not sitting here this year. And so it's possible
6 that the request to have Judge Tenney hearing this was not
7 granted, A, because he's not sitting here this year, and B,
8 because assigning him to the case would have essentially
9 required a change of venue. And it's not clear whether the --
10 or the parties and counsel were anticipating or actually
11 interested in a change of venue.

12 So I just want to open the conversation with that.
13 I'm sure there are more substantive things to talk about. But
14 I just want to open the conversation by referencing that and
15 just ask your feelings about the assignment to Judge Tenney.

16 I will tell you, I'm trying to figure out -- I've
17 made an inquiry or two about where Judge Tenney is sitting
18 this year and I don't have a solid answer for you as I'm
19 speaking right now, but I believe he may be at least part of
20 the time in the Upper Valley, maybe in the Lebanon area or
21 Newport. He also had been sitting in Franklin some of the
22 time. So I just -- I'm not entirely sure, as I'm speaking
23 with you, as to where he's sitting.

24 So having said all that, let me turn things over to
25 you both just on the issue of judicial assignment.

1 MR. TENN: So this is Attorney Tenn.

2 Judge, I think we were just trying to find a judge
3 that wouldn't have a conflict. And I think we're fine. I
4 don't -- unless Attorney Reis thinks that you might have a
5 conflict -- I think we're just fine. And I don't know of any
6 conflict with you sitting on the case, and we'd be just fine
7 to leave it at that. That's my two cents on that. And I
8 don't know if Meegan has something different.

9 THE COURT: Okay.

10 MS. REIS: Judge, if you don't mind, I think in
11 previous cases judges have kind of let us know if they've --
12 they themselves have any reason to feel like they've had or
13 might have a conflict with Gordon MacDonald. I'm not hearing
14 you share anything on the record that concerns you; is that
15 correct?

16 THE COURT: Yes. That's the short answer, but I
17 also am prepared to give you sort of full disclosure about
18 both parties, just so both of you as counsel and both parties
19 know where I stand. I -- the short answer is, I don't believe
20 that there's a conflict, but I want everybody to be fully
21 informed.

22 MS. REIS: Would you mind, Judge, just kind of
23 letting us know if you've had any contact with the parties?
24 If you have any awareness of them?

25 THE COURT: Sure. Sure. So here's my background

1 with regard to each of the -- each of the parties.

2 For starters, I know Attorney Eber, and I would say
3 I do not know her well, but I know Attorney Eber. Attorney
4 Eber and I were admitted to the bar either around the same
5 time or maybe at the very same time in the fall of 19 -- I was
6 admitted in the fall of 1991, and I think Attorney Eber was
7 admitted around that time as well.

8 She was, at the time, a new associate at the Orr &
9 Reno law firm in Concord. I was, at the time, a new associate
10 at a different law firm in Concord.

11 Over the 30 or so years since then I cannot think of
12 a case in which I had Attorney Eber on the other side. I
13 think we just did different types of work and so forth. I
14 don't believe I've ever had a -- just operating from memory, I
15 don't believe I've ever had a case with Attorney Eber. I
16 don't believe that I have any professional history with her.
17 We've never worked in the same office. I don't believe -- and
18 again, just operating from memory -- I don't believe I've done
19 any -- I've been involved in bar association committees and so
20 forth over the years and other community based civic groups
21 and so forth. I don't believe we have ever been members of
22 bar committees or other civic groups.

23 At the same time, I also don't believe that -- we
24 are not -- we are not socially involved in the same social
25 groups or social circles. Although, I'm sure I've been to a

1 bar event over the years where Attorney Eber may have been
2 present. I've never been to her house. She's never been to
3 my house. We don't do activities together.

4 I will be candid with you. I think the last time I
5 saw Attorney Eber, my wife and I -- we live in Concord -- I
6 think my wife and I were participating in a local road race.
7 That's a fundraiser for the local hospital. It's called the
8 Rock'N Race. I think that's in May. I think the last time I
9 saw Attorney Eber, my wife, Heather, and I bumped into her at
10 the Rock'N Race. I think she was -- I know she's a runner. I
11 think she was running the race. And I can assure you that my
12 wife and I were walking the race because we're --

13 MR. TENN: We'll take note, Judge.

14 THE COURT: Yeah. You can fully disclose this. I
15 don't think we're quite as athletic as she is. But so I think
16 that's the last time I bumped into Attorney Eber.

17 So that's -- I think sort of the -- we've always
18 been able to sort of exchange pleasantries and so forth, but
19 that's about the full extent of it.

20 Turning to the Respondent, Justice MacDonald, I --
21 my full disclosure is this: I don't think I had ever met
22 Justice MacDonald prior to his joining the Supreme Court
23 bench. I don't believe I've ever served on a committee with
24 him or a board of any sort.

25 I do not have any social history with Judge --

1 Justice MacDonald. I again, as I said with Attorney Eber,
2 I've never been to his home. He's never been to mine. Our
3 kids are not the same age. We don't have social
4 overlapping -- social networks.

5 I can say that as part of his job, Justice MacDonald
6 has attended a couple of the circuit court -- the periodic
7 circuit court training and education days that we have. He's
8 attended, I think, to give keynote remarks or otherwise,
9 listen to circuit court presentations relating to the
10 functions of the courts.

11 So that is -- I'm not on any bar committees or court
12 committees with him. And so aside from perhaps shaking hands
13 with him on a couple of occasions and saying hello and
14 exchanging pleasantries, I don't have any history with Justice
15 MacDonald.

16 But I need to state the obvious. And the obvious is
17 that he presides over the judicial branch, and I ultimately
18 report to him. So that's sort of my full disclosure regarding
19 Justice MacDonald.

20 MS. REIS: Thank you, Judge.

21 THE COURT: Sure. Sure. So I --

22 MS. REIS: I don't -- I'm not hearing anything on
23 the record that raises any concern for me at this time.
24 Obviously, I just want to review with my client to make sure
25 there's nothing none of us are recalling.

1 I also think for today's purposes we're fine
2 continuing with the status hearing. And if something comes up
3 Attorney Tenn and I can certainly bring it to the Court's
4 attention afterwards.

5 THE COURT: Okay. Sure. And I will say a couple of
6 things in response.

7 First of all, absolutely neither counsel and neither
8 party should feel any hesitation about moving for my recusal.
9 I would totally understand if either party wanted to do that.

10 Having said that, I guess what I would say is, if
11 you do want a special assignment to a particular judge just
12 indicate that. And I also, in reviewing the file and
13 scratching my head about this, I don't -- I guess I want to
14 just air the question of whether it makes sense to think about
15 special designations of judges from outside of the state. I
16 don't know if that's something that's contemplated or not, but
17 I'll just -- I didn't see any indication of that in the file.
18 So I don't know if that's a realistic proposition or not.

19 MR. TENN: From my perspective -- this is Attorney
20 Tenn -- from my perspective, I think what we've done before
21 is, if I'm not wrong, I think we can proceed with this hearing
22 and then each of us can speak with counsel and if anybody has
23 an issue, we'll alert the clerk's office.

24 And if we do have an issue, we'll be more specific
25 about maybe what the next step might be and what we suggest,

1 ss you won't have to guess at it.

2 THE COURT: Okay. That sounds great.

3 MS. REIS: I would agree with that.

4 THE COURT: All right, that sounds great.

5 Okay. So with all that preliminary stuff out of the
6 way, let me turn things over to you as to the status.

7 MS. REIS: Attorney Tenn, I'll let you, if you want
8 to go first, and I'll just correct any mistake.

9 MR. TENN: That's great, why should anything change.

10 So Your Honor, I think substantively, what we were
11 hoping is that the -- could have until on or about April 1, to
12 give the Court some indication as to what, if anything, we
13 think should happen as the next event.

14 The parties are communicating well. We're still
15 involved in attempting to resolve this case by agreement.
16 Discovery has not been a problem. Attorney Reis and I are
17 very cooperative.

18 And so really, from my perspective, if the Court
19 would let us calendar April 1st to give the Court a heads up
20 as to what the status is, I think that's all we might need
21 today substantively.

22 I've talked to Attorney Reis this morning about what
23 our plan is to move forward, and I think she and I are on the
24 same page. That's what I'd say.

25 THE COURT: Okay. Attorney Reis?

1 MR. TENN: I would agree with that, Judge.

2 THE COURT: Okay. All right. So is there any
3 objection to -- I just -- the clerk's office will usually
4 bring me up short if I neglect to schedule a next event. So
5 any objection if I -- if I say telephonic status after April
6 1st, is that -- does that work?

7 MS. REIS: I think that's fine, Judge. And if we
8 even want to have that as counsel only, we can do that, and if
9 either party -- if we need to change that or want to change
10 that, Attorney Tenn and I can be in touch to let the Court
11 know that.

12 MR. TENN: Yep, that's totally fine. I agree.

13 THE COURT: Okay. All right. That sounds great.
14 Anything else that can be accomplished today?

15 MS. REIS: I don't believe so, Judge.

16 MR. TENN: I don't think so, Judge. Thank you very
17 much.

18 THE COURT: All right. Thank you both for calling
19 in. Appreciate your time today. I'll get a short order out,
20 and we'll look forward to hearing from you.

21 MR. TENN: Thank you.

22 MS. REIS: Thank you very much, Judge.

23 Thanks, Attorney Tenn.

24 MR. TENN: Thank you.

25 THE COURT: Thank you both.

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MS. REIS: Bye-bye.
(Hearing concluded at 2:15 p.m.)

CERTIFICATE

I, Shauna Drinnon, a court-approved proofreader, do hereby certify that the foregoing is a correct transcript from the official electronic sound recording of the proceedings in the above-entitled matter, to the best of my professional skills and abilities.

TRANSCRIPTIONIST(S): Gabrielle Eason, CDLT-284

**Shauna
Drinnon**

Digitally Signed by
Shauna Drinnon
Date: 08.09.2025 02:37:38 +00:00

Shauna Drinnon, CDLT-328
Proofreader

August 9th, 2025

Exhibit 2

STATE OF NEW HAMPSHIRE

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NEW HAMPSHIRE PORT AUTHORITY *
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INTERVIEW OF CHIEF JUSTICE MACDONALD - 8/2/24
TRANSCRIBED FROM AUDIO

Prepared for: Autumn Sayball, Paralegal
N.H. Department of Justice
1 Granite Place South
Concord, NH 03301

1 INTERVIEWER: All right, my name is
2 Investigator Tom Desfosses, today's date is August
3 2nd, 2024. It's approximately 10:05 by my watch and
4 we are at the Attorney General's Office in Concord,
5 New Hampshire. And this is being audio recorded and
6 if we can just go around the room and have everyone
7 introduce themselves and whether or not they consent
8 to audio recording.

9 INTERVIEWER: Senior Assistant Attorney
10 General Dan Jimenez and I'm okay being recorded.

11 INTERVIEWER: Assistant Attorney General Joe
12 Fincham, I'm okay with being recorded.

13 CHIEF JUSTICE MACDONALD: Gordon MacDonald,
14 I consent to be recorded.

15 ATTORNEY CREEGAN: Erin Creegan, General
16 Counsel for the Judicial Branch, appearing on behalf
17 of the Chief Justice, and I consent to being
18 recorded.

19 ATTORNEY O'CONNELL: Scott O'Connell,
20 appearing on behalf of the Chief Justice, and I also
21 consent.

22 INTERVIEWER: And I know I said this off
23 recording, but I just want to let everyone know in

1 the room that if Attorney O'Connell, Attorney
2 Creegan, if you guys want to take a time out, or you
3 want to talk about a question, Chief Justice, if you
4 have -- want to take a time out, ask about a
5 question, then we'll step out of the room, provide
6 you any time you need, okay, understand?

7 ATTORNEY O'CONNELL: Thank you.

8 INTERVIEWER: All right.

9 CHIEF JUSTICE MACDONALD: Thank you.

10 INTERVIEWER: So Chief Justice, can you just
11 state your name, and spell your last name just for
12 the record, sorry?

13 CHIEF JUSTICE MACDONALD: Of course, it's
14 Gordon, G-O-R-D-O-N, MacDonald, M-A-C-D-O-N-A-L-D.

15 INTERVIEWER: Thank you, and what do you
16 currently do for work?

17 CHIEF JUSTICE MACDONALD: I'm the Chief
18 Justice of the New Hampshire Supreme Court.

19 INTERVIEWER: How long have you been doing
20 that?

21 CHIEF JUSTICE MACDONALD: I've been doing
22 that since March of 2021.

23 INTERVIEWER: So were you Chief Justice the

1 entire time?

2 CHIEF JUSTICE MACDONALD: I've been, I was
3 appointed into that position, yes.

4 INTERVIEWER: Okay, and whose position did
5 you take over?

6 CHIEF JUSTICE MACDONALD: It had been vacant
7 for 19 months or so. My most immediate predecessor
8 was Robert Lynn.

9 INTERVIEWER: Okay, who was -- was there
10 anyone taking over those duties while there was that
11 time in between?

12 CHIEF JUSTICE MACDONALD: No, there was no
13 provision under statute for an Acting Chief Justice
14 or anything like that. The, the four members of the
15 court --

16 INTERVIEWER: Yeah.

17 CHIEF JUSTICE MACDONALD: -- sort of
18 collaborated.

19 INTERVIEWER: And what did you do before you
20 became Chief Justice?

21 CHIEF JUSTICE MACDONALD: I was the Attorney
22 General of New Hampshire.

23 INTERVIEWER: For how long?

1 CHIEF JUSTICE MACDONALD: From 2017 until
2 the minute I took my current job.

3 INTERVIEWER: Well, and could you just,
4 what's the difference between the Chief Justice and
5 an Associate Justice?

6 CHIEF JUSTICE MACDONALD: The Chief Justice
7 really has two roles, one is to be a member, a member
8 of a five-member court, and in that position you're
9 really an equal with the others in terms of acting as
10 the final court in the State of New Hampshire. We
11 have one Appellate Court, so we act together in
12 deciding appeals. The other aspect of the job of
13 Chief Justice is under our Constitution the Chief
14 Justice serves as effectively the administrative head
15 of the Judicial Branch.

16 INTERVIEWER: So you're Head Administrator
17 as long as, and as well as being --

18 CHIEF JUSTICE MACDONALD: Um-hum.

19 INTERVIEWER: -- one of five, is that right?

20 CHIEF JUSTICE MACDONALD: Exactly, and --
21 and I just want to make clear in discharging my
22 administrative job I do consult and interact with my
23 colleagues on the Supreme Court regularly.

1 INTERVIEWER: Yeah, so it's not, you know,
2 you're the Grand Poohbah dictating what goes on, it's
3 more of your collaborative process?

4 CHIEF JUSTICE MACDONALD: We do work
5 together on --

6 INTERVIEWER: Okay.

7 CHIEF JUSTICE MACDONALD: -- administrative
8 tasks.

9 INTERVIEWER: And, you know, I -- what are
10 you guys, are the Chief, are the Justices of the
11 Supreme Court, are they all on Hazen Drive, or do you
12 have offices here at 1 Granite Place?

13 CHIEF JUSTICE MACDONALD: The, all of us are
14 located in one location --

15 INTERVIEWER: Okay.

16 CHIEF JUSTICE MACDONALD: -- on, it's 1
17 Charles Doe Drive which is off Hazen Drive, but we
18 all have chambers there and our chambers are in the
19 same hall.

20 INTERVIEWER: Okay.

21 CHIEF JUSTICE MACDONALD: So we work
22 together.

23 INTERVIEWER: So I'm just gonna get right

1 into it, in -- in June of, in and around early June
2 of this year, do you recall being called by Governor
3 Sununu regarding a visitor that he had?

4 CHIEF JUSTICE MACDONALD: Yes.

5 INTERVIEWER: Can you just go through that
6 in a linear fashion about how that came about?

7 CHIEF JUSTICE MACDONALD: Sure, there were
8 actually two calls.

9 INTERVIEWER: Okay, okay.

10 CHIEF JUSTICE MACDONALD: The Governor
11 called me and told me that Justice Hantz Marconi
12 wanted to come and see him and that he was going to
13 see her.

14 INTERVIEWER: Okay.

15 CHIEF JUSTICE MACDONALD: And then some
16 short, relatively short period of time later he
17 called me back about that meeting.

18 INTERVIEWER: What was the conversation
19 between you and him when he said that the Associate
20 Justice is gonna come speak to him?

21 CHIEF JUSTICE MACDONALD: My memory is it
22 was very brief. My memory is that's news to me. I,
23 I said that's news to me.

1 INTERVIEWER: Yeah.

2 CHIEF JUSTICE MACDONALD: I want to limit it
3 there 'cause that's my only clear memory.

4 INTERVIEWER: Yeah, and whatever you
5 remember. If you don't recall anything else, that's
6 perfectly fine. Just we want what's the best of your
7 memory. But it was a brief conversation, fair to
8 say?

9 CHIEF JUSTICE MACDONALD: Very brief.

10 INTERVIEWER: And you, you said, you
11 mentioned that you told the Governor that it was a
12 surprise to you?

13 CHIEF JUSTICE MACDONALD: Um-hum.

14 INTERVIEWER: Was it actually --

15 CHIEF JUSTICE MACDONALD: Words to the
16 effect that's news to me. I did not know she was
17 going to see the Governor.

18 INTERVIEWER: Okay, so that's something no
19 one cleared with you or told you beforehand?

20 CHIEF JUSTICE MACDONALD: Correct.

21 INTERVIEWER: And then you said that there's
22 a, a follow-up phone call shortly thereafter from the
23 Governor. Can you just tell us what that

1 conversation was?

2 CHIEF JUSTICE MACDONALD: Well, let me say
3 at the outset, there were, there were sort of two
4 parts to it.

5 INTERVIEWER: Yeah.

6 CHIEF JUSTICE MACDONALD: The first part was
7 a read-out of what had occurred when Justice Hantz
8 Marconi was there, and then a second part which I
9 think was actually the majority of the conversation
10 was relating to a Governor and Council meeting that
11 was gonna come up at the Supreme Court and I mean --

12 ATTORNEY CREEGAN: Doesn't relate to this
13 inquiry.

14 INTERVIEWER: Yeah, it was a separate issue,
15 Governor and Council meeting, that was gonna happen
16 at the Supreme Court?

17 CHIEF JUSTICE MACDONALD: Yeah, and it's,
18 it's relevant only because --

19 ATTORNEY CREEGAN: Do you want to discuss it
20 first or --

21 CHIEF JUSTICE MACDONALD: Sure.

22 ATTORNEY CREEGAN: -- would you like to
23 discuss it with Scott and I, or do you think --

1 CHIEF JUSTICE MACDONALD: It was like six
2 days later.

3 INTERVIEWER: Okay.

4 CHIEF JUSTICE MACDONALD: And so the timing
5 was a little bit less than ideal.

6 INTERVIEWER: Okay.

7 CHIEF JUSTICE MACDONALD: And, and he, he
8 told me the circumstances by which the G&C meeting
9 got scheduled and how, you know, it probably -- I'll
10 just leave it at that, and --

11 INTERVIEWER: Yeah, just so I, just so I
12 make sure I have it correct there's gonna be a G&C
13 meeting, a Governor and Executive Council meeting
14 scheduled. Sorry, I -- I do that sometimes and that
15 was gonna be six days later at the Supreme Court?

16 CHIEF JUSTICE MACDONALD: Yes.

17 INTERVIEWER: And there was discussions
18 about administrative stuff related to that?

19 CHIEF JUSTICE MACDONALD: There the
20 Governor's Office had a few days prior to this
21 reached out to us and asked whether the Supreme Court
22 would be willing to host a breakfast for the Governor
23 and Council. Governor and Council routinely has

1 breakfast meetings and then they have their regular
2 meetings. And the Governor and Council breakfast
3 meetings rotate among State agencies. And so,
4 although it was relatively at the last minute, we
5 agreed and, and we're prepared to hold the breakfast
6 meeting.

7 INTERVIEWER: Yeah, so that's just kind of
8 administrative stuff afterwards?

9 CHIEF JUSTICE MACDONALD: Yeah.

10 INTERVIEWER: And that was the bulk of the
11 conversation?

12 CHIEF JUSTICE MACDONALD: Those two --

13 INTERVIEWER: Yeah, those two pieces?

14 CHIEF JUSTICE MACDONALD: Yes.

15 INTERVIEWER: And what was the, in relative
16 to the read-out of Justice Hantz Marconi's visit,
17 what was the read-out of that?

18 CHIEF JUSTICE MACDONALD: So my memory
19 sitting here today is there were really three, three
20 points that I heard and, and retained. The first was
21 she complained about the Attorney General. She
22 complained, I remember, and this is the Governor
23 telling me what she said.

1 INTERVIEWER: Yeah.

2 CHIEF JUSTICE MACDONALD: And she said that
3 he, that the Attorney General was weak and that he
4 was being very political. The second thing that in
5 my memory I've retained is that the Governor told me
6 that she said she knew everything that her husband
7 knew, everything that her husband knew.

8 INTERVIEWER: Um-hum.

9 CHIEF JUSTICE MACDONALD: And the third
10 thing was that she told the Governor that she is
11 recused in 40 percent of the cases and that there are
12 important cases, and that all of this is creating a
13 burden on her colleagues.

14 INTERVIEWER: Does that include you?

15 CHIEF JUSTICE MACDONALD: Yes.

16 INTERVIEWER: Like, yeah, and anything else?

17 CHIEF JUSTICE MACDONALD: It's, it's all I
18 really remember about the substance.

19 INTERVIEWER: Yep, did you say anything back
20 in response to any of those statements by the
21 Governor?

22 CHIEF JUSTICE MACDONALD: Yes, I responded
23 to the third point.

1 INTERVIEWER: And which point was that?

2 CHIEF JUSTICE MACDONALD: The point about
3 recusals and burden on her colleagues.

4 INTERVIEWER: What was your response?

5 CHIEF JUSTICE MACDONALD: I said, Governor,
6 I just want to be very clear, these words to the
7 effect, I can't quote you exactly. Governor, I just
8 want to be very clear, we have policies and
9 procedures in place to deal with disqualifications.
10 We will get the work done. We will serve the people
11 of New Hampshire, and it is no burden on us to do our
12 job.

13 INTERVIEWER: Words to that effect, yeah.

14 CHIEF JUSTICE MACDONALD: Words to that
15 effect.

16 INTERVIEWER: And recusals happen on the
17 Supreme Court, is that fair to say?

18 CHIEF JUSTICE MACDONALD: Yes.

19 INTERVIEWER: You know, is it fair to say
20 that for a period of time you recused yourself from,
21 from the Attorney General's Office cases once you
22 came on the bench?

23 CHIEF JUSTICE MACDONALD: That is correct.

1 INTERVIEWER: You know, and that's because
2 you're the ultimate decision-makers over here, right?

3 CHIEF JUSTICE MACDONALD: I, I felt it was,
4 it was appropriate under, under all the authorities
5 that govern judicial disqualification for me to
6 disqualify myself in cases that were in this office
7 at the time I served as Attorney General.

8 INTERVIEWER: So in that conversation she,
9 she mentioned our investigation here. Prior to your
10 conversation with the Governor, was there any
11 conversations with Justice Hantz Marconi about what
12 she knew, or didn't know about our investigation?

13 ATTORNEY CREEGAN: Between herself and him?

14 INTERVIEWER: Yep, between herself and you?

15 CHIEF JUSTICE MACDONALD: Yes.

16 INTERVIEWER: Can you just expound on that?

17 CHIEF JUSTICE MACDONALD: My memory today is
18 I can recall three instances. Oh, prior to the
19 Governor's --

20 INTERVIEWER: Yeah, prior to the Governor's?

21 CHIEF JUSTICE MACDONALD: -- okay, two. The
22 first instance, I want to make sure, can you ask the
23 question again?

1 INTERVIEWER: Yeah.

2 CHIEF JUSTICE MACDONALD: I want to make
3 sure I'm responsive --

4 INTERVIEWER: Yeah.

5 CHIEF JUSTICE MACDONALD: -- because I got
6 tripped on that.

7 INTERVIEWER: Yeah, no, no, it's okay.

8 ATTORNEY CREEGAN: They obviously had a lot
9 of conversations about recusal. Do you mean to ask
10 when she, when she had knowledge of something
11 specific?

12 INTERVIEWER: Yeah, when did she have
13 knowledge of something specific as to the
14 investigation and whether she relayed that to you,
15 just her to you?

16 CHIEF JUSTICE MACDONALD: Yeah.

17 ATTORNEY CREEGAN: Essentially the, the
18 first time she would have indicated to you that she
19 had awareness that there was a criminal
20 investigation?

21 INTERVIEWER: Yeah, the first time and then
22 any times thereafter.

23 CHIEF JUSTICE MACDONALD: That she was aware

1 there was a criminal case?

2 INTERVIEWER: Yes.

3 CHIEF JUSTICE MACDONALD: Okay, at some
4 point during the month of May she told me there are
5 grand jury subpoenas being issued.

6 INTERVIEWER: Anything else in regards to
7 that?

8 CHIEF JUSTICE MACDONALD: Three to four
9 weeks ago she told me the same thing.

10 ATTORNEY O'CONNELL: Just to be clear that
11 was after the discussion you had with the Governor
12 that you've already described?

13 CHIEF JUSTICE MACDONALD: Correct, it was in
14 July.

15 INTERVIEWER: Okay, thank you, Scott. Did
16 you have a conversation with her about her meeting
17 with the Governor after the meeting?

18 CHIEF JUSTICE MACDONALD: No.

19 INTERVIEWER: Joe, any follow-ups?

20 INTERVIEWER: I thought you said that there
21 were two instances when you spoke to her prior to the
22 Governor, one was in May she said there were grand
23 jury subpoenas being issued. What was the other?

1 CHIEF JUSTICE MACDONALD: I was confused on
2 the question.

3 INTERVIEWER: Okay.

4 CHIEF JUSTICE MACDONALD: And I'm sorry, I
5 -- the timeline, there were two instances where, at
6 least two that I remember, where she said that the
7 grand jury subpoenas had been issued. One was in
8 May, and the second was in July which as Attorney
9 O'Connell's pointed out, is after the meeting with
10 the Governor.

11 INTERVIEWER: Okay, so there's only one
12 prior to the Governor?

13 CHIEF JUSTICE MACDONALD: That I remember
14 right now.

15 INTERVIEWER: You said that that, those were
16 the times that she was aware of a criminal
17 investigation. Did she ever tell you that she
18 suspected there was a criminal investigation?

19 CHIEF JUSTICE MACDONALD: Not to my memory.

20 INTERVIEWER: Okay.

21 ATTORNEY CREEGAN: And if this conversation
22 jogs his memory in any way, we'll be sure to
23 supplement.

1 INTERVIEWER: Yep, you can always, you can
2 always supplement if you feel as before Joe asks
3 another question, if you know, memory is jogged you
4 can always come back and let us know if you remember
5 something. Obviously you can step out. Here if you
6 remember something you can always get back to us,
7 okay?

8 CHIEF JUSTICE MACDONALD: Thank you.

9 INTERVIEWER: And, and I know walking into
10 this that, you know, you didn't know exactly the
11 questions but again, after our questions, you'll sort
12 of know the topics that we're interest in so --

13 INTERVIEWER: Yeah.

14 INTERVIEWER: -- feel free to supplement
15 later. Normally in recusals there's not really a
16 public statement about why a particular justice is
17 recusing at times, is that correct?

18 CHIEF JUSTICE MACDONALD: That's correct.

19 INTERVIEWER: There was a statement publicly
20 about Justice Hantz Marconi's initial recusal from
21 cases involving the Attorney General, is that
22 correct?

23 CHIEF JUSTICE MACDONALD: That's correct.

1 INTERVIEWER: Who made the decision to issue
2 that statement?

3 ATTORNEY CRREGAN: I'm sorry, I don't know,
4 I don't know if you can answer how you deliberated on
5 this issue, if you decided it. Is there, is there a
6 way, is there something that you're getting at that
7 you can maybe ask a little more directly in terms
8 of --

9 INTERVIEWER: Was this --

10 ATTORNEY CREEGAN: -- are you asking, for
11 example, Justice Hantz Marconi took some action?

12 INTERVIEWER: Right, this is a deviation
13 from sort of normal policy, did Justice Hantz Marconi
14 request this sort of special action in this case, to
15 put out a public statement about why she was recusing
16 herself?

17 ATTORNEY CREEGAN: I think you could
18 probably say a yes or no, but then that might be all
19 that you can do for this, is that all right? Do you
20 want to talk about it?

21 ATTORNEY O'CONNELL: Can we just have two
22 minutes?

23 INTERVIEWER: Yeah, of course. Yeah, of

1 course, perfectly fine.

2 INTERVIEWER: Do you want me to pause the --

3 INTERVIEWER: Yeah.

4 INTERVIEWER: Thank you.

5 INTERVIEWER: And we'll just note the time.

6 INTERVIEWER: All right, so it is 10:22 by
7 my watch and I'm going to pause the recording.

8 (Pause.)

9 INTERVIEWER: Okay, the recording is back on
10 and it is approximately 10:25 by my watch. All the
11 parties that were here previously are back again.
12 And has anything changed with consent to recording?

13 ATTORNEY CREEGAN: No.

14 CHIEF JUSTICE MACDONALD: No.

15 ATTORNEY O'CONNELL: No.

16 INTERVIEWER: No.

17 INTERVIEWER: Okay, thank you.

18 ATTORNEY CREEGAN: Okay, Joe, just repeat
19 your question?

20 INTERVIEWER: Yes, Mr. Chief Justice, we had
21 talked about how normally there aren't public
22 statements put out about reasons for recusal, but
23 there was one with Justice Hantz Marconi's recusal,

1 and I'd asked if that was as a result of any
2 requests, specific requests by Justice Hantz Marconi?

3 CHIEF JUSTICE MACDONALD: No.

4 INTERVIEWER: The public statement said that
5 the recusal was because of the Attorney General's
6 Office civilly advising the Pease Development
7 Authority with regard to the employment of Justice
8 Hantz Marconi's husband, Geno Marconi.

9 ATTORNEY CREEGAN: I think it may have been
10 more ambiguous but it said advising, that the
11 Attorney General's Office is involved or something
12 with regard to the situation of her spouse. It may
13 have been ambiguously worded because it was obviously
14 a broad recusal.

15 INTERVIEWER: It, it was fairly broad but it
16 was about this office advising the Pease Development
17 Authority, that was the language that was used. And
18 as you know from your time as Attorney General, the
19 Civil Bureau is the one that advises government
20 agencies, correct? The Criminal Bureau doesn't
21 really advise agencies, we don't give agency advice,
22 we're not client counseling.

23 CHIEF JUSTICE MACDONALD: Again, I -- I

1 would be uncomfortable asking, answering these
2 questions without having that statement in front of
3 me I'm, I'm not sure what the language, exact
4 language we used, but I agree with you that the Civil
5 Bureau does it, yes.

6 INTERVIEWER: Right.

7 ATTORNEY CREEGAN: Well, since Justice
8 Marconi hasn't requested the statement, is there
9 something else you want to ask with regard to what
10 she may have done or --

11 INTERVIEWER: Yeah, I'm just wondering why
12 the difference between the public statement, or if
13 there was some discussion, or if she kept some
14 information about the criminal investigation away
15 from the public statement, so she tells you that the
16 grand jury subpoenas are being issued before you
17 talked to the Governor, and was that before her
18 recusal off of the cases, or was it after that she
19 told you there was grand jury subpoenas?

20 CHIEF JUSTICE MACDONALD: She recused or
21 disqualified herself before that statement was made.

22 INTERVIEWER: Okay, that answers it then.
23 So you had no indication from her that there was a

1 criminal investigation at the time that statement was
2 made?

3 ATTORNEY CREEGAN: Do, do you remember the
4 date of the statement?

5 INTERVIEWER: It was the date of her
6 recusal, I can pull it up.

7 ATTORNEY CREEGAN: Oh, I -- I don't, I don't
8 know if that was the date of her recusal. Her
9 recusal was very close in time to her husband being
10 put on leave.

11 ATTORNEY O'CONNELL: I believe it was May
12 9th.

13 ATTORNEY CREEGAN: Is the statement?

14 ATTORNEY O'CONNELL: I believe so.

15 ATTORNEY CREEGAN: Okay, I -- I don't want
16 to put too much in here but I think her first
17 recusals were off of oral arguments that were made on
18 April 23rd.

19 INTERVIEWER: Right, I remember the nurse is
20 one of them so the public statement goes out May 9th,
21 approximately, and it was some time in early May that
22 she told you grand jury subpoenas were being issued.
23 I'm just wondering if it was before or after?

1 ATTORNEY CREEGAN: Sorry, just -- just a
2 correct, he would -- the timing in May --

3 INTERVIEWER: I said May, May.

4 CHIEF JUSTICE MACDONALD: I don't know when
5 in May.

6 INTERVIEWER: Okay, you said that she said
7 that she knew everything her husband knew.

8 ATTORNEY O'CONNELL: That's what the
9 Governor told you.

10 INTERVIEWER: Or the Governor told you that
11 she said she knew everything her husband knew. Did
12 the Governor elaborate on what exactly she knew, or
13 just was that sort of the general statement of just,
14 she just knew everything her husband knew?

15 CHIEF JUSTICE MACDONALD: That's the
16 statement I remember.

17 INTERVIEWER: Okay.

18 CHIEF JUSTICE MACDONALD: And it stuck with
19 me.

20 INTERVIEWER: Did the, in your first call
21 with the Governor, did the Governor indicate why she
22 had requested a meeting?

23 CHIEF JUSTICE MACDONALD: No, not that I

1 remember.

2 INTERVIEWER: Did he say whether it was
3 personal or professionally related?

4 CHIEF JUSTICE MACDONALD: I really, I'm --
5 I'm sorry, I want to think about that interaction.

6 INTERVIEWER: If --

7 CHIEF JUSTICE MACDONALD: I just have no
8 clear memory of exactly what he said.

9 INTERVIEWER: It's perfectly fine.

10 INTERVIEWER: Did the Governor ask you if
11 you knew what the meeting was about?

12 CHIEF JUSTICE MACDONALD: I don't remember
13 but if he had I would have said no.

14 INTERVIEWER: Okay, and you said that you
15 never spoke to her about her meeting with the
16 Governor afterwards, correct?

17 CHIEF JUSTICE MACDONALD: Correct.

18 INTERVIEWER: And I assume that means, or I
19 don't want to assume so I'm asking this question, so
20 she never spoke to you or told you that she had met
21 with the Governor?

22 CHIEF JUSTICE MACDONALD: That's correct.

23 ATTORNEY CREEGAN: You can take a second.

1 INTERVIEWER: Well, I think, Tom, if you've
2 got anything.

3 ATTORNEY CREEGAN: Do you all want to talk
4 and see if you have anything else to ask?

5 INTERVIEWER: I'm, I'm fine. Tom, do you
6 have anything?

7 INTERVIEWER: Just kind of a basic question.
8 What is, is there a typical schedule that an
9 Associate Justice would follow for a work schedule?

10 CHIEF JUSTICE MACDONALD: In other words you
11 have to show up at a certain time, is that what
12 you're asking?

13 INTERVIEWER: Yeah, like Monday through
14 Friday, 9 to 5 --

15 CHIEF JUSTICE MACDONALD: Yeah.

16 INTERVIEWER: -- sort of --

17 ATTORNEY CREEGAN: If wishing made it so.

18 CHIEF JUSTICE MACDONALD: No required work
19 schedule, each -- I think each Justice has their own
20 work schedule so but there's nothing required if
21 that's your question. Each Justice I think it's fair
22 to say has their own pattern of when they come in and
23 when they go, go home.

1 INTERVIEWER: Okay.

2 CHIEF JUSTICE MACDONALD: Is that, is that
3 what you're asking?

4 INTERVIEWER: Yeah, so throughout the day
5 they can leave if they need to.

6 CHIEF JUSTICE MACDONALD: Sure.

7 INTERVIEWER: They can come back if they
8 need to.

9 CHIEF JUSTICE MACDONALD: Absolutely, yes.

10 INTERVIEWER: You don't have a time card
11 that you can punch out every, every time you leave,
12 go to lunch?

13 CHIEF JUSTICE MACDONALD: No.

14 INTERVIEWER: Okay, are there any policies
15 or procedures regarding professional, or using the
16 court's email for private purposes, personal
17 purposes?

18 ATTORNEY CREEGAN: Not really.

19 CHIEF JUSTICE MACDONALD: I don't think so.

20 ATTORNEY CREEGAN: No.

21 CHIEF JUSTICE MACDONALD: But --

22 INTERVIEWER: We'll follow up with Erin, or
23 counsel might be --

1 ATTORNEY CREEGAN: We'll, we'll look into
2 it.

3 ATTORNEY O'CONNELL: We will follow up with
4 General Counsel afterwards about that specific
5 question.

6 ATTORNEY CREEGAN: Yeah, I can hunt around
7 and see if I can find anything.

8 ATTORNEY O'CONNELL: Okay.

9 INTERVIEWER: The last question is the
10 roughly 40 percent of the cases that was referenced
11 in the recusal, is that fairly accurate, or is that
12 -- how does that compare to what you can speak to?

13 CHIEF JUSTICE MACDONALD: Yeah, it strikes
14 me as low. I -- we could certainly get you the exact
15 number but it, it strikes me as low. I think it's,
16 you know, the volume of cases from the Attorney
17 General's office is, is fairly significant so to
18 answer your question is I believe that's not
19 accurate, and the number is probably higher.

20 INTERVIEWER: Okay.

21 INTERVIEWER: Forgive me if I've already
22 asked this, Mr. Chief Justice, you referenced the two
23 conversations about subpoenas with Justice Hantz

1 Marconi, you're saying that's when she was, indicated
2 she was aware of the criminal investigation?

3 CHIEF JUSTICE MACDONALD: Those were her
4 words.

5 INTERVIEWER: Okay.

6 CHIEF JUSTICE MACDONALD: Grand, that grand
7 jury subpoenas had issued.

8 INTERVIEWER: Okay, were there ever any
9 other conversations with her where she indicated she
10 suspected there was a criminal investigation into her
11 husband that you recall?

12 CHIEF JUSTICE MACDONALD: Not that I
13 remember.

14 INTERVIEWER: Okay, and then one final
15 question, when the Governor called you and told you
16 about the conversation with Justice Hantz Marconi,
17 specifically about the recusal and the burden on the
18 colleagues which you indicated that you disagreed
19 with, how did that make you feel?

20 ATTORNEY CREEGAN: I don't know if it's a
21 factual question.

22 CHIEF JUSTICE MACDONALD: I'm happy to
23 answer it.

1 ATTORNEY CREEGAN: It's up to you.

2 CHIEF JUSTICE MACDONALD: I was angry, I was
3 angry.

4 INTERVIEWER: Why?

5 CHIEF JUSTICE MACDONALD: Because we're
6 gonna get the job done, we're gonna get the job done
7 for the people of New Hampshire.

8 INTERVIEWER: Thank you.

9 INTERVIEWER: Thank you, sir, that's it.

10 INTERVIEWER: We can go off recording now.

11 INTERVIEWER: It's 10:36 and the recording
12 has ended.

13 (End.)

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CERTIFICATE

I, Mary Mielke, a court-approved transcriptionist, do hereby certify that the foregoing is a correct transcript from the official electronic sound recording of the proceeding in the above-entitled matter to the best of my professional skill and ability.

Mary Mielke

Mary Mielke
Avicore Reporting

N.H. PORT AUTHORITY - CHIEF JUSTICE MACDONALD 8/2/24

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Exhibit 3

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

No. LD-2024-0014

IN THE MATTER OF
ANNA BARBARA HANTZ MARCONI, ESQUIRE

MOTION TO RECUSE CHIEF JUSTICE GORDON MACDONALD

Associate Justice Anna Barbara Hantz Marconi, through undersigned counsel, hereby moves for the recusal of Chief Justice Gordon MacDonald, for the reasons set forth below.

1. Anna Barbara Hantz Marconi is an Associate Justice of this Court.
2. Justice Hantz Marconi was placed on administrative leave by the Court on July 25, 2024.
3. On October 16, 2024, New Hampshire Attorney General John Formella obtained indictments against Justice Hantz Marconi from a Merrimack County Grand Jury, in *State of New Hampshire v. Anna Barbara Hantz Marconi*, no. 217-2024-CR-01167.
4. On October 17, 2024, this Court ordered that its “July 25, 2024 order concerning the period of Associate Justice Anna Barbara Hantz Marconi’s administrative leave is extended pending further developments in that case and any other proceedings related to the conduct at issue.”
5. Justice Hantz Marconi did not commit any crime. She is innocent. She denies the allegations in the indictments. However, during the pendency of the criminal case, she is not opposing the Attorney Discipline Office’s recommendation that her right to practice law be suspended.
6. However, because Supreme Court Rule 21A requires that the issue of recusal be raised promptly, Justice Hantz Marconi is required to file this motion.

7. Justice Hantz Marconi moves to recuse Chief Justice Gordon MacDonald because, upon review of the indictments, it is evident that Chief Justice MacDonald is a material witness in the criminal case.

8. Under Supreme Court Rule 21A, a motion for recusal must state the factual and legal basis for the motion, state when the moving party became aware of the grounds for the motion, be filed in a timely manner, and be verified by the moving party.

9. The grounds for recusal are that Chief Justice MacDonald is a material witness in the criminal case against Justice Hantz Marconi.

10. Justice Hantz Marconi is accused of meeting with Governor Christopher Sununu on June 6, 2024. In connection with that meeting, Attorney General John Formella claims that Justice Hantz Marconi committed the crimes of Attempt to Commit Improper Influence, Criminal Solicitation of Improper Influence, Official Oppression, Criminal Solicitation of Official Oppression, Obstructing Government Administration, and Criminal Solicitation of Misuse of Position.

11. Justice Hantz Marconi did meet with Governor Sununu on June 6, 2024. The meeting was entirely lawful and proper. One of the key facts demonstrating that the meeting was lawful and proper is that Justice Hantz Marconi communicated with Chief Justice MacDonald prior to meeting with Governor Sununu. Justice Hantz Marconi explained to Chief Justice MacDonald that she was considering requesting a meeting with the Governor. The Chief Justice's response was, "I think you can do that – You are a constituent and have concerns." Justice Hantz Marconi understood this comment to confirm her view that she had the right to seek to address the Governor, just as any other citizen would have that right. This is Justice Hantz Marconi's recollection. She verifies these facts by her attached affidavit.

12. The New Hampshire Constitution provides, in part, that it “is essential to the preservation of the rights of every individual, [her] life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice” and therefore that it “is the right of every citizen to be tried by judges as impartial as the lot of humanity will admit.” N.H. Const. pt. I, art. 35. “The Code of Judicial Conduct reflects this guarantee.” *State v. Ayer*, 150 N.H. 14, 35 (2003).

13. A judge should recuse himself if he is interested in the case. *See Moses v. Julian*, 45 N.H. 52 (1863).

14. The New Hampshire “Code of Judicial Conduct requires disqualification of a judge in a proceeding in which the judge’s impartiality might reasonably be questioned and to avoid even the appearance of impropriety.” *State v. Whittey*, 149 N.H. 463, 465 (2003) (quoting *State v. Bader*, 148 N.H. 265, 268 (2002)). *See* Sup. Ct. R. 38, Canon 2.11.

15. Circumstances where a judge’s impartiality might reasonably be questioned and where a “judge shall disqualify himself” include a situation where the “judge knows that the judge...is...likely to be a material witness in the proceeding” or when the “judge...was a material witness concerning the matter.” Sup. Ct. R. 38, Canons 2.11(A)(2)(d), (A)(5)(c).

16. Beyond the specific situations described in Canon 2.11, appearances of impropriety also require a judge’s disqualification. *Whittey*, 149 N.H. at 465. *See also Bader*, 148 N.H. at 268. An appearance of impropriety “is determined under an objective standard, *i.e.*, would a reasonable person, not the judge herself, question the impartiality of the court.” *Blevens v. Town of Bow*, 146 N.H. 67, 69 (2001) (quoting *Taylor-Boren v. Isaac*, 143 N.H. 261, 268 (1998)). “The test for an appearance of partiality is an objective one, that is, whether an objective, disinterested observer, fully informed of the facts, would entertain significant doubt that

justice would be done in the case.” *Id* (quoting *Taylor-Boren*, 143 N.H. at 268).

17. Chief Justice MacDonald is likely to be called as a witness by either Justice Hantz Marconi or Attorney General Formella in the criminal case or in related matters, including matters before this Court.

18. Justice Hantz Marconi raises the issue of recusal in a timely manner. Until the proceeding initiated by the Attorney Discipline Office yesterday, October 22, 2024, there was no matter docketed at this Court in which Justice Hantz Marconi was a litigant. In addition, Attorney General Formella’s indictments were not returned until October 16, 2024. Justice Hantz Marconi and counsel are immediately notifying this Court, today, October 23, 2024, of the grounds for recusal of Chief Justice MacDonald. Justice Hantz Marconi certifies that she had no opportunity to notify the Court of the recusal issue prior to now. In short, this motion is timely.

19. Justice Hantz Marconi verifies the facts in this motion by her attached affidavit.

20. Considering these circumstances, Chief Justice MacDonald is required to recuse himself from this and related matters.

21. General Counsel Brian Moushegian of the Attorney Discipline Office states that he takes no position on this motion.

WHEREFORE, Justice Anna Barbara Hantz Marconi respectfully requests that Chief Justice Gordon MacDonald be recused from this and all related matters.

October 23, 2024.

Respectfully submitted by
Counsel for Justice Anna Barbara
Hantz Marconi

/s/ Richard Guerriero
Richard Guerriero
N.H. Bar # 10530
Lothstein Guerriero, PLLC
Chamberlain Block Building
39 Central Square, Suite 202
Keene, NH 03431
(603) 352-5000
richard@nhdefender.com

Oliver Bloom
N.H. Bar #277555
Lothstein Guerriero, PLLC
39 Central Square, Suite 202
Keene, NH 03431
(603) 352-5000
oliver@nhdefender.com

CERTIFICATE OF SERVICE

General Counsel Brian Moushegian of the Attorney Discipline
Office is a registered e-filer in this matter and will receive a copy of this
motion through the e-file system.

October 23, 2024.

/s/ Richard Guerriero
Richard Guerriero

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

No. LD-2024-0014

IN THE MATTER OF
ANNA BARBARA HANTZ MARCONI, ESQUIRE

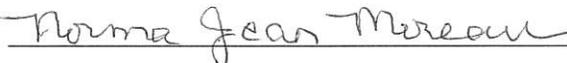
AFFIDAVIT OF ANNA BARBARA HANTZ MARCONI

Anna Barbara Hantz Marconi, known to me or proven to be the same, personally appeared before me and affirmed under penalty of perjury that the facts stated in the foregoing motion are true and correct to the best of her knowledge, information, and belief.

October 23, 2024, at Exeter, New Hampshire.



Anna Barbara Hantz Marconi



Justice of the Peace/Notary Public
My Comm. Expires: 11-2-2025

Exhibit 4

CASE SUMMARY
CASE NO. 644-2020-DM-00107

**In the Matter of Jennifer Eber and Gordon
 MacDonald**

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Location: **6th Circuit - Family Division -
 Concord**
 Filed on: **10/09/2020**
 Case Number History:

CASE INFORMATION

Case Type: **Individual Petition for Divorce**
 Case Status: **10/09/2020 Pending**

DATE CASE ASSIGNMENT

Current Case Assignment

Case Number	644-2020-DM-00107
Court	6th Circuit - Family Division - Concord
Date Assigned	09/21/2022

PARTY INFORMATION

Petitioner	Eber, Jennifer <i>128 Dickey Hill Road Deering, NH 03244</i>	<i>Attorneys</i> Reis, Meegan C., ESQ <i>Retained</i> 603-431-2130(F) 603-433-7040(W) <i>Dwyer Donovan & Reis PA</i> 461 Middle St Portsmouth, NH 03801 Meegan@ddr-law.com
Respondent	MacDonald, Gordon <i>128 Dickey Hill Road Deering, NH 03244</i>	Tenn, James J, JR <i>Retained</i> 603-644-0345(F) 603-624-3700(W) <i>Tenn And Tenn PA</i> 16 High St Ste 3 Manchester, NH 03101 jimtenn@tennandtenn.com
Child	MacDonald, Nellie	

DATE	EVENTS & ORDERS OF THE COURT	INDEX
10/09/2020	Petition for Divorce	<i>Index #1</i>
10/15/2020	Important Notice to Parties-Individual	<i>Index #2</i>
10/15/2020	CIP Notice Sent to Petitioner	<i>Index #3</i>
10/15/2020	CIP Notice Sent to Respondent	<i>Index #4</i>
10/15/2020	Instruction for Service	<i>Index #5</i>
10/26/2020	Appearance Party: Attorney Tenn, James J, JR <i>Atty. Tenn for Res</i>	<i>Index #6</i>

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10/29/2020	Other Party: Attorney Tenn, James J, JR <i>- Acceptance of and Waiver of Service of Process</i>	Index #7
11/09/2020	Answer and Cross Petition Party: Attorney Tenn, James J, JR	Index #8
11/16/2020	Appearance Party: Attorney Fairclough, Judith Ann, ESQ <i>Atty. Fairclough for Petitioner</i>	Index #9
11/24/2020	Affidavit Party: Attorney Fairclough, Judith Ann, ESQ <i>of FAP</i>	Index #10
11/25/2020	CIP Certificate - Petitioner	Index #11
11/30/2020	Affidavit Party: Attorney Tenn, James J, JR <i>of FAP</i>	Index #12
12/07/2020	CANCELED First Appearance <i>FOR TELEPHONIC FIRST APPEARANCE PLEASE CALL 603-766-5646 WHEN PROMPTED ENTER PARTICIPANT CODE # 363250</i>	
12/16/2020	Request for Certificate or Copy <i>Peter Foley</i>	Index #13
12/17/2020	Certified Copies Sent <i>pjp</i>	
01/28/2021	Order <i>Private Mediation</i>	Index #14
02/16/2021	Order Issued (Judicial Officer: Tenney, Edward B, II)	
02/25/2021	Appearance Party: Attorney Reis, Meegan C., ESQ <i>Attny Reis for Petitioner</i>	Index #15
02/26/2021	Withdrawal Party: Attorney Fairclough, Judith Ann, ESQ <i>Attny Faircloth - Petitioner</i>	Index #16
04/01/2021	Stipulation Party: Attorney Tenn, James J, JR; Respondent MacDonald, Gordon <i>for Purchase of Real Estate</i>	Index #17
04/07/2021	Order Issued (Judicial Officer: Tenney, Edward B, II)	
08/23/2021	Other Party: Attorney Reis, Meegan C., ESQ <i>Parties agree to an additional 90 days to settle agreement</i>	Index #18
07/21/2022	Assented to Motion to Continue Party: Attorney Tenn, James J, JR	Index #19
07/27/2022	Granted (Judicial Officer: McIntyre, Erin B)	

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07/27/2022	Order	<i>Index #20</i>
07/27/2022	Order Issued (Judicial Officer: McIntyre, Erin B)	
08/01/2022	CANCELED Status Conference	
08/31/2022	Motion Party: Attorney Reis, Meegan C., ESQ <i>Assented To Motion For Recusal</i>	<i>Index #21</i>
09/06/2022	Granted (Judicial Officer: McIntyre, Erin B)	
10/17/2022	Motion for Telephonic Hearing Party: Attorney Tenn, James J, JR <i>Joint Motion for Telephonic Status Conference (Counsel only)</i>	<i>Index #22</i>
10/17/2022	Granted (Judicial Officer: Hersh, Justin S)	
10/18/2022	Status Conference <i>Counsel only Telephonic OV #3 18669511151 271843825</i>	
10/18/2022	Order	<i>Index #23</i>
10/18/2022	Order Issued (Judicial Officer: Hersh, Justin S)	
11/21/2022	Motion Party: Attorney Reis, Meegan C., ESQ <i>Petitioner's Assented to Motion for Recusal</i>	<i>Index #24</i>
11/23/2022	Granted in Part (Judicial Officer: Hersh, Justin S) <i>Granted as to Prayers for Relief A/B</i>	
01/18/2023	Telephonic Conference <i>TELEPHONIC STATUS CONFERENCE COUNSEL ONLY OV#4</i>	
01/18/2023	Order <i>Order on Telephonic Status Conference</i>	<i>Index #25</i>
01/18/2023	Order Issued (Judicial Officer: Burns, David J)	
04/04/2023	Telephonic Conference <i>Counsel only OV#3 18669511151 271843825</i>	
04/04/2023	Order <i>Order on Telephonic Conference</i>	<i>Index #26</i>
04/04/2023	Order Issued (Judicial Officer: Burns, David J)	
06/01/2023	Assented to Motion to Continue <i>Respt's Assented to Mot to Continue June 12, 2023 Tele. Conf</i>	<i>Index #27</i>
06/01/2023	Granted (Judicial Officer: Keating, Christopher M)	
06/12/2023	CANCELED Telephonic Conference <i>OV#3 18669511151 271843825</i>	
08/09/2023	Telephonic Conference <i>OV#3</i>	

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08/09/2023	Order <i>Order on Telephonic Conference</i>	<i>Index #28</i>
08/09/2023	Order Issued (Judicial Officer: Burns, David J)	
12/13/2023	Status Conference <i>Telephonic OV #3</i>	
12/13/2023	Order <i>on Telephonic Conference</i>	<i>Index #29</i>
12/13/2023	Order Issued (Judicial Officer: Burns, David J)	
03/06/2024	Telephonic Conference <i>Status - OV#3</i>	
03/06/2024	Order <i>order on telephonic conference</i>	<i>Index #30</i>
03/06/2024	Order Issued (Judicial Officer: Burns, David J)	
08/26/2024	Telephonic Conference <i>FURTHER TELEPHONIC STATUS CONFERENCE OV#3</i>	
08/26/2024	Order <i>on Telephonic Conference</i>	<i>Index #31</i>
08/26/2024	Order Issued (Judicial Officer: Burns, David J)	
12/06/2024	Assented to Motion to Continue Party: Attorney Tenn, James J, JR <i>12/10 Telephonic conference (forwarded from Hills. Court sent there in error)</i>	<i>Index #32</i>
12/06/2024	Granted (Judicial Officer: Burns, David J)	
12/06/2024	Assented to Motion to Continue Party: Attorney Tenn, James J, JR <i>duplicate of #32 (sent by currier)</i>	<i>Index #33</i>
12/10/2024	CANCELED Telephonic Conference <i>Status Ov#3 18669511151 271843825</i>	
01/22/2025	Motion to Continue <i>Joint Mot to Continue January 24, 2025 Telephonic Status Conference</i>	<i>Index #34</i>
01/22/2025	Granted (Judicial Officer: Burns, David J)	
01/24/2025	CANCELED Telephonic Conference <i>Status Telephonic OV#3</i>	
04/28/2025	Assented to Motion to Continue Party: Attorney Tenn, James J, JR <i>05-07-25 Hrg</i>	<i>Index #35</i>
04/29/2025	Granted (Judicial Officer: Burns, David J)	
05/07/2025	CANCELED Telephonic Conference	

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OV #3 18669511151 271843825

08/01/2025 Assented to Motion to Continue
Party: Attorney Tenn, James J, JR
08-11-25 Hrg

08/04/2025 Granted (Judicial Officer: Burns, David J)

08/11/2025 **CANCELED Telephonic Conference**
OV#3

Index #36

DATE	FINANCIAL INFORMATION
	Petitioner Eber, Jennifer
	Total Charges 519.00
	Total Payments and Credits 519.00
	Balance Due as of 08/14/2025 0.00

Exhibit 5

Avicore Reporting - 15 Constitution Drive, Suite 1A, Bedford, NH 03110

STATE OF NEW HAMPSHIRE

* * * * *
*
REVIEW OF DIANNE MARTIN'S *
EMPLOYMENT IN JUDICIAL BRANCH *
*
* * * * *

INTERVIEW OF [REDACTED] - 11/3/25
TRANSCRIBED FROM AUDIO

Prepared for:

Eleanor Cloutier, Legal Assistant
Criminal Justice Bureau
N.H. Department of Justice
1 Granite Place South
Concord, NH 03301

1 INVESTIGATOR RICHARD TRACY: This is
2 Investigator Richard Tracy (hereinafter referred to
3 as "INTERVIEWER"), New Hampshire Attorney General's
4 Office. It's November 3rd. It's 3:32 p.m. We're in
5 a conference room at the Attorney General's Office in
6 a Teams meeting. And with me is Deputy Attorney
7 General James Boffetti (hereinafter referred to as
8 "INTERVIEWER") and General Counsel Chris Bond
9 (hereinafter referred to as "INTERVIEWER"). And on
10 the meeting from the State of ██████████ is ██████████
11 ██████████. ██████████, could you state your name and
12 spell your last name, please, for the record?

13 ██████████ ██████████ Yes. Yeah. My -- it's
14 ██████████ ██████████ ██████████, and it's ██████████, my
15 middle name is ██████████, ██████████, and ██████████ ██████████
16 ██████████.

17 INTERVIEWER: Okay. ██████████ before we went
18 on record, you agreed to have this conversation
19 recorded. Is that still okay?

20 ██████████ ██████████ Yes, that is one hundred
21 percent acceptable.

22 INTERVIEWER: Okay. Before we actually get
23 into why we're here today, would you mind providing

1 us with your new address, please?

2 [REDACTED] [REDACTED] Certainly. [REDACTED] [REDACTED] [REDACTED]

3 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

5 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED]

7 INTERVIEWER: Okay. And your phone number
8 again, please?

9 [REDACTED] [REDACTED] Area code [REDACTED]

10 INTERVIEWER: The other day when we first
11 spoke, you mentioned that you plan on changing that
12 phone number. Is that correct?

13 [REDACTED] [REDACTED] That's correct. I'll be
14 going to a [REDACTED] area code but I wasn't going to
15 change it until -- actually until we spoke.

16 INTERVIEWER: Okay. And if you don't mind,
17 when you do change it, if you could please shoot me a
18 text or give me a call with the new number?

19 [REDACTED] [REDACTED] Absolutely.

20 INTERVIEWER: Okay.

21 [REDACTED] [REDACTED] I will certainly do that,
22 sir.

23 INTERVIEWER: All right.

1 INTERVIEWER: So hey, [REDACTED], can you tell
2 us when you started working for the Judicial Branch?

3 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

5 [REDACTED] [REDACTED] That's correct. I started
6 the position I believe it was [REDACTED] [REDACTED] [REDACTED].

7 INTERVIEWER: Okay. And when did you
8 finish?

9 [REDACTED] [REDACTED] It was [REDACTED]. I want
10 to say it was [REDACTED] [REDACTED]. It's the middle of [REDACTED]
11 but I don't have any documentation with me.

12 INTERVIEWER: Okay, that's fine.

13 [REDACTED] [REDACTED] But it was -- yeah.

14 INTERVIEWER: Of this year, [REDACTED]?

15 [REDACTED] [REDACTED] Oh, I'm sorry, yes.

16 INTERVIEWER: Yes.

17 [REDACTED] [REDACTED] [REDACTED]. My apologies.

18 INTERVIEWER: No, no, no, no, that's fine.
19 Okay. And who -- who hired you? Was this a process
20 you went through with interviews with Judges or was
21 it just with the director? Who hired you?

22 [REDACTED] [REDACTED] Sure. So I was initially
23 phone screened by Takhmina.

1 INTERVIEWER: Yeah.

2 [REDACTED] [REDACTED] Her last name I cannot
3 pronounce. I apologize.

4 INTERVIEWER: That's okay, we know who she
5 is.

6 [REDACTED] [REDACTED] Yes. And after my initial
7 phone screen, I had an onsite interview and that was
8 -- there was Takhmina, there was -- oh my goodness --
9 Becky Plourde, there was someone -- her name escapes
10 me by now. There was like four or five people that I
11 initially met within a conference room onsite at the
12 Judicial Branch. I'd have to go back and look at
13 their names. I have everything again in a file at
14 home, I should say in my -- in -- this is -- it's
15 hard because I'm adjusting but I do have a safe that
16 is with me that has all my personal papers in it and
17 I do have all the initial interview process. And
18 then after I got through the onsite interview, I had
19 a Teams or Webex with Dianne Martin. My
20 understanding is that she was at her home office and
21 she was working part time. She couldn't be on the
22 onsite but then I interviewed with her lastly. And
23 then I received an offer within two weeks of that.

1 INTERVIEWER: Okay. Who was your direct
2 supervisor?

3 [REDACTED] [REDACTED] It was -- in the letter,
4 it was written as Dianne Martin but when I started, I
5 was told to report everything to Takhmina. So she
6 would be my day to day supervisor.

7 INTERVIEWER: Okay.

8 [REDACTED] [REDACTED] If there was anything of
9 great importance, meaning if there was a legal issue,
10 an employee relations issue, that required, you know,
11 additional sitings, then I would contact Dianne and
12 -- Takhmina wanted me to go through her with
13 everything. So but I did -- I could speak to Dianne
14 if I needed to.

15 INTERVIEWER: Okay. And when you started,
16 it looks like in effect already was this MOU between
17 the Judicial Branch and the Department of
18 Administrative Services for them to provide support
19 for Human Resources. Is that correct?

20 [REDACTED] [REDACTED] That's correct. I wasn't
21 -- I wasn't told during the interview process that
22 there was the Department of Personnel involved. What
23 I was told was there had been a lag in the HR

1 manager's position. There had been some support
2 through other resources to try to keep the day to day
3 going but Takhmina was the primary Human Resource
4 contact. She was dealing with employee relations
5 issues, legal issues, recruiting efforts, but I
6 didn't know about the Personnel until my first week
7 onboard and Takhmina, when we were going through the
8 training process, she explained to me that the
9 Department of Personnel was assisting with offer
10 letters, processing of any -- any monetary payroll
11 pieces, including increases, and that I needed to --
12 I needed to work out in writing job aids for every
13 process. So I needed to spend some time with them.
14 And by the second week, she told me that I needed to
15 ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████
16 ██████████ to -- and that was going to be my schedule.
17 And I had -- I said to her, you never told me I was
18 supposed to work offsite, and she goes, oh no, I told
19 you. And I said, no, that wasn't something we
20 discussed but of course I needed to do that. So I
21 started spending ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████
22 ██████████ ██████████ ██████████ and the remainder of my week
23 would be in office at the Judicial Branch.

1 INTERVIEWER: Okay. And --

2 [REDACTED] I --

3 INTERVIEWER: Go ahead.

4 [REDACTED] My apologies. I know
5 you're referencing the MOU.

6 INTERVIEWER: Yeah.

7 [REDACTED] I did not see an official
8 copy of the MOU until January. It was probably late
9 January that I -- it was actually someone else
10 through, I believe it might have been Becky Plourde
11 who said, by the way, [REDACTED], we have an agreement
12 with the Department of Personnel. And I said,
13 agreement? She goes, yeah, there's an MOU. And I
14 said, oh, who has a copy of that? She goes, you're
15 going to have to ask Dianne. So that's when I asked
16 Dianne to send me a copy of it and she did. So I
17 officially knew at that point that this was an
18 agreement in writing.

19 INTERVIEWER: Okay. And was there one
20 person in particular at the Department of Personnel
21 that you dealt with?

22 [REDACTED] There were three
23 individuals that I was working with. Oh my goodness.

1 There were -- there were two like administrator type
2 clerks. There was one woman who was working on offer
3 letters and processing paperwork and I spent a lot of
4 time with her. I can see where they sit but in terms
5 of like -- one of them was Tanya (ph). She -- she
6 did offer letters and she did a lot of the process
7 within the HRS system. And then the other person,
8 she had two cubicles down and if I could remember her
9 name. It'll come to me. But then the woman who
10 oversaw the office, she was in a private office off
11 to the left. And I only spoke to her like literally
12 -- like she was running from meeting to meeting and
13 she was saying hello or she would come over and ask
14 how things were going. But I never really sat with
15 her. I was spending most of my time with Tanya.

16 INTERVIEWER: Okay. So would that woman in
17 the private officer, would that have been a woman
18 named Lorrie Rudis?

19 [REDACTED] No. Lorrie -- Lorrie was
20 the head. She was the --

21 INTERVIEWER: Oh, okay, all right.

22 [REDACTED] It was -- it was like an
23 assistant --

1 INTERVIEWER: Joanne Lydick?

2 INTERVIEWER: Joanne Lydick.

3 [REDACTED] Thank you. It was Joanne
4 Lydick. Thank you very much. Yes, it was Joanne
5 Lydick. And again, all my time over there, I never
6 knew there was a piece of paper that existed until I
7 was told about it by my colleague and I asked Dianne
8 Martin for it. But those were my three primary
9 contacts. The other woman, she worked part time and
10 we did a little bit of training but I spent most of
11 my time with Tanya.

12 INTERVIEWER: Okay, great. So March 18th,
13 2025, according to this handwritten note, you had a
14 conversation with a guy named Matt Mavrogeorge. He's
15 an attorney -- he's an attorney at the Division of
16 Personnel.

17 [REDACTED] Yes.

18 INTERVIEWER: Can you tell us how it was
19 that you ended up going in to talk to Matt?

20 [REDACTED] Yes, I can. So back in
21 February, there was an incident that happened during
22 a meeting with [REDACTED], my employee who was there as
23 well my HR coordinator, myself and then we had like

1 an internal auditor, and he was going around to each
2 department and basically testing processes, making
3 certain that we had documentation in place, and just
4 making certain that things were being done according
5 to processes. And during this meeting, ██████████
6 actually lied to him and I -- I left that meeting
7 because every time I tried to speak up, ██████ was
8 talking over me. I was trying to be open and to let
9 this gentleman know that, you know what, we did not
10 have our stuff together and that there was a lot of
11 broken pieces. But ██████████ did not allow me -- ██████
12 actually, you know, flat out lied to this gentleman.
13 And I reported it and what happened was I got
14 together with the auditor privately and we -- we met
15 in an office without any doors -- any windows on the
16 doors because ██████████ was following me around. ██████
17 did not want me talking to anyone. ██████ controlled
18 every movement. I mean, literally followed me into
19 the bathroom. So I met with this auditor and I said,
20 ██████ lied. He encouraged me to file a report and I
21 did so. And during that process, this auditor was
22 speaking directly with Justice Donovan. It was --
23 actually I believe it was Valentine's Day February

1 14th where Justice Donovan told the auditor, have
2 ██████ write a full statement of everything that's
3 been going on in this office. I reported -- I
4 reported behavior and also the hostile work
5 environment that I felt that I was working in. And
6 all that was sent over to the auditor and the auditor
7 sent it to Justice Donovan. So what happened was the
8 Justices -- there was a few Justices that came in.
9 They placed Dianne Martin on a leave. ██████ was
10 already out on vacation. ██████ was contacted, put on
11 leave. And what had happened was the investigation
12 was done by the gentleman, the head of security,
13 Sean. I was sat down by Judge Keating who came in as
14 the acting director and I was told that there was no
15 validity to my submission and that Dianne was
16 returning and ██████ was returning and I was to be
17 a good ██████. And within a week, Judge Keating came
18 back to me and said, ██████, I need for you to write
19 a letter to officially, you know, bringing Dianne
20 back. And I wrote the letter basically saying that
21 her timeframe was a paid leave of absence, you know,
22 and that she would be returning. And then I gave it
23 to Judge Keating. He goes, no, that's not what I

1 wanted, I spoke with the Chief Justice and what we're
2 going to do is we're going to lay Dianne off and then
3 we're going to return her, and you need to figure out
4 how to do this without her losing her benefits,
5 without allowing her to lose any pay. And what
6 happened was all the avenues, all the documentation
7 that I was reading gave me clear direction. So what
8 happened was Judge Keating and I basically decided
9 that it was best for me to call, you know, the head
10 of Personnel and to get some guidance. And during
11 this discussion, I said to Matthew that I do not feel
12 comfortable with what I'm doing and that this is not
13 a layoff and by the time these -- my draft letters
14 and my conversation with Matthew, it was decided by
15 the Chief Justice and Judge Keating that we would
16 also pay out Dianne some monies according to the
17 Personnel rules, which was like a payout of her time
18 being with the Judicial Branch and for like every
19 year of service, they get X amount of dollars, you
20 know, according to their pay scale. And I had said
21 to Matthew, I feel as though this is -- this is wrong
22 and that there's a better solution. And I told
23 Matthew that I was very uncomfortable and he said,

1 you know, would you be willing to transfer to another
2 department. I said I will do anything, I'm not
3 comfortable. This has just been horrible, I've been
4 treated horrible, I've been placed in a very
5 uncomfortable situation. Matt and I had several
6 conversations and before you know it, I'm not hearing
7 from Matt anymore and that there must have been six
8 different drafts of that letter. Everything was
9 electronically saved. Any time I made a change to
10 that letter, I saved it as a different version. When
11 the final came out, it was -- you have to remember,
12 as these drafts are being done, they're being
13 printed, I'm handing them over to Judge Keating.
14 Judge Keating is taking a 24-hour timeframe to get
15 back to me. He's giving me these letters back with
16 red lines, blue lines, things crossed out, things
17 scribbled in. And the final version was basically he
18 looked at me and said, you need to do what I'm
19 telling you to do, this is coming from the Chief,
20 make it happen. And then once it was done, I was
21 told to send it to Dianne to her personal e-mail,
22 which I did professionally. And then after that, I
23 never heard a thing. There was -- there was -- what

1 happened was there was like a lag of like a week and
2 a half between I sent the letter and then Judge
3 Keating came in to see me and said, Dianne is not
4 happy with the level and the amount of salary that
5 was offered to her in her return back to work -- in
6 her rehire, I should say, because the letter was
7 written as a rehire. And we had to adjust the salary
8 once again. We adjusted the grade level. And you
9 got to remember, this is Dianne dictating what her
10 rehire was going to be. So that's how things came
11 about with Matthew.

12 INTERVIEWER: Okay. That's a lot there. So
13 let's unpack that a little bit.

14 [REDACTED] I'm sorry.

15 INTERVIEWER: No, no, no, no.

16 INTERVIEWER: No, that's great.

17 INTERVIEWER: That was really helpful.

18 INTERVIEWER: No, no, it's wonderful, and I
19 appreciate it. I wanted you to tell the whole story
20 because it's important to put it in context. And I
21 can only imagine how stressful this has been and I
22 apologize for what you've been through.

23 [REDACTED] You have to understand,

1 gentlemen, you have no idea how bad I wanted this
2 conversation to happen today.

3 INTERVIEWER: Yeah.

4 [REDACTED] [REDACTED] I am -- I have been in HR
5 for 30 years. I have always done my job fair square
6 and legal.

7 INTERVIEWER: Yeah.

8 [REDACTED] [REDACTED] I have an excellent
9 reputation.

10 INTERVIEWER: Yeah.

11 [REDACTED] [REDACTED] And I'm sorry, and I'm
12 trying to keep it together and you've got to remember
13 too, I'm very tired.

14 INTERVIEWER: Yeah.

15 INTERVIEWER: Exhausted.

16 [REDACTED] [REDACTED] Okay.

17 INTERVIEWER: Yeah.

18 [REDACTED] [REDACTED] Oh, I'm sorry --

19 INTERVIEWER: [REDACTED] [REDACTED], take a
20 breath, right? Do you need to get a tissue or
21 anything?

22 [REDACTED] [REDACTED] Yeah, I'm good.

23 INTERVIEWER: Okay.

1 INTERVIEWER: Okay. If you need water or
2 something, just -- if you want to take a break, just
3 let us know.

4 INTERVIEWER: Yeah, just let us know any
5 time.

6 [REDACTED] Yeah.

7 INTERVIEWER: Not a problem.

8 INTERVIEWER: [REDACTED], what's the name of
9 the auditor? Do you know by chance?

10 [REDACTED] (No audible reply.)

11 INTERVIEWER: Would you have saved his
12 contact information? Because you e-mailed him a
13 report, right? Did you send the auditor a report?

14 [REDACTED] Yes. So what happened was
15 on Friday the 14th, when -- when he -- when he e-
16 mailed me back, and I can't remember if it was e-mail
17 or if it was an IM message, but he got back to me and
18 said, [REDACTED], Justice Donovan wants you to put
19 everything together, and I stayed till like 7 o'clock
20 that night. And if I could remember this gentleman's
21 name -- and you got to remember too, I do things by
22 the book. I don't take anything home. I don't print
23 anything that is work related. So I would need like

1 a little bit to think of this gentleman's name.

2 INTERVIEWER: Okay, that's fine.

3 [REDACTED] [REDACTED] But he -- he was working
4 -- he actually was working for Dianne. It was a
5 position that reported directly into her but I -- I
6 need a little bit of time --

7 INTERVIEWER: That's fine. Was he an
8 employee of the Judicial Branch?

9 [REDACTED] [REDACTED] Yes, he was.

10 INTERVIEWER: Okay. And do you have a copy
11 of that report that you wrote for Justice Donovan?

12 [REDACTED] [REDACTED] (No audible reply.)

13 INTERVIEWER: No. Okay.

14 [REDACTED] [REDACTED] No, I don't.

15 INTERVIEWER: All right.

16 [REDACTED] [REDACTED] It was a letter that I
17 wrote at -- when I was -- after the Judicial Branch.
18 It was written in the hours between 5 p.m. and 7 p.m.
19 on Friday the 14th.

20 INTERVIEWER: Okay.

21 [REDACTED] [REDACTED] It was a -- it was a Word
22 document. It was I think a page and a half long and
23 that there must have been, oh boy, maybe eight

1 attachments to that e-mail. It was extremely
2 lengthy. It was a signed statement from myself.

3 INTERVIEWER: Okay.

4 [REDACTED] [REDACTED] And I scanned it with my
5 signature and put it in that e-mail along with all
6 the attachments.

7 INTERVIEWER: Okay.

8 [REDACTED] [REDACTED] So it's electronically
9 there somewhere, gentlemen.

10 INTERVIEWER: Okay. No, that's fine. Why
11 -- I'm curious as to how does Justice Donovan get
12 involved and why is he asking for you to write this
13 report and send it to him? Do you know?

14 [REDACTED] [REDACTED] This is a very interesting
15 situation. I don't think he was supposed to be
16 involved. And the reason being is the day that the
17 Justices came to the Judicial Branch and they called
18 an emergency meeting -- and I had no idea this was
19 going on. This was all very confidential. They
20 called everyone into the training room and Justice
21 Donovan was the chief speaker. He looked at everyone
22 and said -- and this was the day that they told
23 Dianne she was on leave but Justice Donovan said to

1 everyone, I want everyone to know Dianne Martin is no
2 longer with the Judicial Branch. And everyone was
3 just kind of like, oh my goodness, and I sat there
4 and I am shaking. And they said that [REDACTED] was no
5 longer there and that there's a lot that's been going
6 on, if anyone feels as though they need to speak to
7 himself or one of the other Justices, they would be
8 available. They said they wanted to change the image
9 of the Judicial Branch. They did not want it to be
10 an intimidating, harassing environment and that they
11 were going to make every effort to make certain that
12 it was a better work environment and that they
13 apologized for what was going on. And then at the
14 end of this message, they said, who was [REDACTED]? I
15 raised my hand and Justice Donovan said, we need to
16 speak with you privately. I was -- I was -- I went
17 into -- I believe it might have been Justice Howard's
18 office. I can't remember whose office it was. It
19 was in the corner. It had a big table in it. And
20 this is at the Judicial Branch. Justice Donovan was
21 there. Also to the attorney for the Judicial Branch
22 there, Erin was there. She was sitting onto my left.
23 I had Howard. There was one other Justice. I can't

1 remember her name. And then across the table from me
2 was -- oh, she's one of the -- one of the key
3 administrators. I would -- what I have to do is look
4 at the names, like go on --

5 INTERVIEWER: Okay.

6 [REDACTED] [REDACTED] -- you know what I mean?

7 INTERVIEWER: So --

8 [REDACTED] [REDACTED] But they all -- the first
9 thing -- the first thing out of Justice Donovan's
10 mouth along with the other Justices was, [REDACTED], we
11 are so sorry that this has occurred, we're so sorry
12 what has happened, we want to make this better, we
13 want you to stay, we hope you're not going to leave.
14 And Erin spoke up and said, she's a solid HR person,
15 she knows what she's doing and they promised me that
16 it would get better and that in the coming days there
17 would be an interim director. I didn't know who that
18 was going to be but the word -- there was rumors, of
19 course, afterwards that Judge Keating was coming back
20 and that Judge Keating was a solid individual.

21 INTERVIEWER: Okay. So --

22 [REDACTED] [REDACTED] So that's basically -- I
23 just kind of --

1 INTERVIEWER: Okay.

2 [REDACTED] [REDACTED] -- you know --

3 INTERVIEWER: So at that separate meeting
4 that you had, you said it was Justice Donovan. Was
5 Justice --

6 [REDACTED] [REDACTED] So what --

7 INTERVIEWER: Was Justice Countway there?

8 [REDACTED] [REDACTED] Justice Donovan -- Howard
9 was there.

10 INTERVIEWER: Okay. And you said there was
11 --

12 [REDACTED] [REDACTED] Um --

13 INTERVIEWER: [REDACTED] -- [REDACTED], you said
14 there was a female Justice there?

15 [REDACTED] [REDACTED] Yes, there was.

16 INTERVIEWER: Do you remember --

17 [REDACTED] [REDACTED] If I can look it up, I
18 could recall the name from looking -- you know,
19 seeing the face.

20 INTERVIEWER: Okay.

21 [REDACTED] [REDACTED] And then there was one of
22 the other key --

23 INTERVIEWER: So, [REDACTED], could it have

1 been Justice Countway, Melissa Countway?

2 [REDACTED] [REDACTED] Yes.

3 INTERVIEWER: Okay.

4 [REDACTED] [REDACTED] Yes. It was Justice
5 Countway. Yes, she was sitting on the other side.

6 INTERVIEWER: So it was -- it was Justice
7 Donovan, Justice Countway, Judge Howard and Erin
8 Creegan?

9 [REDACTED] [REDACTED] Yes, and there was one
10 other person in the room --

11 INTERVIEWER: Okay.

12 [REDACTED] [REDACTED] -- and it was -- she was
13 one of the -- she's a Judge but she was in a key
14 administrator role.

15 INTERVIEWER: So could it have been just
16 Judge Christo?

17 [REDACTED] [REDACTED] Yes, it was Judge Christo.
18 Thank you. Yes, yes, yes, yes, because -- and her
19 and I connected very, very well, very professional.
20 She was -- she's an outstanding -- outstanding
21 person. So what happened was Justice Donovan during
22 this private meeting said to me that there was going
23 to be an internal investigation and after that

1 meeting I was to go and see Sean, he was going to
2 take my statement. And I said to him, Justice
3 Donovan, I've already written my statement. He goes,
4 I know nothing about that. And I took that and I
5 said, [REDACTED], keep your mouth shut, because he -- I
6 believe at this point when he told me that he didn't
7 know anything about it, that that was my key to keep
8 my mouth shut. He literally said, [REDACTED], I know
9 nothing about that.

10 INTERVIEWER: Okay.

11 [REDACTED] [REDACTED] And I just sat back and I
12 said, okay, I'll go see Sean right after this
13 meeting.

14 INTERVIEWER: Okay. So at any time during
15 all this was happening, did you meet with the Chief
16 Justice?

17 [REDACTED] [REDACTED] Never.

18 INTERVIEWER: Okay. And did you meet with

19 --

20 [REDACTED] [REDACTED] Never.

21 INTERVIEWER: -- any of the other Justices,
22 Justice Bassett?

23 [REDACTED] [REDACTED] Never, no.

1 INTERVIEWER: Okay. And I think at this
2 point probably Justice Hantz Marconi was out on
3 leave?

4 [REDACTED] [REDACTED] That's correct. She was
5 out on leave. Yes, I never got to physically meet
6 her. I mean, I looked at the payroll. She was on
7 payroll. I worked with Becky Plourde on that but
8 never met her.

9 INTERVIEWER: Okay. So all right, let's
10 just go back. At some point, you had this meeting
11 with Justice Donovan. You had the all hands meeting
12 with the staff and he said that -- oh, [REDACTED]?

13 [REDACTED] [REDACTED] Yes, I'm here.

14 INTERVIEWER: Oh, we lost your picture,
15 that's all.

16 [REDACTED] [REDACTED] Oh, sorry.

17 INTERVIEWER: That's okay. No problem.

18 [REDACTED] [REDACTED] Okay. I thought maybe it
19 didn't --

20 INTERVIEWER: Yeah, you're back.

21 [REDACTED] [REDACTED] -- frozen.

22 INTERVIEWER: Yeah, you're frozen -- your
23 picture is frozen but we can hear your voice.

1 ██████████ ██████████ Okay. I'm going to try to

2 --

3 INTERVIEWER: That's all right. Don't worry
4 about it. I mean, as long as we can talk to each
5 other.

6 ██████████ ██████████ I'm gonna -- okay, because
7 I am in a room, there's no windows. I'm in a
8 manufacturing plant with -- and the walls are
9 concrete. So that might be a problem.

10 INTERVIEWER: Okay.

11 ██████████ ██████████ If I need to move outside,
12 I can move outside.

13 INTERVIEWER: Okay. Right now it's fine.

14 INTERVIEWER: But the audio is good and
15 that's what matters I think.

16 INTERVIEWER: Yeah.

17 ██████████ ██████████ Okay.

18 INTERVIEWER: So when you had that meeting
19 with everybody and Justice Donovan said that Dianne
20 was no longer with the Judicial Branch. All right.
21 So --

22 ██████████ ██████████ Yeah.

23 INTERVIEWER: But talk to me a little bit

1 about before that, was Dianne -- was Dianne in the
2 office? Was she -- had she been on leave? What
3 happened just before he announced that she was no
4 longer working for the Judicial Branch? What had she
5 been doing? She'd been working?

6 [REDACTED] [REDACTED] She -- I believe that she
7 had been working. I have to remember now because she
8 was back to the office full time. When I first
9 started, she was still on a part-time schedule and I
10 knew nothing about this. But at the time, she was
11 back to work, I got into work probably around 8:15
12 that morning. I actually had a meeting scheduled
13 with her. We were kind of talking about some issues
14 and we just had kind of a meeting agenda. Her
15 secretary or her administrative assistant said to me
16 -- she came over to me. She goes, [REDACTED], do you
17 know anything about Dianne going over to the Supreme
18 Court this morning? And I said, no, I had a
19 scheduled meeting with her, is she out? And she
20 goes, I have no idea, I haven't heard from her today
21 but someone says that they told -- she told them that
22 she was heading over for an emergency meeting at 9
23 a.m. at the Supreme Court. And I said, oh, well, you

1 know, let me try to reach out to her and make sure
2 everything is okay. But I got busy and then her
3 administrative assistant came back and said, I'm
4 getting worried, I haven't heard from her, and I
5 said, you know, if you want to try to reach out to
6 her, maybe you should try to reach out to her. And
7 then all of a sudden there was an e-mail that came
8 out that said, everyone please meet up in the
9 training room. And you know, people were coming over
10 to me going, do you know what's going on? I said, I
11 have no idea but, you know, it looks like we need to
12 go to this meeting.

13 INTERVIEWER: Okay.

14 [REDACTED] [REDACTED] And as far as I know, she
15 showed up for work that morning and got called over
16 to the --

17 INTERVIEWER: To the Supreme Court.

18 [REDACTED] [REDACTED] -- Supreme Court. That's
19 what I heard. I don't know that for certain.

20 INTERVIEWER: Do you know what day this was?

21 [REDACTED] [REDACTED] May I look at my calendar?

22 INTERVIEWER: Of course.

23 INTERVIEWER: Oh yeah, yeah sure.

1 ██████████ ██████████ Of course. So I'm just
2 going to show you. This is a -- it's a blank
3 calendar. It has --

4 INTERVIEWER: Okay, that's fine.

5 ██████████ ██████████ It was actually purchased,
6 you know, right before I started my new job, but I
7 just want to look at February, and I'm going into
8 March. Gentlemen, I cannot pinpoint -- I mean, I
9 know the day that I filed my statement --

10 INTERVIEWER: Yeah.

11 ██████████ ██████████ -- and I -- but I don't
12 know what day that was.

13 INTERVIEWER: That's fine.

14 ██████████ ██████████ I'm going to say March 3rd.

15 INTERVIEWER: Okay.

16 ██████████ ██████████ But I don't know for
17 certain, but?

18 INTERVIEWER: Okay. But you know that it
19 was February 14th that you -- that you wrote that --
20 it was a Friday, Valentine's Day, you wrote that
21 statement to the auditor that went to Justice
22 Donovan. It was after that.

23 ██████████ ██████████ That is correct.

1 INTERVIEWER: It was a week -- couple of
2 weeks after that that this happened where Dianne was
3 essentially fired. Right?

4 [REDACTED] [REDACTED] The words that were used
5 that she was no longer with the Judicial Branch. The
6 word "fire" was never used.

7 INTERVIEWER: Okay.

8 [REDACTED] [REDACTED] She's no longer with the
9 Judicial Branch.

10 INTERVIEWER: Okay. And [REDACTED] -- after
11 the -- Diane goes to that meeting at the Supreme
12 Court, does she come back to the office, do you know?

13 [REDACTED] [REDACTED] No, no. There was no --
14 there was absolutely no sign of her. I know what
15 vehicle she drives and I know where she parked. I
16 never saw anything. And then if my colleagues came
17 to see me and said that she was here, so but I can
18 tell you that when the Justices came over, they --
19 they were -- they weren't in Dianne's office. They
20 were actually on the other side of the building over
21 by Howard's office and by Judge Christo's office. So
22 I don't think they ever stepped foot in Dianne's
23 office. So no sighting whatsoever.

1 INTERVIEWER: Does Dianne ever get an
2 opportunity to clean her office out, to take her
3 personal belongings?

4 ██████████ ██████████ No. Her -- her
5 administrative assistant actually was the one to
6 collect her belongings with Judge Keating. I never
7 -- I was never asked, I never volunteered. I do
8 remember when Judge Keating came in and he called me
9 in just to have a discussion, he had boxes on the
10 floor. Her treadmill was still in there because she
11 had a treadmill set up right at her desk. I'm not
12 kidding you, treadmill, desk, monitors. And the
13 treadmill had been moved over to the side, there were
14 boxes with stuff in them.

15 INTERVIEWER: Okay. Do you know how Diane
16 got her belongings?

17 ██████████ ██████████ I do not know that. There
18 were people coming to see me offering to drop them
19 off at her house. I said that is not for me to
20 decide. You need to go and see Judge Keating. So I
21 do not know how she got her personal belongings and I
22 don't know how that treadmill got back to her house.

23 INTERVIEWER: Okay. So let me ask you this.

1 Going back a little bit, before this all happened --

2 [REDACTED] [REDACTED] Yes.

3 INTERVIEWER: -- were you aware that Dianne
4 was ever on FMLA?

5 [REDACTED] [REDACTED] So I was -- Becky Plourde.
6 Becky Plourde told me that Dianne -- and I'm sorry --
7 Becky Plourde is the payroll manager.

8 INTERVIEWER: Yeah.

9 [REDACTED] [REDACTED] She told me that Dianne
10 was out on leave for a bit of time and that when I
11 came on board, she was working part time. I
12 personally went in and looked up the FMLA because I
13 was like, wait a minute, there's absolutely no
14 documentation. You know, how did this happen? Like
15 there has to be some sort of paper trail, because
16 once someone is placed on FMLA, typically there's
17 paperwork that -- there needs to be a letter that
18 goes to the house, you know, accepting the FMLA,
19 follow-up with, you know, physician statement. And
20 there was no paperwork trail. There was something in
21 her medical -- and remember, the Judicial Branch went
22 to electronic personnel files. So in Dianne's
23 medical file there was just the certification of

1 healthcare provider. There was no other paperwork,
2 just the certification stating from the doctor that
3 she had been placed out on leave.

4 INTERVIEWER: Okay, that makes sense. So
5 when Justice Donovan said that Dianne was no longer
6 with the Judicial Branch, did you know --

7 [REDACTED] Yeah.

8 INTERVIEWER: -- did you know why that
9 happened to her?

10 [REDACTED] The only -- my thought
11 process was that my -- my statement that I submitted
12 had something to do with that. That was my personal
13 thought. And then when I was told by Justice Donovan
14 that Sean Haggerty was opening up -- was going to be
15 in charge of the investigation, then I knew. So I
16 didn't meet with Sean until it was -- I want to say
17 [REDACTED], somewhere between February 25th,
18 February 27th, it was -- there was a lag in the time
19 that I met with him, because after Justice Donovan
20 said, go see him, I went to go see him and he looks
21 at me and he goes, I'm not ready for you yet. And I
22 was like, okay, I was told to come see you. He goes,
23 no, I'll let you know when I need to see you. And it

1 was probably a solid week that -- it could have been
2 closer to two weeks that he -- he finally did call me
3 in to take my statement.

4 INTERVIEWER: Okay. So and when he took
5 your statement, he had the written statement. All
6 right? Is that right?

7 [REDACTED] [REDACTED] I do not -- I don't know
8 that.

9 INTERVIEWER: Okay, all right.

10 [REDACTED] [REDACTED] I don't know that. He --
11 he had a folder that he was -- let me just kind of --

12 INTERVIEWER: Yeah.

13 [REDACTED] [REDACTED] -- demonstrate. He was
14 like this.

15 INTERVIEWER: Okay.

16 [REDACTED] [REDACTED] And then he had a piece of
17 paper. So I had no idea whether or not he had my
18 statement. I didn't ask if he had my statement.

19 INTERVIEWER: Okay.

20 INTERVIEWER: And who's this? This is
21 Haggerty?

22 [REDACTED] [REDACTED] Sean Haggerty.

23 INTERVIEWER: Sean Haggerty. How long did

1 you spend with him?

2 [REDACTED] [REDACTED] It was probably less than
3 35 minutes.

4 INTERVIEWER: Okay. So you don't know what
5 -- if there was some conduct that Dianne committed
6 that caused her to be dismissed from her job?

7 [REDACTED] [REDACTED] So my primary statement
8 was focused on [REDACTED].

9 INTERVIEWER: Okay.

10 [REDACTED] [REDACTED] Okay? So when I met with
11 Sean for the investigation, he was asking me
12 questions directly related to her behavior and the
13 alleged lie that she made to the auditor. To be
14 quite honest with you, there was really no discussion
15 on Dianne because my -- my submission was really
16 about [REDACTED] and about the -- you know, the
17 harassing environment that I was working in. I was
18 being followed. Every e-mail I wrote, I could not
19 send it until [REDACTED] looked at it. And then she
20 gave me authorization to send it. So very, very,
21 very controlling environment. So really --

22 INTERVIEWER: Okay.

23 [REDACTED] [REDACTED] -- we didn't -- Sean and I

1 did not discuss Dianne.

2 INTERVIEWER: Okay.

3 [REDACTED] [REDACTED] So I had no idea, you
4 know, what that was about and, to be honest with you,
5 at that point in time, it was nothing I was being
6 asked about.

7 INTERVIEWER: Okay. And were you aware of
8 any other employees who had complaints against Dianne
9 for, you know, for harassing conduct or for --

10 [REDACTED] [REDACTED] Yeah. Yeah. So there was
11 -- there was a few people that came in to see me.
12 There was [REDACTED] [REDACTED] (ph), he actually was part of
13 the security team. He came in to see me at some
14 point and I don't -- again, all this is in that
15 office, electronic. I kept notes on everything. So
16 [REDACTED] came in to see me one day and said, you know,
17 [REDACTED], I made a mistake one day and I told one of
18 my security officers -- excuse my language -- to fuck
19 off, and I got reprimanded for that. And I said, you
20 should have got reprimanded for that. And he goes --
21 he said, Dianne said that she put a letter in my file
22 and that if I screwed up in the next five years that
23 I would be terminated. He goes, I want to know

1 what's in my personnel file. And by law, any
2 employee can ask for a copy of their personnel file
3 or, you know, ask to see the information. And I
4 said, could you give me a day to look into this, and
5 I looked at the file and I got back to him and I
6 said, do you want to see your file? He goes yeah.
7 So I sat with him and he goes, where's that document?
8 And I said, I have no idea what you're talking about
9 ██████, there's nothing in your file about that
10 incident.

11 INTERVIEWER: Okay.

12 ██████ ██████ And he goes, why would she
13 do that to me? Why would she do that? I said, I
14 have no idea, ██████, but I can tell you there's
15 nothing in your file. Then there was another
16 employee, he was in ██████, he -- he took care of
17 systems. ██████ ██████ ██████ (ph), he was in ██████ and
18 he actually came to see me one day and said that he
19 had an interaction with Dianne that was extremely
20 negative, that he -- that she basically had yelled at
21 him about something and she was just horrid. And I
22 said, you know, is this something recent? And he
23 goes, no, this happened a few years ago but let me

1 talk -- let me talk to you about the environment. 'So
2 and then I also had a private conversation with the
3 ██████ ██████. His name was ██████, I believe. He told
4 me about some situations that have happened over the
5 past two and a half years, that was the time that I
6 was there, you know, and saying that it had been a
7 very, very hostile environment, that she had made
8 some decisions about hiring some people that were
9 outside of what was approved by the budget. And
10 ██████ ██████ had also told me about some things
11 that, you know, basically saying yes, she hired some
12 people outside of the approved head count. So people
13 basically funneled in to see me and kind of said,
14 this happened and that happened and this happened.
15 You know, people were mad. People were upset.
16 People were intimidated. People were scared. It was
17 a -- as people described, it was hostile, and all I
18 could refer to was my own situation, because that's
19 all I had experience in.

20 INTERVIEWER: Yeah.

21 ██████ ██████ All of the other people
22 were coming in and just offloading on me.

23 INTERVIEWER: Yeah.

1 [REDACTED] [REDACTED]: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
2 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
3 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
4 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
5 [REDACTED] [REDACTED] --

6 INTERVIEWER: Uh-hmm.

7 [REDACTED] [REDACTED] -- [REDACTED] [REDACTED] [REDACTED] [REDACTED]
8 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
9 [REDACTED] [REDACTED] [REDACTED]. And I said, [REDACTED], this happened
10 way before I started. I mean, he was like, [REDACTED],
11 I'm just trying to give you some history, I'm just
12 trying to tell you what's going on here.

13 INTERVIEWER: Okay. So did Dianne ever do
14 anything to you directly to make you feel harassed or
15 intimidated? Were you fearful of her?

16 [REDACTED] [REDACTED] Yes. So Dianne and I were
17 on our way to a meeting with the Union in Derry and
18 we had a conversation, and I'm trying to remember
19 what it was. I don't know if I included it in my
20 statement but there was a conversation that happened
21 in that vehicle and we had another meeting and I
22 referred back to that conversation and she looked at
23 me, and she goes, what are you talking about,

1 to ask.

2 ██████████ ██████████ Gentlemen, I -- I need to
3 -- you got to remember, I came into this meeting
4 today with nothing. Everything I've kept in my
5 interactions with the New Hampshire Judicial Branch
6 was documented at the Judicial Branch on company
7 computers. Nothing came home with me. Nothing was
8 on my personal stuff.

9 INTERVIEWER: Yeah.

10 ██████████ ██████████ I have -- and you got to
11 remember, I've been through hell (crying).

12 INTERVIEWER: Yeah.

13 INTERVIEWER: Uh-hmm.

14 INTERVIEWER: Yeah, no, we get it. It's
15 perfectly understandable. I'm sorry.

16 ██████████ ██████████ Yeah, no, it's okay. I
17 just -- I feel bad because --

18 INTERVIEWER: No, don't feel --

19 INTERVIEWER: No, no, no, no.

20 INTERVIEWER: -- bad. No, don't feel bad at
21 all. You have nothing to feel bad about.

22 INTERVIEWER: ██████████, by chance, do you
23 recall what it was that ██████████ lied about to the

1 auditor?

2 [REDACTED] [REDACTED] So there was a -- there
3 was a question on the checklist that said, are you in
4 compliance with federal and state postings. And I
5 knew that we weren't. And she looked at the auditor
6 and said, yes, I personally went around and updated
7 all of our locations, all 37 of them myself. And I
8 knew for a fact that was a lie. And that's what
9 started it, gentlemen.

10 INTERVIEWER: Okay. So, all right. So now
11 this meeting with Justice Donovan, the whole staff
12 where he said she's no longer working here, you then
13 have that follow-up meeting with the Judges, we
14 talked about, Countway and Donovan and Howard and --

15 INTERVIEWER: Christo.

16 [REDACTED] [REDACTED] Christo.

17 INTERVIEWER: -- Christo and Erin Creegan.
18 And then so Dianne, is Dianne gone? Do you ever see
19 her again? Does she come back to the Judicial
20 Branch?

21 [REDACTED] [REDACTED] No.

22 INTERVIEWER: Okay.

23 [REDACTED] [REDACTED] Never comes back. Her

1 badge was actually deactivated.

2 INTERVIEWER: How do you know that?

3 [REDACTED] [REDACTED] I called down to security
4 and said, have you been alerted that Dianne -- that
5 we need to deactivate Dianne's badge and I was told
6 it was already done. And that was from Jason.

7 INTERVIEWER: Jason Jordan?

8 [REDACTED] [REDACTED] Jason Jordan. Thank you.
9 Yeah.

10 INTERVIEWER: Okay. Do you know what her
11 status was? Was she put on paid leave from that day
12 on?

13 [REDACTED] [REDACTED] She was and what happened
14 was Becky Plourde, the payroll manager, came to me
15 after this, after I got finished with the Justices
16 and said, how should I -- how should I categorize
17 Dianne in the system. I went back to see -- I went
18 to go see Donovan and I said, Justice Donovan, how
19 should we classify Dianne, should we continue to, you
20 know, put her on the payroll, and he said yes for
21 now, keep her on the payroll.

22 INTERVIEWER: Okay. Now you're -- are you
23 going over to the Supreme Court to meet with Justice

1 Donovan?

2 [REDACTED] [REDACTED] (Inaudible).

3 INTERVIEWER: He's coming over to AOC?

4 [REDACTED] [REDACTED] This was all the same --
5 this was the same day --

6 INTERVIEWER: Same day.

7 [REDACTED] [REDACTED] -- that they did the --

8 INTERVIEWER: Okay.

9 [REDACTED] [REDACTED] Yes, it was the same day
10 because they -- they were -- they had some personal
11 meetings that I wasn't involved with and I ran back
12 down and I said, how should we classify this, and I
13 was, you know, basically -- Justice Donovan said,
14 keep her on the payroll. And then Justice Howard
15 pulled me aside and he -- he goes, [REDACTED], you know,
16 there's a lot of priorities that I need to get you
17 going on, there's some people that are not going to
18 agree with me. And he says to me, you need to get
19 rid of that fucking MOU. And I said, the MOU?
20 Because at this point --

21 INTERVIEWER: Yeah.

22 [REDACTED] [REDACTED] -- I know about the MOU.
23 And I said, is that the MOU with the Personnel

1 Branch, and he goes yeah, get rid of it, [REDACTED]. He
2 goes, it's none of their fucking business what we do
3 over here at the Judicial Branch, and you know what,
4 that should have never been done, they're into our
5 business, they have access to our information and get
6 rid of it. And I said, okay, I'll make that a
7 priority when Judge Keating comes in. He goes, I
8 don't care what you have to do, get rid of it.

9 INTERVIEWER: Okay.

10 [REDACTED] [REDACTED] So --

11 INTERVIEWER: Yeah.

12 [REDACTED] [REDACTED] Yeah.

13 INTERVIEWER: Okay. So Dianne is put out on
14 paid leave. All right.

15 [REDACTED] [REDACTED] And [REDACTED], both of
16 them.

17 INTERVIEWER: And [REDACTED]. All right. So
18 now go forward, like about a month or so, and then
19 you were talking about this whole plan to lay her off
20 and rehire her.

21 [REDACTED] [REDACTED] Correct, sir.

22 INTERVIEWER: Who told you about that, that
23 she was going to be laid off? Was that Keating?

1 ██████████ ██████████ That is Judge Keating.

2 INTERVIEWER: Okay. And tell me again how
3 he explained that, like why she was being laid off.

4 ██████████ ██████████ So I was told that she
5 needed access -- this is coming from Judge Keating.
6 She needed access to some money and, you know, I
7 needed to find a way how to make this happen and she
8 wasn't -- we could not allow her to lose her benefits

9 ██████████ ██████████ ██████████ ██████████ ██████████. So that's
10 when I was trying to look through the Personnel
11 rules. I was trying to look at -- try to find some
12 information that we had some consistent practices.
13 And when I couldn't find anything, Judge Keating came
14 back to me and said, can you just make a phone call
15 and make it as discreet as possible. That is a
16 quote. "Make it as discreet as possible. I don't
17 want them knowing what we're doing but you need to
18 figure this out".

19 INTERVIEWER: When you say "them", who does
20 he mean by "them"?

21 ██████████ ██████████ He means the Department of
22 Personnel and --

23 INTERVIEWER: All right. So they were

1 trying to -- so do you know what he means when he
2 said that Dianne needed access to money?

3 [REDACTED] Yeah. What he was
4 referring to was when someone leaves the Judicial
5 Branch, after a certain number of years, they earn
6 part of their salary for like a -- it's like an exit
7 bonus.

8 INTERVIEWER: Okay.

9 [REDACTED] So he said if we were to
10 lay her off, [REDACTED] --

11 INTERVIEWER: Right.

12 [REDACTED] -- will she have access to
13 that money. And I said, it's not in the Personnel
14 rules, how do you want me to verify this. He's like,
15 you need to -- you need to try to get ahold of
16 somebody but do it as discreet as possible, don't let
17 them know what we're doing.

18 INTERVIEWER: Okay.

19 [REDACTED] So that prompted my phone
20 call to Matthew.

21 INTERVIEWER: Yeah.

22 [REDACTED] And basically I book. I
23 said, something's going on here and it is -- I don't

1 think that it's -- I believe that it's not legal. I
2 believe that the taxpayers of New Hampshire are
3 basically almost defrauded in a way and I said, I'm
4 not comfortable, and that's when I explained to him
5 what was going on. And he said, do you mind if I
6 take notes. I said no.

7 INTERVIEWER: Yeah, yeah.

8 [REDACTED] I said, you know, my
9 biggest issue right now is protection and he said,
10 [REDACTED], you know, this is serious. And I said, I
11 know how serious it is, that's why I'm having this
12 discussion with you. I'm supposed to be figuring
13 this out to find a way but I'm telling you right now
14 I need to tell you what's going on.

15 INTERVIEWER: Yeah. But -- but did Keating
16 -- did Keating tell you why she needed access to
17 money? Like was there something going -- I know that
18 she needed health insurance benefits to continue

19 [REDACTED]
20 [REDACTED]. But why did she need access to money?

21 [REDACTED] There was no detail around
22 that other than she needed that money.

23 INTERVIEWER: Okay. All right.

1 ██████████ ██████████ That's all -- that's all
2 that was said to me, she needs -- she needs access to
3 that money.

4 INTERVIEWER: And did Keating -- was Keating
5 saying, well if we lay her off -- was he saying if we
6 lay her off and rehire her, was that always the plan
7 to lay her off and then rehire her? Did he talk
8 about that at that time?

9 ██████████ ██████████ No.

10 INTERVIEWER: No. Just her lay off?

11 ██████████ ██████████ No. So -- yeah. So if
12 you were to go back and pull all six or seven
13 versions of these letters --

14 INTERVIEWER: Yeah.

15 ██████████ ██████████ -- you're going to find a
16 theme that there's a change. There's a change of how
17 we're going to do this.

18 INTERVIEWER: Uh-hmm.

19 ██████████ ██████████ And when the Chief came
20 back that sixth or seventh time to Judge Keating,
21 because remember, Judge Keating is saying this is
22 saying from the Chief, ██████████ filing this piece of
23 paper across the desk to me.

1 INTERVIEWER: Yeah.

2 [REDACTED] [REDACTED] And it's all written --
3 it's got red on it, it's got blue on it, it's crossed
4 out. And basically when I'm being told to revise
5 this letter again, that might have been version four,
6 that it was going to be a layoff and a rehire and
7 that, [REDACTED], you need to figure out how to make
8 this happen and that she can get these monies.

9 INTERVIEWER: Yeah.

10 [REDACTED] [REDACTED] And the final -- the final
11 version was the accelerated salary because she wasn't
12 happy with -- I think it was 150,000 we finally -- it
13 finally came to like 156,000 or something of that
14 nature. So if you were to go back and pull all those
15 versions of the letter --

16 INTERVIEWER: Yeah.

17 [REDACTED] [REDACTED] -- you're going to see all
18 those changes.

19 INTERVIEWER: Okay. Was it clear from
20 Keating that this was -- this was what the Chief
21 Justice wanted?

22 [REDACTED] [REDACTED] Yes.

23 INTERVIEWER: And could you --

1 ██████████ ██████████ The words --

2 INTERVIEWER: Yeah, go ahead. The words
3 were what?

4 ██████████ ██████████ So the words were, "This
5 is not my idea, this is coming from the Chief".

6 INTERVIEWER: Okay. And by the Chief, you
7 understood that to mean Gordon MacDonald?

8 ██████████ ██████████ That is correct.

9 INTERVIEWER: Okay.

10 ██████████ ██████████ We never used -- we never
11 used Chief Justice MacDonald. We always used Chief
12 Justice or Chief.

13 INTERVIEWER: Yeah. Okay. And were these
14 drafts that were going back and forth, you said there
15 was handwriting on it, there was stuff. Could you --
16 could you tell whose handwriting it was that was
17 making the edits to the --

18 ██████████ ██████████ It was Judge Keating's
19 writing.

20 INTERVIEWER: Okay.

21 INTERVIEWER: Okay.

22 ██████████ ██████████ There was at one point in
23 time on one of the documents up in the corner, there

1 was some chicken scratchings --

2 INTERVIEWER: Yeah.

3 [REDACTED] [REDACTED] -- and when I saw it, I
4 said, that's not Judge Keating's handwriting but I
5 could not say whose it was.

6 INTERVIEWER: Okay. But did Keating ever
7 say to you that the Chief had looked at these, the
8 Chief had been making edits to the letters?

9 [REDACTED] [REDACTED] He said that he was
10 discussing these with the Chief.

11 INTERVIEWER: Okay. Okay.

12 INTERVIEWER: You said that he said, this
13 was not my idea, it's the Chief's idea, was he -- did
14 he give --

15 [REDACTED] [REDACTED] Yes.

16 INTERVIEWER: -- you the impression that he
17 didn't think this was a good idea, that Keating
18 didn't think it was a good idea to do it this way or
19 is that not part of it?

20 [REDACTED] [REDACTED] The only thing I can tell
21 you is body language and the tone of the voice.

22 INTERVIEWER: Yeah.

23 [REDACTED] [REDACTED] And you got to remember,

1 I'm a 30 year HR professional.

2 INTERVIEWER: Yeah.

3 [REDACTED] [REDACTED] I've done hundreds of
4 investigations. You could tell by Judge Keating's
5 body language that he's just saying, [REDACTED], just do
6 this, just do this, this is the Chief, man, just do
7 it.

8 INTERVIEWER: Yeah.

9 INTERVIEWER: Okay. Okay.

10 INTERVIEWER: Hey [REDACTED], so back when
11 Justice Donovan brings everybody together and, you
12 know, I know that he never said that, hey Dianne
13 Martin is fired, that never comes up. But he does
14 say, she no longer works at the Judicial Branch. Now
15 --

16 [REDACTED] [REDACTED] Yes.

17 INTERVIEWER: -- we go, you know, a month,
18 month and a half later and she's coming back now.

19 [REDACTED] [REDACTED] That's right.

20 INTERVIEWER: Have you ever heard why the
21 change of she's no longer going to be employed at
22 Judicial Branch but now we're going to do this other
23 thing where we're going to lay her off and bring her

1 back? Why -- what happens?

2 [REDACTED] [REDACTED] Okay. So -- so if you
3 don't mind, I'm picking back up my calendar,
4 gentlemen.

5 INTERVIEWER: Yeah.

6 [REDACTED] [REDACTED] So basically Judge Keating
7 comes to see me, I believe it might have been a
8 Thursday. Let me just go back here. Because this is
9 before the letters start getting written. I want to
10 say it was around the mid March timeframe, maybe
11 March 17th, around that timeframe, he came in to see
12 me, it was late in the afternoon, 4, 4:30. He closed
13 my office door. Becky Plourde worked from home. So
14 I shared an office with her. He closed the door, sat
15 down and said, I have something to tell you, the
16 investigation found no validity in Dianne or
17 [REDACTED] behaviors, therefore, they're both coming
18 back. And end of conversation. And I said, well
19 when are they going to return, and he goes, so they
20 are both effective to come back. It was Monday -- I
21 want to say it was like the 31st but we -- I had to
22 tell Becky to take them off of like a leave status, a
23 paid leave status and, you know, she said to me,

1 what's going on. And I said, I really don't want to
2 talk about it. She knew that I was upset and she
3 said, oh, [REDACTED], I'm -- you know, if you need to
4 talk, let me know. And, you know, Becky had a good
5 relationship with Judge Keating. So there's a lot of
6 conversation happened between that office and her.
7 But I can -- I can tell you that [REDACTED] came back
8 to the office for one week. She -- I told Judge
9 Keating I was not comfortable reporting to her. I
10 was not comfortable interacting with her. And he
11 goes, [REDACTED] I've made it so that you don't have to
12 interact with her, she is to come through me for
13 everything. And they took away security piece after
14 security piece after access piece. This woman was
15 stripped of everything, gentlemen. She came into the
16 office for one week and then she put in for -- she
17 came in with a doctor's note and said that her doctor
18 was taking her out of work. And I had FMLA
19 documentation sent to her. And within that week that
20 she was out on medical leave, she submitted her
21 resignation and it was -- I think it was going to be
22 effective the -- I want to say like April 1st or
23 something of that nature but -- no, I'm sorry. It

1 was going to be April 14th that it was going to be
2 effective and then two days later ■■■■■■■■■■.
3 But, I mean, I can definitely tell you that she only
4 spent a week at work. She went out on medical leave
5 and then she gave her resignation during her medical
6 leave. Dianne never came back to the office. I was
7 told by Judge Keating that she was working from home
8 strictly and that she would not come back to the
9 office and that she would only have to report to the
10 office if there was a meeting that she needed to
11 attend.

12 INTERVIEWER: Did he explain why that was
13 the case with Dianne?

14 ■■■■■■■■■■ He did not explain it nor
15 did I ask.

16 INTERVIEWER: Okay. So I think you said in
17 the beginning of this you thought you left the
18 Judicial Branch around the 13th or so. You weren't
19 sure of the exact date of April.

20 ■■■■■■■■■■ So Judge Keating came to
21 see me on -- it was on Wednesday the 16th.

22 INTERVIEWER: Okay. 16th of April?

23 ■■■■■■■■■■ Yeah. Yeah.

1 INTERVIEWER: Okay.

2 [REDACTED] [REDACTED] 16th of April, came in to
3 see me with a letter. Actually I was asked to -- it
4 was by the administrative assistant to report to his
5 office at like 2:30 or something, 2 or 2:30, I had
6 been working all day. I went in, I thought I was
7 meeting with him on, you know, just the state of the
8 business. He hands me a letter and he goes, don't
9 read it now but you're being released, you know, hand
10 me your keys. And I handed him my keys and he goes,
11 we'll get your personal stuff. I said, no, I want to
12 get my personal stuff. And he goes, I don't want you
13 to cause any problems. I looked straight at him and
14 I said, what problems am I going to cause? And I
15 said, I don't have much at my desk, I have my
16 personal pictures, I have some food. He goes, as
17 long as you're not going to cause any problems, you
18 can go back. And just the attitude, like I was some
19 predator, like some, you know -- you know, he hadn't
20 spoken to me in three days and then Becky Plourde
21 came in around 11 o'clock on the 16th. She had --
22 she was actually on vacation. She came into my
23 office with her dog and she goes, why does Judge

1 Keating need to see me. And I said, well he hasn't
2 spoken to me in three days, he's probably going to
3 terminate me. And she went into his office and I
4 heard her screaming, crying, arguing. Because you
5 could hear right through the walls. And I said,
6 that's it, today's my last day. And then when I went
7 in there, I had my -- I had this with me. This is my
8 notepad that I carried for 20 years. It's a
9 leatherbound notepad. And I went in there and sat
10 down and when he said that I was done, I said -- and
11 in my head I'm going, yeah, I could read the room
12 like a book.

13 INTERVIEWER: Did he tell you why -- did he
14 tell you why he was letting you go?

15 [REDACTED] He said that my behavior
16 was not professional and that I was a disgrace. And
17 I said, can I read the letter? He goes, you can read
18 it later, I'm just telling you right now. And I said
19 -- I said, do I have any rebuttal, and he goes,
20 absolutely not. He goes, you know, the
21 unprofessional behavior. And I just looked at him
22 and I said, what? I said, do you want to discuss
23 unprofessional behavior? He goes, no, I don't want

1 to discuss anything with you. He goes, I'll let --
2 her name was -- oh, I don't remember her name. But
3 she -- she -- Judge Keating said, as long as you
4 don't cause any problems, I'll let you go in and get
5 your stuff. And I had a Carhartt bag that I brought
6 in every day, it had my lunch in it, had food and
7 stuff and snacks. And I took my Carhartt bag and I
8 just started putting my stuff in it and she goes, I'm
9 so sorry, [REDACTED], I'm so sorry. And I looked
10 straight at her and I said, you don't need to say a
11 word, I said, I will get my stuff and get out of
12 here. And she's helping me. And I went to the -- I
13 went to the stairwell and Judge Keating is standing
14 there with his hands in his pocket with a smirk on
15 his face and I looked straight over at him and I just
16 nodded my head and I went into the elevator and I
17 went down and I left.

18 INTERVIEWER: Do you know what behavior
19 Keating was referring to that was not professional?

20 [REDACTED] He didn't specify
21 anything. I can tell you that the Thursday before I
22 had a meeting with Heather Kulp.

23 INTERVIEWER: Oh yeah.

1 ██████████ ██████████ She had called me -- she
2 had a meeting -- we had a meeting on recruiting and I
3 was explaining to her my frustration that I had asked
4 for help, I had gotten no help, I don't understand
5 how they can run this HR Department on two people.
6 You know, and I just basically vomited, like I
7 vomited. I said, you know, with Dianne coming back
8 and, you know, this is just crazy, this is absolutely
9 insane, and I am letting loose, guys. I am -- I am
10 upset, I am crying. And Heather goes, ██████████, it's
11 probably good that you just get all this out because
12 -- and I looked at her straight and I said, I have no
13 one to talk to, I have no one to talk to. I feel
14 like I have been, you know, basically put in the
15 position of being a scapegoat and I basically said
16 that I fear for my job, that I am losing sleep, that
17 I drag myself in here to work 10, 12 hours a day just
18 to be kicked in the teeth. Guys, I unloaded. I'll
19 be absolutely a hundred percent honest with you. And
20 I have a feeling she went back to Judge Keating and
21 said, ██████████ is not happy.

22 INTERVIEWER: Yeah.

23 ██████████ ██████████ And I think that's what he

1 was referring to.

2 INTERVIEWER: Did the letter that he gave
3 you --

4 [REDACTED] [REDACTED] Because I --

5 INTERVIEWER: Did the letter that he gave
6 you have any further explanation other than what he
7 told you at that meeting?

8 [REDACTED] [REDACTED] No. It said that my
9 behavior was unbecoming, unprofessional and that it
10 won't be tolerated. And I have a copy of the letter.
11 It's in my safe. I'll be honest with you guys, I
12 didn't read that letter for a week.

13 INTERVIEWER: Uh-hmm. Yeah. Do you know if
14 Judge Keating knew that you went over to see Matt
15 Mavrogeorge on March 18th? Like that was almost a
16 month before.

17 [REDACTED] [REDACTED] I never -- I never told
18 him that I -- I never told Judge Keating that I told
19 Matt about the layoff and the rehire.

20 INTERVIEWER: Okay.

21 [REDACTED] [REDACTED] I told him that I spoke to
22 Matt about how to get around and how to maneuver this
23 but I never disclosed to Judge Keating that I

1 disclosed to him that I felt as though that this was
2 wrong.

3 INTERVIEWER: But somebody else could have,
4 right? If you met with Matt Mavrogeorge, you know,
5 he may have told his superior, Lorrie Rudis.

6 [REDACTED] [REDACTED] He told me he was going to
7 tell -- yeah, he told me he was going to tell -- he
8 goes --

9 INTERVIEWER: Right.

10 [REDACTED] [REDACTED] -- he said to me, [REDACTED],
11 I can't keep this a secret. I said, no, I don't
12 expect you to --

13 INTERVIEWER: Right.

14 [REDACTED] [REDACTED] -- you need to report it.

15 INTERVIEWER: But is it --

16 [REDACTED] [REDACTED] And I never heard from him
17 again.

18 INTERVIEWER: Isn't it possible that he,
19 Matt Mavrogeorge told Lorrie Rudis, Lorrie Rudis may
20 have told Judge Keating or -- because Lorrie Rudis
21 now has your job. You know that? She was hired to
22 be the HR Director.

23 [REDACTED] [REDACTED] No, I don't know that. I

1 never asked any questions.

2 INTERVIEWER: Yeah.

3 [REDACTED] [REDACTED] Because my -- you know,
4 I'm a professional. I don't pick up the phone and
5 go, well what's going on.

6 INTERVIEWER: Yeah.

7 [REDACTED] [REDACTED] When I left there, I
8 severed ties. The only person that I was in contact
9 with was -- hold on. She was -- she was Becky
10 Plourde's assistant to Payroll. So she was texting
11 me, she said, [REDACTED], you left your plants here, you
12 left your fan here. And I had some -- I had some
13 professional stuff that I left with Juliana Durand
14 and she said, how do you want me to get this stuff.
15 I said, well if you want to meet up, I'll grab it.
16 And I never met up with her. So she was the only
17 person I was in contact with. And then I can tell
18 you that Lee Robinson reached out to me, the IT
19 person.

20 INTERVIEWER: Yeah.

21 [REDACTED] [REDACTED] He got my telephone number
22 from the system. I never gave him my cell phone
23 number. And I said, how did you get my number? He

1 goes, oh, I looked it up in the system.

2 INTERVIEWER: Yeah.

3 [REDACTED] [REDACTED] And I said, oh okay. He
4 goes, how are you doing? I said, I'm devastated, I'm
5 completely blown away. He goes, [REDACTED], you are
6 just an outstanding person, you didn't deserve this.
7 And so I had Lee reach out to me, I had that
8 assistant payroll person reach out to me, Juliana
9 Townes. [REDACTED] is her maiden name. She reached out
10 to me but I wouldn't return her message. And then
11 there was -- oh, one of the other people that was
12 working for Dianne -- my god, I forgot his name --
13 but he reached out to me and asked me how I was
14 doing. And I said that I was hanging in there and I
15 said, stay strong, keep your head down, you know,
16 keep working hard. But the only person I had
17 extended conversations with was the -- Becky's
18 assistant there, and she was just trying to meet up
19 with me to get my stuff back. And I never met up
20 with her and I never got my stuff back.

21 INTERVIEWER: Yeah. Okay.

22 [REDACTED] [REDACTED] My decision, by the way.

23 INTERVIEWER: Yeah. So when you met with

1 Matt Mavrogeorge in March, March 18th, you told him
2 then that you knew that they were trying to rehire
3 Dianne into this role at the Board of Bar Overseers?
4 Right?

5 [REDACTED] [REDACTED] Yes.

6 INTERVIEWER: How did you --

7 [REDACTED] [REDACTED] That's correct.

8 INTERVIEWER: How did you find out about
9 that? Who told you about that? Was that Chris
10 Keating as well?

11 [REDACTED] [REDACTED] That's Judge Keating.

12 INTERVIEWER: Okay. And that was the deal
13 where she'd be laid off and then rehired a couple of
14 days and he told you that was -- that was the Chief's
15 plan, Chief Justice's plan?

16 [REDACTED] [REDACTED] That's correct. That was
17 correct.

18 INTERVIEWER: And they also -- you also like
19 told Matt about the pay step that she was -- you
20 know, they were contemplating what pay step they
21 could give her, like the step nine, right?

22 [REDACTED] [REDACTED] That's correct.

23 INTERVIEWER: Okay. So that was -- that was

1 in March. It looks like all of that happened in
2 early April before you were let go, right? She was
3 --

4 [REDACTED] [REDACTED] That's correct.

5 INTERVIEWER: -- laid off. There was a
6 letter. Looks like a letter from Keating which was
7 -- to Dianne, which said she was being laid off. And
8 then there was a rehire.

9 [REDACTED] [REDACTED] Correct.

10 INTERVIEWER: Were you involved in --

11 [REDACTED] [REDACTED] That's correct.

12 INTERVIEWER: Were you involved in any of
13 that, writing those letters or working with Keating
14 on the --

15 [REDACTED] [REDACTED] Yes.

16 INTERVIEWER: Okay.

17 [REDACTED] [REDACTED] Yeah. There were six or
18 seven versions of those letters that were done by me.

19 INTERVIEWER: Okay.

20 [REDACTED] [REDACTED] Every time that I gave the
21 new version --

22 INTERVIEWER: Yeah.

23 [REDACTED] [REDACTED] -- of the letter to Judge

1 Keating, he came back with a marked up version and
2 said --

3 INTERVIEWER: Okay. Okay. All right.
4 Yeah.

5 [REDACTED] [REDACTED] And then I would resave
6 the document with version two, version three, version
7 four, version five.

8 INTERVIEWER: Yeah.

9 [REDACTED] [REDACTED] So there's a consistent --
10 you can notice the changes that if you print all
11 those letters.

12 INTERVIEWER: Okay.

13 INTERVIEWER: But you don't have those
14 letters now?

15 [REDACTED] [REDACTED] No. Oh no, sir.

16 Inspector Tracy, there is one thing that I -- that
17 you do not do is you do not take any company
18 documents with you.

19 INTERVIEWER: Right.

20 INTERVIEWER: Yes, right.

21 INTERVIEWER: So it looks like that you may
22 have said to Matt that the idea of this layoff was --
23 Dianne was insisting on it, I guess, because she

1 wanted the payoff, right?

2 [REDACTED] [REDACTED] That was -- yes.

3 INTERVIEWER: Yeah. Okay. Do you -- did
4 you have anything to do with calculating the amount
5 of the payoff?

6 [REDACTED] [REDACTED] So I did a rough estimate
7 because Becky Plourde had sent me the template --
8 this was for another employee. This has nothing to
9 do with Dianne. So I already had the template. I
10 went into the template and I put in the number of
11 years and it came out with a dollar figure. I went
12 ahead and --

13 INTERVIEWER: Okay.

14 [REDACTED] [REDACTED] -- sent that as a -- I did
15 a cut and paste and I sent it -- I e-mailed it over
16 to Judge Keating and said, this is a rough estimate
17 but it hasn't been verified by payroll.

18 INTERVIEWER: And do you remember what your
19 rough estimate was?

20 [REDACTED] [REDACTED] About 52,000.

21 INTERVIEWER: Okay. And was that -- but was
22 that just for her service in the Judicial Branch or
23 was she -- was she claiming service when she worked

1 for the Executive Branch as well?

2 [REDACTED] [REDACTED] Okay. There is a
3 Personnel rule that indicates that I believe it's
4 State years of service, I'm trying to remember, but I
5 believe it might have been 17 years of service, if I
6 recall correctly. But I don't know what that
7 included because I never -- I never looked at her
8 work history, I never went into her file and said, oh
9 she did a number of years here. All I did was go
10 into the system and say, okay, this is the date I
11 should be using, plug that into the spreadsheet and
12 there was a formula in there -- because you put the
13 salary, you put the years and it calculates what that
14 payout would be.

15 INTERVIEWER: Okay. So for her payout, it
16 was 54,000 I think and 836 dollars. Most of it is
17 annual leave, it was \$27,386 in annual leave. And
18 then there's sick leave, \$16,162. And then there's
19 this termination pay, which I think is the longevity
20 pay, which is only \$6,000.

21 [REDACTED] [REDACTED] Yes.

22 INTERVIEWER: And so how were you able to
23 verify that the annual leave and the sick leave was

1 as much as it was? How did you do that?

2 [REDACTED] [REDACTED] So -- so you go into the
3 accrual system and basically it gave you what the
4 amount was that she had for like PTO, and then the
5 sick, and then the termination pay was -- that's that
6 calculation in that spreadsheet.

7 INTERVIEWER: Okay. So you -- so you know
8 -- you know that before Dianne went to the Judicial
9 Branch, she was in the Executive Branch, she worked
10 here at DOJ, and then she worked at the Public
11 Utilities Commission.

12 [REDACTED] [REDACTED] I knew that she worked for
13 the DOJ. I knew she worked for the Energy, and that
14 was all just rumor. Like people came in and said,
15 did you know that she worked here.

16 INTERVIEWER: Yeah.

17 [REDACTED] [REDACTED] And what I did was one
18 night at home, I Googled her.

19 INTERVIEWER: Yeah. Okay.

20 [REDACTED] [REDACTED] And I just read up on
21 where she worked.

22 INTERVIEWER: Right. But when you were
23 counting her years of service, you were counting all

1 those years, right, that she worked for State
2 service?

3 [REDACTED] [REDACTED] I went into the system and
4 it told me years of service and that's when I did the
5 estimated calculation. That, I will tell you that
6 needed to go into Payroll, and Payroll was to verify
7 what those figures are.

8 INTERVIEWER: Right.

9 [REDACTED] [REDACTED] Because all I can do is a
10 rough estimate. Payroll is the -- those are the
11 people that actually do all the final payout calc.
12 What I was trying to give Judge Keating was the
13 estimate. He's like, I need an estimate of how much
14 this is going to be. I said, I don't know until I
15 verify with Becky. He goes, don't talk to Becky yet,
16 just give me -- just give me a number, [REDACTED]. So
17 that's when I took the draft of the termination Excel
18 spreadsheet and I put the stuff in it and said, okay,
19 here's a number. And I believe it was around
20 \$52,000.

21 INTERVIEWER: So would it surprise you to
22 know that when Dianne left the Public Utilities
23 Commission that she cashed out her time already?

1 [REDACTED] [REDACTED] I wouldn't know that.

2 INTERVIEWER: So she got a -- she got a
3 check in December of 2021 for \$10,619 and then she
4 got another \$49,000. So now we're almost at \$60,000
5 of payout. So --

6 [REDACTED] [REDACTED] Gentlemen, if I knew that,
7 I would have reported it. (Crying.)

8 INTERVIEWER: Yeah, okay. Because who --
9 did somebody give you the number of years that she
10 had for service? How did you --

11 [REDACTED] [REDACTED] I went into the system.

12 INTERVIEWER: Okay.

13 [REDACTED] [REDACTED] I went into -- I went into
14 the HRAS, pulled the years of service, because that's
15 how you calculate the termination pay.

16 INTERVIEWER: Yeah.

17 [REDACTED] [REDACTED] Then I went into the
18 accrual system and I pulled the vacation, PTO, and I
19 pulled the sick time, and I reported back on a
20 spreadsheet, took a snapshot of it, sent it to Judge
21 Keating. And I said, you probably need to verify
22 this with Payroll because all I can do is give you an
23 estimate. I don't do that calculation. HR does not

1 do the final calc.

2 INTERVIEWER: Right. Why -- so why wouldn't
3 somebody had talked to the Division of Personnel
4 because they would have been able to pull her payroll
5 from when she left the Executive Branch to see if she
6 got paid out?

7 [REDACTED] I'll be honest with you, I
8 was never -- I was never told that to verify whether
9 or not she had any other payouts or anything of that
10 nature.

11 INTERVIEWER: Okay.

12 [REDACTED] I was never ever told
13 that.

14 INTERVIEWER: Okay, all right. I get it.
15 And was there -- I mean, if she was on leave, right,
16 you talked about her -- she was working part time,
17 she was on leave. Was there a system to track her
18 leave? Were you able to go in and say, yeah, you
19 know, she's working part time, she's taking leave?

20 [REDACTED] Yeah.

21 INTERVIEWER: Because it seems to me she
22 worked at the Judicial Branch from -- looks like from
23 about January of 2022 is when she started to April --

1 to April of 2025. So that's three years, right? And
2 so, to accumulate \$27,000 of annual leave, I'm
3 assuming she's taken vacations during that time while
4 she's working at the Judicial Branch, and another
5 \$16,000 --

6 [REDACTED] [REDACTED] I'm assuming.

7 INTERVIEWER: -- of paid sick leave when she
8 was on sick leave, taking FMLA, I mean, where did
9 those -- where do those figures come from?

10 [REDACTED] [REDACTED] Okay. So it was -- it was
11 -- again, this is Becky Plourde. So when someone
12 goes out on medical leave, I had to update the
13 Payroll Department and say, Bill Smith went out
14 effective April 14th, 2025, and then once I got the
15 note to say that Bill Smith is released to come back
16 to work on May 5th, 2025, I would let Payroll know.
17 Then the Payroll Group, whatever they did, they did.
18 All HR -- all I was responsible for, what I was told,
19 was I needed to get those dates of when people were
20 out, give them to Payroll and Payroll puts them into
21 the system. HR does not do that.

22 INTERVIEWER: Okay.

23 [REDACTED] [REDACTED] It was all done at the

1 Becky Plourde level.

2 INTERVIEWER: Right.

3 [REDACTED] [REDACTED] So when -- when -- I never
4 saw that stuff. I --

5 INTERVIEWER: Yeah. So is it done basically
6 on the honor system? Like if Dianne was taking some
7 sick time, would she just report it to somebody and
8 eventually put it in the system?

9 [REDACTED] [REDACTED] No.

10 INTERVIEWER: How would you know that she
11 was out on sick time?

12 [REDACTED] [REDACTED] So the only people that
13 knew that she was out on sick time, I believe was
14 like [REDACTED], Sean, because Sean and [REDACTED] were
15 the assistant directors and they were -- they were
16 running the Branch while she was out. And of course,
17 I'm assuming that Chief Justice MacDonald knew
18 because she reported directly to him. Now, when I
19 was hired, she was still on a part-time basis but I
20 didn't know enough at that point to go, oh wait a
21 minute here. There was just so much coming at me and
22 I was working alone with an HR coordinator. That's
23 all I had.

1 INTERVIEWER: No, I get it. But it seems
2 like just in the Judicial Branch it was pretty loose,
3 right, that people, you know, took time off, there
4 was no reporting --

5 [REDACTED] [REDACTED] Correct.

6 INTERVIEWER: -- but the problem is, that
7 they were allowed to accumulate sick leave and annual
8 leave and then cash it out.

9 [REDACTED] [REDACTED] That's correct.

10 INTERVIEWER: It's, you know, \$40,000 of
11 unused leave that may all be bonus.

12 [REDACTED] [REDACTED] I would have to -- I would
13 hope that there were true records but I can tell you
14 that, you know, there were days I walked around and
15 I'm like, hey, where's so and so today, oh, they're
16 on vacation. And then I would go upstairs and I'd be
17 like, how the heck did that happen.

18 INTERVIEWER: Yeah.

19 [REDACTED] [REDACTED] And then I would say --
20 then I would say to my colleague on the other side of
21 the cubicle, hey Becky, does everyone report their
22 time? Oh, they're supposed to, [REDACTED].

23 INTERVIEWER: Yeah.

1 ██████████ ██████████ And then I would send a
2 note to the manager and I'd be like, hey manager,
3 isn't this supposed to be reported through the
4 system? Well, it's supposed to be.

5 INTERVIEWER: Yeah. Okay. It wasn't. I
6 mean, it's just a terrible system. So you -- in
7 total, you were only there for, what, five months --

8 ██████████ ██████████ Five months.

9 INTERVIEWER: Yeah. Okay.

10 ██████████ ██████████ That's correct, sir.

11 INTERVIEWER: Yeah.

12 ██████████ ██████████ Yeah. I was released a
13 month before my sixth month probationary period.

14 INTERVIEWER: Yeah. Yeah. Great, huh?

15 ██████████ ██████████ Yeah. Let me just tell
16 you that if I needed a morning off or a doctor's
17 appointment --

18 INTERVIEWER: Yeah.

19 ██████████ ██████████ -- I was reprimanded one
20 day that I came in an hour later than my scheduled
21 time --

22 INTERVIEWER: Yeah.

23 ██████████ ██████████ -- and I was written up

1 for it.

2 INTERVIEWER: By whom? Who did that?

3 [REDACTED] [REDACTED] By [REDACTED].

4 INTERVIEWER: [REDACTED]. Yeah.

5 [REDACTED] [REDACTED] [REDACTED].

6 INTERVIEWER: Yeah.

7 [REDACTED] [REDACTED] I have that e-mail, by the
8 way. I sent it home to my personal e-mail. That's
9 the only thing I kept.

10 INTERVIEWER: Okay.

11 [REDACTED] [REDACTED] Because it was -- it was
12 something to my personnel file.

13 INTERVIEWER: Yeah. Could we -- if I could
14 just circle back. I realize you don't have the
15 report that you gave to the auditor that went to
16 Justice Donovan but --

17 [REDACTED] [REDACTED] I don't, sir.

18 INTERVIEWER: -- you mentioned that there
19 was reference to [REDACTED] telling the auditor that
20 the employment postings were up to date, even though
21 you knew that not to be the case. Do you remember
22 anything else that was in there besides that? Were
23 there other allegations that were in that?

1 ██████████ ██████████ So that expanded to where
2 she told the auditor that she personally, I quote,
3 "personally went around to every location and updated
4 them", which I knew was not true.

5 INTERVIEWER: Yeah.

6 ██████████ ██████████ I believe that I did
7 indicate in that letter, there was something about
8 that conversation I had with Dianne in her vehicle
9 that day and that she basically told me I was full of
10 crap during a meeting. I believe that there might
11 have been something else in that statement that I
12 wrote. I know there was more, because I --

13 INTERVIEWER: Okay.

14 ██████████ ██████████ -- I had been through
15 quite a few things. I also indicated in that
16 statement that I was being watched, I was being
17 followed around by ██████████. I believe that I did
18 indicate that as well and I felt like I was working
19 in a hostile work environment.

20 INTERVIEWER: Okay. But like you said, most
21 of your complaints were directed to ██████████, not so
22 much --

23 ██████████ ██████████ That's correct, sir.

1 INTERVIEWER: Not so much to Dianne, yeah.

2 [REDACTED] [REDACTED] That's correct.

3 INTERVIEWER: Yeah.

4 [REDACTED] [REDACTED] Yeah.

5 INTERVIEWER: Okay.

6 INTERVIEWER: Hey [REDACTED], how do you know

7 -- how do you know [REDACTED] was lying about the

8 updates in that she didn't personally --

9 [REDACTED] [REDACTED] Because I called around to
10 a couple of the locations. Also too, I walked -- I
11 walked to the areas where we had postings at One
12 Granite Place. Nothing had been updated. And I -- I
13 asked Juliana, I said, Juliana, do you know if she
14 personally went around to the locations? And she
15 said, no. And then I checked with Becky Plourde and
16 I said, Becky, was there mileage recorded for
17 [REDACTED] for going around to all the locations? And
18 she goes, no, there wasn't any expense report for
19 anything for that. And I said, okay. And that's
20 when I knew that she had lied.

21 INTERVIEWER: So these 37 locations, they're
22 not 37 locations here at One Granite Place. They're
23 37 locations throughout the State of New Hampshire?

1 INTERVIEWER: All the courthouses basically.

2 INTERVIEWER: Yeah, courthouses.

3 INTERVIEWER: Yeah.

4 [REDACTED] [REDACTED] That is correct. All the
5 courthouses, so Circuit, Probate --

6 INTERVIEWER: Yeah. Superior.

7 [REDACTED] [REDACTED] Yes.

8 INTERVIEWER: Yeah.

9 [REDACTED] [REDACTED] Superior. Thank you.

10 INTERVIEWER: Okay. Well, we've been going
11 a long time and you're probably tired of answering
12 our questions.

13 [REDACTED] [REDACTED] Yeah. I mean, if you have
14 more for me --

15 INTERVIEWER: Yeah.

16 [REDACTED] [REDACTED] -- I told Inspector Tracy
17 when he called me last week that I am willing to
18 answer any questions you have. (Crying.)

19 INTERVIEWER: Thank you.

20 INTERVIEWER: We really appreciate that.

21 INTERVIEWER: We really do. And again, I am
22 so sorry that you've been through all of this. If we
23 do have questions though --

1 [REDACTED] Thank you.

2 INTERVIEWER: -- it sounds like you'll be
3 okay if we had questions, Dick could call you and we
4 could either go on this again or he could just ask
5 you questions to clarify some things.

6 [REDACTED] Oh --

7 INTERVIEWER: Okay.

8 [REDACTED] -- there's absolutely no
9 issues whatsoever. During the -- during the day I'm
10 pretty busy here with my new job.

11 INTERVIEWER: Yeah, sure. Yeah.

12 [REDACTED] But when -- the best --
13 the best way to get ahold of me would be text
14 message, because I --

15 INTERVIEWER: Okay.

16 [REDACTED] -- my text messages read
17 out to me because [REDACTED]
18 [REDACTED]. So I kind of keep an eye on text
19 messages.

20 INTERVIEWER: Yeah.

21 [REDACTED] But my personal e-mail, I
22 don't check until I get home at night.

23 INTERVIEWER: Okay. So and don't forget

1 that if you get a new cell phone number, you update
2 -- let Dick know. Yeah, that would be important to
3 find you.

4 [REDACTED] [REDACTED] There's no doubt that I
5 will update --

6 INTERVIEWER: Okay.

7 [REDACTED] [REDACTED] -- Inspector Tracy with my
8 number as soon as I --

9 INTERVIEWER: I don't mind being the second
10 person you update after you tell your mother.

11 INTERVIEWER: Yes.

12 [REDACTED] [REDACTED] My mother.

13 INTERVIEWER: Right.

14 [REDACTED] [REDACTED] My -- she is my
15 everything.

16 INTERVIEWER: Yeah, yeah.

17 [REDACTED] [REDACTED] Yes. And my e-mail will
18 not change. It will be [REDACTED] (ph). I
19 do plan on keeping that.

20 INTERVIEWER: All right. You have her e-
21 mail?

22 INTERVIEWER: Yeah.

23 INTERVIEWER: Okay. [REDACTED], we can't thank

1 you enough. This has been enormously helpful. We
2 really appreciate it.

3 [REDACTED] [REDACTED] Absolutely.

4 INTERVIEWER: I hope your new job is
5 excellent and everything you hope it to be. I hope
6 this place in [REDACTED] is a nice place to live.

7 [REDACTED] [REDACTED] It is. (Laughs.)

8 INTERVIEWER: And we wish you nothing but
9 the best.

10 INTERVIEWER: What are you closest to --

11 [REDACTED] [REDACTED] Thank you.

12 INTERVIEWER: -- [REDACTED] [REDACTED] [REDACTED]?

13 [REDACTED] [REDACTED] [REDACTED]. I'm 35 minutes
14 from [REDACTED].

15 INTERVIEWER: Oh okay, nice.

16 INTERVIEWER: Oh, that's great.

17 INTERVIEWER: Nice town. Yeah, yeah.

18 [REDACTED] [REDACTED] Yeah. Yeah. And I will
19 tell you they are treating me like a queen.

20 INTERVIEWER: I bet. They should. Is there
21 anything else that you want to tell us that we
22 haven't asked you about?

23 [REDACTED] [REDACTED] I mean, right now with the

1 emotions and everything, the only thing that I was
2 very concerned about was the MOU, the re -- I'm sorry
3 -- the layoff and rehire of Dianne --

4 INTERVIEWER: Yeah.

5 [REDACTED] [REDACTED] -- the hostile work
6 environment that I was working in.

7 INTERVIEWER: Yeah.

8 [REDACTED] [REDACTED] That was my real primary
9 concerns that I wanted to make certain that we spoke
10 about today.

11 INTERVIEWER: Great. Great.

12 INTERVIEWER: And we did.

13 INTERVIEWER: And if you think of anything
14 else though, you know how to get in touch with Dick.

15 [REDACTED] [REDACTED] Yeah.

16 INTERVIEWER: So you can reach out. If
17 after we hang up, you think, oh wait, there's
18 something else, he'll be right there.

19 [REDACTED] [REDACTED] Certainly.

20 INTERVIEWER: Of course.

21 [REDACTED] [REDACTED] I certainly -- I certainly
22 will. But, you know, if you need any documentation
23 to back up what I have said --

1 INTERVIEWER: Yeah.

2 [REDACTED] [REDACTED] -- it is in electronic
3 form.

4 INTERVIEWER: Okay.

5 INTERVIEWER: Awesome.

6 INTERVIEWER: Great, okay. Thank you so
7 much.

8 INTERVIEWER: Thank you.

9 INTERVIEWER: All right. Thanks.

10 [REDACTED] [REDACTED] Thank you. Thank you.

11 INTERVIEWER: Yeah, bye-bye.

12 INTERVIEWER: Goodbye.

13 INVESTIGATOR RICHARD TRACY: All right.

14 We're going to shut this off. It's 5:12 p.m.

15 (End)

16

17

18

19

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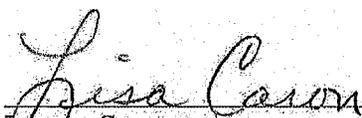
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CERTIFICATE

I, Lisa Caron, a court-approved transcriptionist, do hereby certify that the foregoing is a correct transcript from the official electronic sound recording of the proceeding in the above-entitled matter to the best of my professional skill and ability .



Lisa Caron

Avicore Reporting

Exhibit 6

Avicore Reporting - 15 Constitution Drive, Suite 1A, Bedford, NH 03110

STATE OF NEW HAMPSHIRE

* * * * *
*
REVIEW OF DIANNE MARTIN'S *
EMPLOYMENT IN JUDICIAL BRANCH *
*
* * * * *

INTERVIEW OF [REDACTED] - 11/7/25
TRANSCRIBED FROM AUDIO

Prepared for:

Eleanor Cloutier, Legal Assistant
Criminal Justice Bureau
N.H. Department of Justice
1 Granite Place South
Concord, NH 03301

1 INVESTIGATOR RICHARD TRACY: It's November
2 7th, 2025. It's 1:10 p.m. We're at the office of
3 the Attorney General. We're in Room 108B, as in
4 Boston. This is Investigator Richard Tracy
5 (hereinafter referred to as "INTERVIEWER"). With me
6 is Deputy Attorney General James Boffetti
7 (hereinafter referred to as "INTERVIEWER") and
8 General Counsel Chris Bond (hereinafter referred to
9 as "INTERVIEWER"). And also with us is [REDACTED]
10 [REDACTED]. And [REDACTED], could you please state your
11 name and spell your last name for the record, please?
12 [REDACTED] [REDACTED] [REDACTED] [REDACTED] and last
13 name is [REDACTED].

14 INTERVIEWER: Okay. You understand the
15 conversation is being recorded?

16 [REDACTED] [REDACTED] Yes.

17 INTERVIEWER: Are you okay with that?

18 [REDACTED] [REDACTED] Yes.

19 INTERVIEWER: Thank you. And what's a good
20 address for you?

21 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED],
22 [REDACTED] [REDACTED] [REDACTED].

23 INTERVIEWER: Okay. And I have your phone

1 number but if you could just state it for this
2 interview, please.

3 [REDACTED] [REDACTED] [REDACTED].

4 INTERVIEWER: All right. Thank you.

5 [REDACTED], could you start by telling us the times that
6 -- dates when you first started at the Judicial
7 Branch and when you left and how did you come to
8 leave?

9 [REDACTED] [REDACTED] I started there in June 28th
10 of 2024 and I left in September 8th -- no, that's my
11 new job. I left there the week before that, August
12 -- late August.

13 INTERVIEWER: Late August of this year?

14 [REDACTED] [REDACTED] Of 2025.

15 INTERVIEWER: Okay. And how did you come to
16 leave? You know, was it a resignation, was it
17 termination? How did you become --

18 [REDACTED] [REDACTED] It was a voluntary
19 resignation.

20 INTERVIEWER: Okay. Did they ask you to
21 resign?

22 [REDACTED] [REDACTED] No.

23 INTERVIEWER: So you left on your own?

1 [REDACTED] [REDACTED] Yes.

2 INTERVIEWER: And what was your job?

3 [REDACTED] [REDACTED] So I started as HR

4 Associate in June of 2024 and I was promoted to HR

5 Coordinator December 2024.

6 INTERVIEWER: And when was that again, when

7 you got HR Coordinator?

8 [REDACTED] [REDACTED] December 19th or so.

9 INTERVIEWER: Of 2024?

10 [REDACTED] [REDACTED] 2024.

11 INTERVIEWER: Okay. And when you started

12 back in June of 2024, who else was in the HR

13 Department?

14 [REDACTED] [REDACTED] Jair Santos and Tracey

15 Sinclair. I don't know if Lori Galetta (ph) was

16 considered to be in the HR Department. It was very

17 up in the air.

18 INTERVIEWER: Okay. But she kind of worked

19 in that area?

20 [REDACTED] [REDACTED] Yes.

21 INTERVIEWER: Lori Galetto?

22 [REDACTED] [REDACTED] Galetta.

23 INTERVIEWER: Galetta? Okay. And do they

1 -- do they maintain employment with New Hampshire
2 Judicial Branch today, these three folks, Sinclair,
3 Geletta and Santos?

4 [REDACTED] [REDACTED] Only Tracey Sinclair and
5 Jair Santos.

6 INTERVIEWER: And what is their position
7 now? Are they still in the HR Department?

8 [REDACTED] [REDACTED] Yes, they are. Yes. Jair,
9 he was pay -- HR and Payroll Associate.

10 INTERVIEWER: Yeah.

11 [REDACTED] [REDACTED] And Tracey is -- handles
12 leave with management.

13 INTERVIEWER: But Lori's no longer employed?

14 [REDACTED] [REDACTED] Not with the Branch.

15 INTERVIEWER: Okay. And Suzanne Gelinias,
16 does that name sound familiar to you?

17 [REDACTED] [REDACTED] Yes.

18 INTERVIEWER: Okay. And did you come to
19 know her?

20 [REDACTED] [REDACTED] Yes.

21 INTERVIEWER: And how did you come to know
22 her?

23 [REDACTED] [REDACTED] She was hired as HR Manager

1 December 19th, 2024.

2 INTERVIEWER: And did she -- do you know
3 whose place she took? Did she take somebody's place?

4 [REDACTED] Yeah, she took the place of
5 -- what was her name -- of the HR Manager that was
6 there and had left around March 2024. I forgot her
7 name.

8 INTERVIEWER: So that job then, that
9 manager's job was vacant from March --

10 [REDACTED] Yes.

11 INTERVIEWER: -- of '24 to December of '24?

12 [REDACTED] Yes.

13 INTERVIEWER: Okay. And how long does
14 Suzanne work at Judicial Branch or for the Judicial
15 Branch, do you know?

16 [REDACTED] Around -- let's see --
17 maybe around three months.

18 INTERVIEWER: Three months. [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 INTERVIEWER: [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 INTERVIEWER: [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 INTERVIEWER: [REDACTED]

10 [REDACTED]

11 INTERVIEWER: [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 INTERVIEWER: [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 INTERVIEWER: [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 INTERVIEWER: [REDACTED]

4 INTERVIEWER: [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 INTERVIEWER: [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 INTERVIEWER: [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 INTERVIEWER: [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 INTERVIEWER: [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 INTERVIEWER: [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 INTERVIEWER: [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 INTERVIEWER: Okay.

13 INTERVIEWER: Who did -- so obviously when
14 Suzanne becomes the HR Manager, she would be your
15 supervisor?

16 [REDACTED] Yes.

17 INTERVIEWER: And who would Suzanne -- who
18 would be Suzanne's supervisor?

19 [REDACTED] Judge Keating.

20 INTERVIEWER: Before Judge -- but so I've
21 come to understand that Judge Keating wasn't there
22 when Suzanne got hired, he comes in to the Judicial
23 Branch afterwards?

1 [REDACTED] [REDACTED] Uh-hmm.

2 INTERVIEWER: Is that correct?

3 [REDACTED] [REDACTED] Oh yeah, that's right, that
4 is correct.

5 INTERVIEWER: So prior to Judge Keating, who
6 would have Suzanne been responsible to?

7 [REDACTED] [REDACTED] She would have -- it was an
8 interesting structure. We -- because we were all
9 technically reporting to Dianne Martin, but really
10 the day to day person we had to -- that was our
11 direct manager was Takhmina.

12 INTERVIEWER: Okay.

13 INTERVIEWER: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

14 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

15 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

16 [REDACTED]

17 [REDACTED] [REDACTED] I don't recall.

18 INTERVIEWER: Okay. And Takhmina worked
19 under Dianne. She was like a deputy?

20 [REDACTED] [REDACTED] Yes.

21 INTERVIEWER: Okay.

22 INTERVIEWER: In the time that you're there,
23 do you know if Dianne Martin is ever on FMLA?

1 ██████████ ██████████ Yes, I was actually just
2 going to mention that. Even though she was
3 technically my -- my reports-to person, I saw her
4 twice for no longer than ten-minute periods in 2024.

5 INTERVIEWER: All of 2024.

6 ██████████ ██████████ It could have been maybe
7 three times but I barely saw Dianne.

8 INTERVIEWER: And just for a few minutes, 10
9 to 15 minutes at a time?

10 ██████████ ██████████ One once, yeah, she just
11 asked me what my career goals were and that's it, and
12 then --

13 INTERVIEWER: Okay.

14 ██████████ ██████████ -- the other time --

15 INTERVIEWER: When they hired you, was she
16 part of the interview process?

17 ██████████ ██████████ Yes.

18 INTERVIEWER: Okay. Which means that she
19 just wasn't -- and the office was here, right? It
20 was --

21 ██████████ ██████████ Yeah, I was here every day.

22 (Laughs.)

23 ██████████ ██████████ At one point, I was the

1 only one.

2 INTERVIEWER: (Laughs.) Only one in HR?

3 [REDACTED] [REDACTED] And the -- yeah, because
4 everyone else was remote or absent.

5 INTERVIEWER: So when you say you saw her,
6 you mean physically saw her, right, a couple time --
7 two or three times, maybe 10, 15 minutes --

8 [REDACTED] [REDACTED] Yeah.

9 INTERVIEWER: -- at a time?

10 INTERVIEWER: And that's for 2024?

11 [REDACTED] [REDACTED] Yes.

12 INTERVIEWER: So you start in June of 2024.
13 So from June till the end of December, you see her
14 two, maybe three times?

15 [REDACTED] [REDACTED] Yes.

16 INTERVIEWER: But did you have interactions
17 with her and through other means, e-mails, Teams
18 meetings, other kinds of things in 2024?

19 [REDACTED] [REDACTED] Definitely not Teams.

20 Maybe there were a few e-mail exchanges. I don't
21 recall if there would have been e-mail communication.
22 I was mostly reporting to Takhmina.

23 INTERVIEWER: Okay. Did you -- did you know

1 where Dianne was when she wasn't at the office?

2 [REDACTED] [REDACTED] Where?

3 INTERVIEWER: Yeah.

4 [REDACTED] [REDACTED] No.

5 INTERVIEWER: Do you know -- you said --
6 Dick mentioned about FMLA. Do you know -- did you
7 know if she was on FMLA during that time in 2024?

8 [REDACTED] [REDACTED] I don't know that I'm
9 allowed to --

10 INTERVIEWER: To say?

11 [REDACTED] [REDACTED] -- say --

12 INTERVIEWER: Okay, all right.

13 [REDACTED] [REDACTED] -- any medical information.

14 INTERVIEWER: I don't want any medical
15 information. So I don't want you to tell me anything
16 -- all right, let's not -- talk about it in terms of
17 FMLA. Was she on leave? I don't want to know
18 anything about any medical issues [REDACTED] [REDACTED], any
19 reasons why she may have taken or maybe not taken
20 FMLA, but she was -- was she on leave, you know,
21 using sick leave or annual leave during the time, or
22 was she working? What was your understanding of what
23 was she --

1 INTERVIEWER: Could she have been working
2 remote versus not being in the office?

3 INTERVIEWER: Right.

4 [REDACTED] [REDACTED] Oh, okay. My understanding
5 is that she was doing some work remotely but I don't
6 know, because there's full leave and then there's
7 intermittent leave.

8 INTERVIEWER: Yeah.

9 [REDACTED] [REDACTED] I don't know -- I know that
10 some of that time she was working like maybe ten
11 hours a week or something like that. But I don't
12 know if there was a period of time during that time
13 that was full leave.

14 INTERVIEWER: Who in the Judicial Branch
15 would track leave?

16 [REDACTED] [REDACTED] Tracey Sinclair.

17 INTERVIEWER: And how -- how would that
18 happen? Is there a system? Is there a computer that
19 would have you log on to record your time and your
20 leave? How does that -- can you just tell us --
21 explain how that would work. If Dianne -- you know,
22 Dianne would have to record her -- was she recording
23 her time in the system?

1 ██████████ ██████████ No. She would have
2 recorded timesheets because we did -- we were asked
3 to fill out timesheets.

4 INTERVIEWER: Like regular paper,
5 handwritten, or?

6 ██████████ ██████████ It was a --

7 INTERVIEWER: Word --

8 ██████████ ██████████ -- program called
9 Timekeeper or --

10 INTERVIEWER: So it's a computer -- but you
11 complete the timesheet, you go into this program and
12 you complete your time?

13 ██████████ ██████████ Uh-hmm. And then --

14 INTERVIEWER: Yeah.

15 ██████████ ██████████ -- submit it to Payroll --

16 INTERVIEWER: Okay.

17 ██████████ ██████████ -- in house. And then if
18 anything needs adjusted, you would work with Payroll
19 to adjust your time based on actual hours worked.
20 Because a timesheet is prefilled for salaried
21 employees. So if anything changes, you go through
22 Payroll to change it. But, yeah, so there was --
23 ASAP is our -- is the system of record.

1 INTERVIEWER: Okay.

2 [REDACTED] [REDACTED] And then there's another
3 system that Tracey Sinclair uses --

4 INTERVIEWER: Uh-hmm.

5 [REDACTED] [REDACTED] She's the only one that has
6 access to that system.

7 INTERVIEWER: Okay. And do you know if
8 Dianne was putting her time into ASAP?

9 [REDACTED] [REDACTED] I have no idea.

10 INTERVIEWER: Okay.

11 [REDACTED] [REDACTED] I never even think --
12 thought to look at her timesheet.

13 INTERVIEWER: Okay. But you and HR, you and
14 Suzanne and whoever, that wasn't your responsibility
15 to track people's leave. That was Tracey Sinclair?

16 [REDACTED] [REDACTED] Yes. And that would have
17 been tracked on the ASAP.

18 INTERVIEWER: Okay. ASAP and another system
19 you said?

20 [REDACTED] [REDACTED] And another system that --

21 INTERVIEWER: Only Tracey had access to?

22 [REDACTED] [REDACTED] -- I never -- I tried
23 getting as a backup but it never -- they were --

1 INTERVIEWER: But Tracey was the only one,
2 single point of failure, just her --

3 [REDACTED] [REDACTED] Yes.

4 INTERVIEWER: -- no one else? Okay.

5 INTERVIEWER: And when you put in time,
6 let's say it was you, you put in time, would that
7 have to be approved by your supervisor?

8 [REDACTED] [REDACTED] Yes, every timecard gets
9 approved.

10 INTERVIEWER: Approved. Like every week or
11 --

12 [REDACTED] [REDACTED] Prior to payroll processing
13 --

14 INTERVIEWER: Okay. And that would be --

15 [REDACTED] [REDACTED] -- every other week.

16 INTERVIEWER: -- approved every other week.
17 Approved in your case by Suzanne?

18 [REDACTED] [REDACTED] So in my case, yes.

19 INTERVIEWER: Suzanne. Yeah. Do you know
20 -- assuming that Dianne would have done time into
21 ASAP, do you know who would have approved her time?

22 [REDACTED] [REDACTED] Who Dianne reports to? I
23 don't know who she would -- who her manager would be.

1 INTERVIEWER: Okay. That's fine.

2 INTERVIEWER: What was your understanding of
3 the structure over at Judicial Branch? I think you
4 mentioned earlier who the top person was. Who was
5 that?

6 [REDACTED] [REDACTED] The top person?

7 INTERVIEWER: Yeah, for the Judicial Branch.

8 [REDACTED] [REDACTED] The Administrative Offices
9 of the Courts would have been Dianne.

10 INTERVIEWER: Okay. But what about the
11 Chief Justice? Is he above Dianne or is he equal to
12 Dianne, or?

13 [REDACTED] [REDACTED] He's above everybody.

14 INTERVIEWER: Okay.

15 [REDACTED] [REDACTED] So he runs -- you know, he
16 would be the head of the Supreme Court but he also
17 has the power to make any decisions regarding the
18 Judicial Branch.

19 INTERVIEWER: Okay.

20 [REDACTED] [REDACTED] That was my understanding.
21 Actually there is -- it's in the employee handbook
22 that you can even like -- he can decide if you get
23 fired or not or, you know -- so --

1 INTERVIEWER: Okay.

2 [REDACTED] [REDACTED] That's one of the reasons I
3 didn't say anything.

4 INTERVIEWER: Say anything about what?

5 [REDACTED] [REDACTED] About weird things
6 happening.

7 INTERVIEWER: Okay.

8 INTERVIEWER: So you didn't complain to
9 anybody? Is that what you're saying? Like you
10 observed things that you considered to be weird or
11 different?

12 [REDACTED] [REDACTED] Uh-hmm.

13 INTERVIEWER: But you didn't report them to
14 anybody? Is that what you're saying?

15 [REDACTED] [REDACTED] No, I only -- I do have a
16 text, you know, with my coworker, Jay, because we had
17 trust, just basically being like this is strange.

18 INTERVIEWER: Yeah.

19 [REDACTED] [REDACTED] And I'm worried.

20 INTERVIEWER: And who's Jay?

21 [REDACTED] [REDACTED] Jair.

22 INTERVIEWER: Oh, Jair.

23 [REDACTED] [REDACTED] My coworker, yeah.

1 INTERVIEWER: Uh-hmm.

2 INTERVIEWER: And what is an example of
3 something that's strange or weird?

4 [REDACTED] [REDACTED] A lot.

5 (Laughs.)

6 [REDACTED] [REDACTED] Almost everything.

7 (Laughs.)

8 [REDACTED] [REDACTED] An example.

9 INTERVIEWER: What's the strangest thing you
10 experienced over there?

11 [REDACTED] [REDACTED] The strangest --

12 INTERVIEWER: Or one of the strangest
13 things.

14 [REDACTED] [REDACTED] Oh, that I think the
15 strangest thing was how many people did HR-related
16 work without HR's knowledge or approval.

17 INTERVIEWER: And who were some of these
18 people that were doing HR's work that should have
19 been done by HR?

20 [REDACTED] [REDACTED] Well, Dianne should not be
21 reclassifying positions, for example. That's the HR
22 manager. One time I found out that our job was
23 posted on an external jobsite and that was my job to

1 do that I wasn't aware of. And that was someone in
2 operations, IT, enabling system access to someone
3 that we weren't even aware was coming back to work.

4 INTERVIEWER: Yeah, that's weird. Do you
5 ever recall being summonsed or called into a meeting
6 with a bunch of -- with your coworkers and Justice
7 Donovan being present?

8 [REDACTED] [REDACTED] Yes.

9 INTERVIEWER: And do you know roughly when
10 that happened or do you even know the date by chance?

11 [REDACTED] [REDACTED] Yes, I do. That was
12 February 28th.

13 INTERVIEWER: And tell us about what your
14 recollection is as to what happened on February 28th.

15 [REDACTED] [REDACTED] We had received an e-mail
16 late morning that we were going to have a meeting at
17 1 p.m. with the Justices involved and that was
18 another strange thing, because I am Human Resources
19 and the one that's there every day. So then
20 employees came to me worried because they were
21 worried they might be getting laid off or what's
22 happening. And I had no clue that what this meeting
23 was about, what the message was going to be.

1 INTERVIEWER: Do you know who sent the e-
2 mail or who it came from?

3 [REDACTED] [REDACTED] No. I think it was a bunch
4 of people. I don't know who it came from.

5 INTERVIEWER: Okay, all right. And do you
6 remember in essence what the e-mail said?

7 [REDACTED] [REDACTED] It just said that we have
8 an announcement or big announcement, to please meet
9 in this room.

10 INTERVIEWER: Okay.

11 INTERVIEWER: What room is that?

12 [REDACTED] [REDACTED] That was the training room.

13 INTERVIEWER: Yeah. And --

14 INTERVIEWER: In the afternoon? Do you know
15 what time of day it was?

16 [REDACTED] [REDACTED] I think it was 1 p.m. The
17 meeting was at 1 p.m. And I called I think maybe
18 [REDACTED]. I was trying to get information about what
19 it was about so I could calm people down.

20 INTERVIEWER: Did [REDACTED] know what it was
21 about?

22 [REDACTED] [REDACTED] No, she didn't, because,
23 yeah, we thought it was maybe [REDACTED] had -- you

1 know, was gone or something.

2 INTERVIEWER: [REDACTED] was gone?

3 [REDACTED] [REDACTED] We thought maybe that was
4 it.

5 INTERVIEWER: Why would you have thought
6 that?

7 [REDACTED] [REDACTED] Because [REDACTED] had spoken
8 out about some encounters with [REDACTED] and we
9 thought maybe those encounters were justified to mean
10 either leaving or --

11 INTERVIEWER: Okay. And how do you know
12 that, about what [REDACTED] did? Did she talk to you
13 about complaints she made against [REDACTED]?

14 [REDACTED] [REDACTED] Yes.

15 INTERVIEWER: Okay. And do you know what
16 those complaints were?

17 [REDACTED] [REDACTED] Yeah. She complained that
18 we had a meeting with the risk management
19 professional and that [REDACTED] had asked us not to
20 speak freely and that she had lied during that
21 meeting.

22 INTERVIEWER: Okay. Who's risk management:
23 Who was it? Do you know their name?

1 [REDACTED] [REDACTED]: Gary -- yeah, Gary.

2 INTERVIEWER: Do you know Gary's last name?

3 [REDACTED] [REDACTED] Gary -- I could think of

4 it.

5 INTERVIEWER: Was he a -- is Gary a Judicial

6 Branch employee?

7 [REDACTED] [REDACTED] Yes, internal risk.

8 INTERVIEWER: But he's part of risk

9 management?

10 [REDACTED] [REDACTED] He was hired maybe right

11 around August.

12 INTERVIEWER: Of last year?

13 [REDACTED] [REDACTED] Of last year.

14 INTERVIEWER: Or this year? Last year?

15 [REDACTED] [REDACTED] Last year.

16 INTERVIEWER: Okay.

17 [REDACTED] [REDACTED] And he sat right behind me

18 for a bit through the ups and downs. He was the

19 other guy that was there regularly.

20 INTERVIEWER: Okay.

21 INTERVIEWER: So that meeting that you had

22 that [REDACTED] had with that risk manager, you were a

23 part of that too?

1 ██████████ ██████████ Yes.

2 INTERVIEWER: And ██████████ had asked you not
3 to talk in the meeting or not to say certain things?

4 ██████████ ██████████ ██████ just asked us not to
5 say certain things.

6 INTERVIEWER: Okay. So back up to that
7 February 28th meeting, you get the e-mail, meet in
8 the training room at 1 o'clock. Roughly, how many of
9 your coworkers are at that meeting?

10 ██████████ ██████████ It was a full room. If I
11 were to guess, maybe at least 30 to 40 people.

12 INTERVIEWER: And other than your coworkers,
13 so who comes in and runs that meeting? You know, who
14 takes charge of that meeting?

15 ██████████ ██████████ Well, they all walked in
16 the order of importance.

17 (Laughs.)

18 INTERVIEWER: Meaning the most important in
19 the front or in the back?

20 ██████████ ██████████ Most important in the front
21 with Justice Donovan and Conway, then it was Judge
22 Howard, Judge Christo.

23 INTERVIEWER: Okay. So was it -- could it

1 have been Justice Countway?

2 [REDACTED] [REDACTED] Countway, yes.

3 INTERVIEWER: And then it was Judge Howard
4 and Judge Christo?

5 [REDACTED] [REDACTED] Yes.

6 INTERVIEWER: And anyone else?

7 [REDACTED] [REDACTED] Maybe Sean Haggarty, who's
8 the Assistant Director.

9 INTERVIEWER: Okay. Was Erin Creegan there
10 (inaudible) counsel?

11 [REDACTED] [REDACTED] I don't recall.

12 INTERVIEWER: Okay. So Justice Donovan,
13 Justice Countway, Judge Howard, Judge Christo and
14 Sean Haggarty, those are the people you remember in
15 the procession?

16 [REDACTED] [REDACTED] Uh-hmm.

17 INTERVIEWER: I'm assuming Sean Haggarty was
18 at the end of the line?

19 [REDACTED] [REDACTED] (Laughs.) Don't tell him I
20 said that.

21 INTERVIEWER: (Laughs.) Okay. So they come
22 in and who starts talking first, do you remember?

23 [REDACTED] [REDACTED] No, I don't remember.

1 INTERVIEWER: Okay. Do you remember --
2 well, do you remember who did most of the talking at
3 the meeting?

4 [REDACTED] [REDACTED] Do I remember who did most
5 of the talking? Well, I know who spoke.

6 INTERVIEWER: Yeah.

7 [REDACTED] [REDACTED] It was Justice Donovan,
8 Justice Countway.

9 INTERVIEWER: Okay.

10 [REDACTED] [REDACTED] And Judge Christo.

11 INTERVIEWER: Okay. Judge Howard didn't
12 talk?

13 [REDACTED] [REDACTED] He might have shared a few
14 -- a word or two.

15 INTERVIEWER: Okay. So I know, you know,
16 you can't remember the whole conversation. But what
17 did they -- what was the message they wanted to tell
18 you all?

19 [REDACTED] [REDACTED] I was trying to recall
20 exactly what they said. They essentially said
21 effective today, Dianne is no longer the Director and
22 the Interim Director is Judge Keating and [REDACTED] is
23 still under investigation and it's a personnel matter

1 that we can't share.

2 INTERVIEWER: Okay.

3 [REDACTED] [REDACTED] And they said -- and then
4 that's when Judge Christo, or somebody -- I think it
5 was Judge Howard said, is there a [REDACTED] in the
6 room, and [REDACTED] raised her hand and stood up. And
7 Judge Christo said, you now have the authority you
8 deserve.

9 INTERVIEWER: So you said you think it was
10 Judge Howard who asked for [REDACTED]?

11 [REDACTED] [REDACTED] It could have been but I
12 don't recall for certain.

13 INTERVIEWER: You don't know. You don't
14 know. That's what I thought you said. I don't want
15 to put words in your mouth. Who do you think -- who
16 you said -- who do you think said, is [REDACTED] in the
17 room?

18 [REDACTED] [REDACTED] I think it was either Judge
19 Howard or maybe Justice Donovan.

20 INTERVIEWER: Okay, that's fine. And they
21 said, so is [REDACTED] in the room, right? [REDACTED]
22 probably like, oh my god.

23 (Laughs.)

1 ██████████ ██████████ ██████████ was, oh man.

2 INTERVIEWER: Yeah.

3 INTERVIEWER: But you remember it was
4 Christo who said something like --

5 ██████████ ██████████ Uh-hmm.

6 INTERVIEWER: -- you now have the authority
7 you deserve?

8 ██████████ ██████████ Yes.

9 INTERVIEWER: Do you have any idea what she
10 meant by that?

11 ██████████ ██████████ Well because total
12 authority was ██████████ before.

13 INTERVIEWER: Okay. What are you thinking
14 when you -- when this is happening? Like in real
15 time, you're sitting there and you hear Justice
16 Donovan saying, you know, effective today, Dianne is
17 no longer the Director and the Interim Director is
18 Judge Keating and ██████████ is still out on leave,
19 it's a personnel matter. What are you -- what's
20 going through your mind?

21 ██████████ ██████████ I am very excited and I
22 think somebody said they almost clapped but they
23 didn't, and I'm just thinking about all the great

1 things we can now contribute.

2 INTERVIEWER: And is that because [REDACTED]
3 was sort of a -- she was sort of exercising a lot of
4 control over HR?

5 [REDACTED] Yes.

6 INTERVIEWER: Did any of the Judges say
7 anything at all about personnel other than it was a
8 personnel matter? Did they make any reference to
9 what that was?

10 [REDACTED] No reference at all.

11 INTERVIEWER: Okay. And when they -- was
12 [REDACTED] already under investigation when they said
13 that -- did you all know that she was under
14 investigation?

15 [REDACTED] I did because I was
16 interviewed for that.

17 INTERVIEWER: Okay. So --

18 [REDACTED] And --

19 INTERVIEWER: But maybe not everybody knew
20 that [REDACTED] --

21 [REDACTED] Right, yes.

22 INTERVIEWER: But you would probably know
23 more because of your position?

1 ██████████ ██████████ Right.

2 INTERVIEWER: How -- for how long had
3 ██████████ been out on -- out on leave for
4 investigation, do you know?

5 ██████████ ██████████ I don't know exactly.

6 INTERVIEWER: Okay.

7 ██████████ ██████████ It was -- ██████████ was supposed
8 to -- I don't know, it's been a while. A couple of
9 weeks.

10 INTERVIEWER: Okay. So that meeting --

11 ██████████ ██████████ Three maybe.

12 INTERVIEWER: -- so they announced this,
13 right? Did they take questions from anybody?

14 ██████████ ██████████ Yeah, but I don't think any
15 -- there was one question -- oh yeah, there was just
16 one question about how if we still need to get
17 approvals on expenditures as little as a dollar or
18 something like that.

19 INTERVIEWER: Approvals from who?

20 ██████████ ██████████ I guess before -- and I've
21 never -- well I did ask for approvals on HR-related
22 stuff. I don't know the procurement process. I
23 don't know who was --

1 INTERVIEWER: Okay.

2 [REDACTED] [REDACTED] Probably Dianne or

3 [REDACTED].

4 INTERVIEWER: Who would give you your
5 approvals when you needed it to buy something?

6 [REDACTED] [REDACTED] Dianne or [REDACTED].

7 INTERVIEWER: Okay, all right.

8 [REDACTED] [REDACTED] And --

9 INTERVIEWER: So they were asking who's
10 going to do that now --

11 INTERVIEWER: Yeah.

12 INTERVIEWER: -- that they're gone
13 basically?

14 [REDACTED] [REDACTED] So now that they're --
15 yeah, pretty much.

16 INTERVIEWER: Yeah.

17 [REDACTED] [REDACTED] And for what amounts. So
18 people were wondering if we -- if they could purchase
19 like notepads for the office without getting -- you
20 know, waiting for approvals. So that's when they
21 said, yes, you can go ahead and make purchases under
22 \$500 without having to go through --

23 INTERVIEWER: But prior to that, what was

1 the threshold to get permission? What was like the
2 lowest amount you had to --

3 [REDACTED] [REDACTED] I don't know. But I think
4 it was like anything.

5 INTERVIEWER: Anything?

6 [REDACTED] [REDACTED] Yeah.

7 INTERVIEWER: Okay. How long do you think
8 that meeting lasted?

9 [REDACTED] [REDACTED] Maybe 15 minutes.

10 INTERVIEWER: Okay. And then what happened
11 after the meeting?

12 [REDACTED] [REDACTED] I wanted to make sure that
13 my coworkers were aware. [REDACTED] left with the
14 proceeding line.

15 INTERVIEWER: Because they called her out --
16 they called -- did they say, can you come with us?

17 [REDACTED] [REDACTED] Yes.

18 INTERVIEWER: Okay.

19 [REDACTED] [REDACTED] And they all met privately
20 and I called Jair who was working remotely to let him
21 know.

22 INTERVIEWER: And do you know -- did [REDACTED]
23 have a meeting with them? Do you know that?

1 ██████████ ██████████ Yes.

2 INTERVIEWER: How do you know that?

3 ██████████ ██████████ ██████ told me ██████ just came
4 -- afterwards I talked to ██████████, ██████ said ██████ just
5 came back from that meeting.

6 INTERVIEWER: And what did ██████ tell you
7 about the meeting? Did ██████ share with you what the
8 meeting was about?

9 ██████████ ██████████ I think ██████ just talked
10 about now we can move forward. I don't really
11 remember exactly what ██████ said.

12 INTERVIEWER: Okay.

13 INTERVIEWER: How do you spell Jair's first
14 name?

15 ██████████ ██████████ J-A-I-R.

16 INTERVIEWER: Were either Takhmina or Dianne
17 at that meeting?

18 ██████████ ██████████ No. And that's when we
19 were like, ooh.

20 (Laughs.)

21 INTERVIEWER: So neither one of them were
22 there?

23 ██████████ ██████████ No, they were not.

1 INTERVIEWER: Okay. And you don't remember
2 if Erin Creegan was at that meeting?

3 [REDACTED] [REDACTED] I think so.

4 INTERVIEWER: Okay.

5 [REDACTED] [REDACTED] But in the -- I think,
6 yeah, she might have sat near me.

7 INTERVIEWER: Okay.

8 [REDACTED] [REDACTED] Yeah. I don't think she
9 was up in front.

10 INTERVIEWER: Yeah, she wasn't in the
11 parade?

12 [REDACTED] [REDACTED] I don't remember.

13 INTERVIEWER: Okay. That's fine.

14 INTERVIEWER: You said [REDACTED] was under
15 investigation and you were interviewed. Who
16 interviewed you?

17 [REDACTED] [REDACTED] Sean.

18 INTERVIEWER: Haggerty?

19 [REDACTED] [REDACTED] Yeah.

20 INTERVIEWER: Yeah.

21 [REDACTED] [REDACTED] I gave him a statement, a
22 written statement, too. But everything I had was
23 under my e-mail -- my work e-mail.

1 INTERVIEWER: Right. So you don't have any

2 --

3 [REDACTED] [REDACTED] And during -- I do have a
4 few texts but I don't share, you know, sensitive
5 information via text. So it's usually like well --
6 like to my husband, big announcement today.

7 INTERVIEWER: But you didn't tell him what
8 the announcement was about?

9 [REDACTED] [REDACTED] No, or I didn't tell him
10 afterwards or anything --

11 INTERVIEWER: Okay. Yeah.

12 [REDACTED] [REDACTED] -- you know, in writing.

13 INTERVIEWER: Your statement that you gave
14 to Sean about [REDACTED] for his investigation, was it
15 -- what did it say? I mean, was it largely
16 supportive of [REDACTED] complaint or did it diverge
17 from her version?

18 [REDACTED] [REDACTED] I don't know.

19 INTERVIEWER: Okay.

20 [REDACTED] [REDACTED] He told me not to tell
21 anyone about it. So I didn't even tell Suzanne that
22 I was meeting with him or anything.

23 INTERVIEWER: Okay. Do you know what the

1 result of that investigation with [REDACTED] was?

2 [REDACTED] [REDACTED] Suzanne told me that they
3 didn't find anything, that [REDACTED] was fine to return.

4 INTERVIEWER: Okay. Did that surprise you
5 or were you not surprised?

6 [REDACTED] [REDACTED] I was extremely surprised
7 and scared.

8 INTERVIEWER: And scared. Why scared?

9 [REDACTED] [REDACTED] Because I really thought --
10 I didn't want to even get involved in any of this.

11 INTERVIEWER: Yeah.

12 [REDACTED] [REDACTED] And Suzanne said, don't
13 worry, you don't have to do anything, you know, I'll
14 speak out and if I have to leave my job I will. So I
15 didn't even want to, you know, sit down and do all of
16 this and speak against -- you know, or not against
17 but like just talk about what happened in that
18 meeting with Sean. But I don't even know who assured
19 me that it was -- that it was safe to do it. And I
20 did it reluctantly and then when I heard [REDACTED] was
21 coming back, I was afraid that [REDACTED] would find out
22 what I said.

23 INTERVIEWER: Okay. When you come back, did

1 you work directly for [REDACTED] again or no?

2 [REDACTED] [REDACTED] No. Suzanne said Judge
3 Keating removed [REDACTED] authority to manage anybody.

4 INTERVIEWER: Okay. So you have this
5 meeting on the 28th and then [REDACTED] meets with this
6 group of people. Do you see Dianne again? Does she
7 come back into the office, Dianne Martin, after that?

8 [REDACTED] [REDACTED] No. I -- we all thought
9 that was it.

10 INTERVIEWER: Okay.

11 INTERVIEWER: Yeah. So was it your
12 understanding that she had been terminated from
13 employment entirely at the time of the meeting?

14 [REDACTED] [REDACTED] They didn't explicitly say.
15 They just said that -- they just said she's no longer
16 the director. So if some -- in HR, if somebody tells
17 me that, I assume she either quit or was terminated.

18 INTERVIEWER: Right, yeah.

19 INTERVIEWER: Yeah. Yeah. So you didn't
20 take it to mean -- they weren't -- with [REDACTED],
21 they were making it clear [REDACTED] was under investigation
22 and with Dianne, they just said she was no longer the
23 director?

1 ██████████ ██████████ Effective today.

2 INTERVIEWER: Which you understood as a
3 euphemism for some reason she no longer works for the
4 Branch?

5 ██████████ ██████████ Yeah, that's what we all
6 understood.

7 INTERVIEWER: So after that day, the 28th of
8 February, did you ever see Dianne again in the AOC?

9 ██████████ ██████████ I saw her once here in the
10 --

11 INTERVIEWER: Lobby?

12 ██████████ ██████████ -- lobby.

13 INTERVIEWER: Just she happened to be here
14 and you ran into her?

15 ██████████ ██████████ Yeah. She said she was
16 coming for a meeting and it was wonderful to run into
17 me.

18 INTERVIEWER: (Laughs.)

19 ██████████ ██████████ It's like, oh yeah, good to
20 see you too.

21 INTERVIEWER: (Laughs.) And do you know
22 approximately when that was, like how much -- how
23 much --

1 ██████████ ██████████ I think though I had
2 already resigned actually. So that must have been --

3 INTERVIEWER: August.

4 ██████████ ██████████ -- August.

5 INTERVIEWER: Yeah.

6 INTERVIEWER: Okay.

7 ██████████ ██████████ Yeah, August.

8 INTERVIEWER: But you saw ██████████ again.

9 ██████████ came back?

10 ██████████ ██████████ Yes.

11 INTERVIEWER: And how long did ██████████ stay?

12 ██████████ ██████████ Maybe a week.

13 INTERVIEWER: Okay. And then what happened

14 to ██████████?

15 ██████████ ██████████ A week and a half. ██████████

16 resigned.

17 INTERVIEWER: Okay, all right. And then how

18 -- how long did Suzanne stay? Suzanne left at some

19 point? Right? She left her job. Do you know when

20 that -- approximately when that was?

21 ██████████ ██████████ Sometime in March.

22 INTERVIEWER: Okay. ██████████ ██████████ ██████████ ██████████ ██████████ ██████████

23 know why she -- ██████████ ██████████ ██████████ ██████████ ██████████ ██████████

1 ██████████ ██████████ Yeah, yeah. That was
2 another shocking thing because --

3 INTERVIEWER: Yeah.

4 ██████████ ██████████ -- she just called me and
5 said, I'm no longer your manager, you're going to
6 have to report to Judge Keating now.

7 INTERVIEWER: Okay. And did she leave
8 quickly on like -- like the same day that she was
9 there?

10 ██████████ ██████████ I was actually working
11 remotely when this all happened. So I just got a
12 call from her and never saw her again.

13 INTERVIEWER: You never saw her again?

14 ██████████ ██████████ Uh-hmm.

15 INTERVIEWER: Okay. What did you think of
16 her abilities as an HR professional, Suzanne's?

17 ██████████ ██████████ I think she has high
18 abilities, also some weaknesses. I think she was
19 just, you know, in a tough emotional position ██████████

20 ██████████ ██████████ ██████████

21 INTERVIEWER: ██████████ ██████████ ██████████ ██████████ ██████████

22 ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████

23 ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████

1 INTERVIEWER: Okay.

2 [REDACTED] [REDACTED] So, you know, I think she
3 could be a really effective leader if all -- if she
4 was in a [REDACTED] [REDACTED] [REDACTED]

5 INTERVIEWER: Uh-hmm. Okay. Who replaced
6 Suzanne as the HR manager?

7 [REDACTED] [REDACTED] Lorrie Rudis.

8 INTERVIEWER: And how -- how soon after
9 Suzanne [REDACTED] [REDACTED] did Lorrie Rudis come over?

10 [REDACTED] [REDACTED] That was in like July.

11 INTERVIEWER: Okay. So you went a number of
12 months, like from March or April, until July with no
13 HR manager?

14 [REDACTED] [REDACTED] Correct.

15 INTERVIEWER: And Keating was doing it
16 essentially?

17 [REDACTED] [REDACTED] He tried. He works really
18 hard. He tried but it just -- he couldn't be on the
19 day to day.

20 INTERVIEWER: Right.

21 [REDACTED] [REDACTED] So his solution was to send
22 us over to DAS --

23 INTERVIEWER: Okay.

1 ██████████ ██████████ -- and report to the
2 leaders there.

3 INTERVIEWER: Okay. And that's -- is that
4 --

5 ██████████ ██████████ The HR (inaudible)
6 leaders.

7 INTERVIEWER: That's what you were doing?

8 ██████████ ██████████ So yes, we then reported to
9 them --

10 INTERVIEWER: Okay.

11 ██████████ ██████████ -- and only -- you know,
12 Judge Keating was only involved for, you know,
13 timecards or something like that.

14 INTERVIEWER: Okay. Okay.

15 INTERVIEWER: Do you have an understanding
16 about what happened with Dianne Martin? So she was
17 no longer the director as of that meeting on the 28th
18 but what -- what happened after that and when did you
19 learn that -- about her fate?

20 ██████████ ██████████ I learned about that she
21 was actually not out of the Branch --

22 INTERVIEWER: Yeah.

23 ██████████ ██████████ -- I want to say sometime

1 around late March.

2 INTERVIEWER: So several weeks went by?

3 [REDACTED] Yeah.

4 INTERVIEWER: So several weeks you just
5 assumed she's gone --

6 [REDACTED] Yeah.

7 INTERVIEWER: -- that time passed and then
8 at some point you learn oh she's still with the
9 Branch.

10 [REDACTED] And Accounting -- and I'm
11 the HR person and Accounting's asking me when they
12 should terminate her in the system. And I'm like, I
13 have no clue but we -- HR is always looking for
14 backup documentation. So there was no backup
15 documentation to terminate her in the system, or at
16 least I hadn't seen it. So I said, I don't know, I
17 haven't seen any, you know, termination letter. So I
18 don't know if you should or not. You should go ask
19 Judge Keating.

20 INTERVIEWER: Dianne was still in the
21 system, she was getting paid from the time that she
22 was -- that you had that meeting on the 28th until
23 this time in March, right? She was still in the

1 system getting paid?

2 [REDACTED] [REDACTED] I know that she was still
3 active on ASAP, the system of record.

4 INTERVIEWER: How do you know that?

5 [REDACTED] [REDACTED] Because Payroll asked me if
6 they should terminate her in the system and I'm like,
7 oh, you haven't done that yet. And I said, I haven't
8 seen any termination letter. So I don't know if you
9 should -- like I have no clue if you should or not.

10 INTERVIEWER: Okay.

11 [REDACTED] [REDACTED] But, yeah, you asked about
12 -- yeah, so late March is kind of when I found out
13 she's -- I don't know if it was maybe I saw the
14 termination letter or whatever it was, the letter
15 saying you're no longer with us. And then I was
16 brought in to a room with Judge Keating about -- I
17 don't know, it's so scary. So Suzanne just went --
18 she stopped showing up. And I think this was the
19 first week of April. That whole week she was out and
20 we hadn't heard from her. I even have texts with my
21 -- with Jair, like where she is, people are asking
22 about her. Now people are coming to me. And that
23 week when I texted Jay that I was concerned that

1 people were wondering where she is is when I first
2 saw the offer letter and the dates on it. And I got
3 really scared because if the HR manager's not there
4 and I'm the -- technically after my promotion I was
5 supposed to be like second in command, I'm supposed
6 to get trained up to be kind of like the assistant
7 manager, like backup manager, that I was scared when
8 I saw that, that they were gonna make me sign that.

9 INTERVIEWER: So why was that scary to you?

10 [REDACTED] [REDACTED] Because the information on
11 it, I didn't -- in my opinion, it wasn't -- I don't
12 know. There was something -- it wasn't correct.

13 INTERVIEWER: Okay. Do you remember what it
14 was that wasn't correct?

15 [REDACTED] [REDACTED] The -- the -- because we
16 found out that she was no longer the director in
17 February 28th I thought -- and Jair even -- I texted
18 him and he said, yeah, it's strange that they're
19 saying April 1st.

20 INTERVIEWER: Uh-hmm. Saying April 1st what?

21 [REDACTED] [REDACTED] That April 1st was when she
22 no longer was the director.

23 INTERVIEWER: Okay.

1 ██████████ ██████████ Because they said that in
2 February.

3 INTERVIEWER: Oh, okay.

4 INTERVIEWER: Oh, so February 28th they say
5 she's no longer the director but then you see an
6 offer letter that says that her term as director
7 doesn't end until then?

8 ██████████ ██████████ Oh maybe it was the
9 termination letter. So both letters, I saw them very
10 close together --

11 INTERVIEWER: Okay.

12 ██████████ ██████████ -- like the same week.

13 INTERVIEWER: So there's two letters?

14 ██████████ ██████████ Yes.

15 INTERVIEWER: And one you think is a
16 termination letter?

17 ██████████ ██████████ Yes.

18 INTERVIEWER: And what's the other letter?

19 ██████████ ██████████ The offer letter.

20 INTERVIEWER: Offer letter. So Dianne
21 Martin got two letters. One is ending one job and
22 it's an offer for a second job?

23 ██████████ ██████████ Uh-hmm.

1 INTERVIEWER: Do you remember what the
2 second job was?

3 [REDACTED] [REDACTED] General Counsel of the Bar.

4 INTERVIEWER: Bar. Okay.

5 [REDACTED] [REDACTED] And it also said reports to
6 -- so they -- so I don't remember if -- yeah, no. So
7 it was strange that the letter said reports to the
8 Chief when the person that was in that role, Sherry,
9 reports to the director of the AOC. So I thought
10 that was strange.

11 INTERVIEWER: Uh-hmm.

12 [REDACTED] [REDACTED] And then at the same time,
13 I see reclassification for those positions, and I'm
14 like, so I was so scared that my mom was in town and
15 I decided to just say that I'm sick and I got lucky
16 or someone's watching over me, because that Monday
17 morning, that following week, where I thought they
18 were -- like I was wondering, are they going to have
19 to make me sign this or what -- my dentist called and
20 I had -- was gonna get [REDACTED] [REDACTED] [REDACTED] on
21 Thursday that week. My -- I said I was sick that
22 Monday because I didn't -- I wanted to be absent so I
23 didn't have to do anything unethical. And the

1 dentist called that Monday morning and said, we can't
2 make your appointment on Thursday, can you come in
3 today.

4 (Laughs.)

5 [REDACTED] [REDACTED] So it was like I would
6 rather get my teeth pulled and be out all week than
7 deal with this sketchy business.

8 (Laughs.)

9 INTERVIEWER: Probably the happiest patient
10 they ever had.

11 [REDACTED] [REDACTED] Yes, I was. Can I get a
12 note for the week?

13 INTERVIEWER: Maybe next week too. Yeah.
14 So was it a termination letter or a layoff letter, do
15 you know?

16 [REDACTED] [REDACTED] The thing is, in Human
17 Resources, termination can be either.

18 INTERVIEWER: Okay.

19 [REDACTED] [REDACTED] You're just terminating the
20 employment. But yeah, the letter said that it was
21 restructuring.

22 INTERVIEWER: A restructuring. And up until
23 that letter, had you heard anything about any sort of

1 restructuring of Dianne's job?

2 [REDACTED] [REDACTED] No.

3 INTERVIEWER: Okay. So and this rehire
4 letter -- there were two letters, right? There was
5 hiring her as general counsel for the Board of Bar
6 Overseers. Was -- was she going to leave one job and
7 then go immediately into the second job? Is that how
8 it was going to work?

9 [REDACTED] [REDACTED] Well, I knew that -- I
10 mean, the offer letter said April 2nd.

11 INTERVIEWER: Okay.

12 [REDACTED] [REDACTED] And I was mostly worried
13 about what I'm responsible for, which is putting
14 together all the paperwork and into the personnel
15 file --

16 INTERVIEWER: Uh-hmm.

17 [REDACTED] [REDACTED] -- on time. And we still
18 didn't have a signed offer letter.

19 INTERVIEWER: Okay. Yeah.

20 [REDACTED] [REDACTED] So I felt like I was just
21 trying to figure out how to get this letter signed
22 and it was already -- I don't know how long it went
23 without it.

1 INTERVIEWER: And you said there was some
2 sort of an upgrade? Is that what you called it? A
3 reclassification of what position?

4 [REDACTED] [REDACTED] General counsel positions.

5 INTERVIEWER: Up to reclassify it to a
6 different paygrade?

7 [REDACTED] [REDACTED] Uh-hmm.

8 INTERVIEWER: And had you seen that -- you
9 saw that as well?

10 [REDACTED] [REDACTED] Uh-hmm.

11 INTERVIEWER: Okay. So they were -- she was
12 ending her -- officially her position as the
13 director. She was being offered this new job as
14 general counsel. And at that time, that job was
15 being upgraded to a higher rate of pay?

16 [REDACTED] [REDACTED] Uh-hmm.

17 INTERVIEWER: I mean, that's happening like
18 all at one time?

19 [REDACTED] [REDACTED] Yes.

20 INTERVIEWER: Okay. So are you aware there
21 was a lag time between when she officially ended her
22 job as director and when she started as the general
23 counsel?

1 ██████████ ██████████ Am I aware of the --

2 INTERVIEWER: Lag time. So in other words,
3 she didn't go right into one position to the next.
4 There was a time where she was basically essentially
5 out of state service. That job ended say on the 1st
6 of April. She didn't start her new job until the 4th
7 of April.

8 ██████████ ██████████ It depends, because you
9 would have to probably look into the systems --

10 INTERVIEWER: Okay.

11 ██████████ ██████████ -- and because I don't know
12 if she was working from home.

13 INTERVIEWER: Okay.

14 INTERVIEWER: No, but what he's asking,
15 ██████████, is if you were aware -- do you know that one
16 job ended before the other job started? Like did you
17 know that the director's job ended before the general
18 counsel job started for Dianne or did one end and the
19 same day she started? Like she ended director, she
20 became general counsel the same day. Do you have any
21 understanding of that or knowledge of that?

22 ██████████ ██████████ On -- I mean, in the
23 system, we have to transfer -- well, we have to -- if

1 the person is leaving the organization, you have to
2 terminate their employment and then rehire the
3 person.

4 INTERVIEWER: Uh-hmm.

5 [REDACTED] [REDACTED] That is like an actual
6 process for our system, their system of record. So
7 there must be -- in the system, there must be a date
8 of when that -- where she was terminated --

9 INTERVIEWER: Yeah.

10 [REDACTED] [REDACTED] -- in the system.

11 INTERVIEWER: But you aren't aware of any of
12 that for Dianne? You don't know the timing of when
13 one job started and when the next job began? You
14 don't know that?

15 [REDACTED] [REDACTED] The only thing I rely on is
16 the termination letter that says effective date --

17 INTERVIEWER: Okay.

18 [REDACTED] [REDACTED] -- and offer letter says
19 effective date.

20 INTERVIEWER: And you don't remember what
21 those dates were in those two letters?

22 [REDACTED] [REDACTED] The -- well, the -- I saw
23 the NHPR article and I know the offer letter is there

1 and it said April 2nd.

2 INTERVIEWER: Okay, all right. Okay.

3 [REDACTED] [REDACTED] But that's just based on
4 that.

5 INTERVIEWER: Okay. So you saw the NHPR
6 article, right?

7 [REDACTED] [REDACTED] Uh-hmm.

8 INTERVIEWER: And so you know that there was
9 a -- it was actually classified as a layoff and that
10 she was -- that the Branch determined she was
11 eligible for paying out her accrued leave and some of
12 her term payment, right? So unused sick leave,
13 unused vacation leave and the term payment. It was
14 like \$49,000.

15 [REDACTED] [REDACTED] Mmmm.

16 INTERVIEWER: Were you involved in any of
17 that, calculating that, or did anyone talk to you
18 about the fact that she was going to get -- she was
19 going to cash out her unused leave and get this big
20 check?

21 [REDACTED] [REDACTED] No. I was not involved in
22 -- the Payroll Team usually handles payout
23 calculations for all employees.

1 INTERVIEWER: So you wouldn't be involved on
2 anyone who was leaving State's -- if someone else got
3 laid off and they were getting a payout, you wouldn't
4 be involved in that typically?

5 [REDACTED] [REDACTED] No, that would be Payroll
6 and usually Becky.

7 INTERVIEWER: All right. So but you would
8 -- maybe you would send something to Becky saying
9 that the employee was terminated on this date, they
10 ended their employment in the Branch on this date,
11 and then she would do what she needed to do for
12 payroll?

13 [REDACTED] [REDACTED] Normally or in this
14 scenario?

15 INTERVIEWER: Yeah, normal. Normal. If an
16 employee left, would you send a notice to the -- to
17 Payroll? Like they just left, they finished their
18 employment, you send Payroll a notice saying
19 "employee X left on this date", and then Payroll
20 would figure out what they would do for pay or for --
21 if there was unused sick time, that kind of stuff?

22 [REDACTED] [REDACTED] Ideally, yes, you -- HR
23 should know when people are leaving but it was so

1 dysfunctional that I was not aware of when people
2 were leaving. Like I -- and I complained about this
3 for a year. Usually it was handled between the
4 manager. So for example, if someone in the court
5 puts in a resignation letter, they send it to the HR
6 inbox. Ideally, they should send it to the HR inbox
7 so that we can then take that letter and put it in
8 the personnel file.

9 INTERVIEWER: Uh-hmm.

10 [REDACTED] [REDACTED] And communicate with
11 Payroll to let them know that this person is leaving.
12 However, that -- my complaint was that the HR inbox
13 was not getting the termination letters and I was
14 unaware of when people were resigning.

15 INTERVIEWER: Okay, all right. So --

16 INTERVIEWER: And that wasn't just Dianne.

17 That was for all employee --

18 [REDACTED] [REDACTED] Everyone.

19 INTERVIEWER: Okay, all right. So I'm going
20 to go -- might go back in a little bit because before
21 we started we went down this other route. But you
22 said that you got called into a meeting with Judge
23 Keating at some point around this time. Can you talk

1 to us about that?

2 [REDACTED] [REDACTED] Yeah. They were wondering
3 -- they were -- because Suzanne -- that was the week
4 that Suzanne was gone.

5 INTERVIEWER: She's gone, right? Yeah. So
6 --

7 [REDACTED] [REDACTED] So they asked me --

8 INTERVIEWER: Who's "they"?

9 [REDACTED] [REDACTED] Judge Keating and Erin.

10 INTERVIEWER: Erin Creegan. Okay.

11 [REDACTED] [REDACTED] I got scared because I'm
12 like, oh my gosh, I'm in a room with a lawyer and a
13 judge and I don't know -- I don't have a law
14 background.

15 INTERVIEWER: Okay.

16 [REDACTED] [REDACTED] Anyways, they were just
17 wondering how HR processes worked.

18 INTERVIEWER: Generally?

19 [REDACTED] [REDACTED] When -- generally, how do
20 you -- you know, what are the steps to rehiring an
21 employee?

22 INTERVIEWER: Rehiring an employee. Okay.

23 [REDACTED] [REDACTED] Or hiring -- the hiring

1 process, something like that. They were wondering
2 about HR processes.

3 INTERVIEWER: And did they ask about anyone
4 in particular, the rehiring or hiring of any
5 particular employee?

6 [REDACTED] I think so, because I have
7 -- I have a text from that time, because I did get
8 your voicemail about looking up what I had.

9 INTERVIEWER: So I had asked her to look to
10 see if she had any messages or documents related to
11 this event.

12 INTERVIEWER: Okay.

13 [REDACTED] And I said, was pulled by
14 Judge Keating about how to bring Dianne back and
15 others are asking about Suzanne.

16 INTERVIEWER: The first part was what?

17 [REDACTED] I'm a little -- I'm
18 concerned.

19 INTERVIEWER: Who are you sending that to?
20 Jair?

21 [REDACTED] Jair.

22 INTERVIEWER: And what did you say?

23 INTERVIEWER: I'm sorry.

1 ██████████ ██████████ So they must have mentioned
2 her.

3 INTERVIEWER: It says, "Good morning Jay,
4 how are you today?" And then he says, "I am doing
5 good. How are you?" And then ██████████ responds, "I'm
6 okay, not too stressed but a little concerned about
7 Suzanne and people meeting her here. Was pulled by
8 Judge Keating about how to bring Dianne back and
9 others are asking about Suzanne. Oh boy."

10 INTERVIEWER: Okay. So they -- that meeting
11 was specifically to ask about --

12 INTERVIEWER: What's the date?

13 INTERVIEWER: April 2nd.

14 ██████████ ██████████ Uh-hmm.

15 INTERVIEWER: That meeting was specifically
16 to ask about how to bring Dianne back. And what did
17 they want to know? Like what were they --

18 ██████████ ██████████ They wanted to know the
19 processes and I -- the conclusion, it was very short.
20 The conclusion was that they had to talk to Becky
21 Plourde because she's the one that processes
22 terminations.

23 INTERVIEWER: Okay.

1 ██████████ ██████████ And if she's not terminated
2 in the system, we can't rehire someone who's not
3 terminated in the system.

4 INTERVIEWER: Okay. Oh, I see, because you
5 -- at that point, you didn't know if Dianne was
6 terminated yet?

7 ██████████ ██████████ Exactly.

8 INTERVIEWER: She was still in the system.

9 ██████████ ██████████ I didn't know if she was or
10 not. I was so out of the loop.

11 INTERVIEWER: Okay. So that's what they
12 wanted to know, how to bring Dianne back and what the
13 process was for doing that. And it was a short
14 meeting?

15 ██████████ ██████████ Yeah, it was like five
16 minutes --

17 INTERVIEWER: And it's just Keating and
18 Creegan?

19 ██████████ ██████████ Uh-hmm.

20 INTERVIEWER: Okay. Was that the only time
21 that you met with Keating or Creegan to talk about
22 Dianne?

23 ██████████ ██████████ Uh-hmm.

1 INTERVIEWER: Okay.

2 INTERVIEWER: You're shaking your head up
3 and down?

4 [REDACTED] [REDACTED] Yes.

5 INTERVIEWER: Okay. I just -- that doesn't
6 see your head go up and down.

7 [REDACTED] [REDACTED] Oh yeah, that's right.

8 INTERVIEWER: We see your head but --

9 [REDACTED] [REDACTED] Yes, because after that,
10 just got very nervous about what was happening.

11 INTERVIEWER: Okay. All right.

12 INTERVIEWER: [REDACTED], can I ask you. So
13 you leave in October on your own --

14 INTERVIEWER: August.

15 [REDACTED] [REDACTED] September --

16 INTERVIEWER: August --

17 [REDACTED] [REDACTED] Oh August --

18 INTERVIEWER: Yeah.

19 [REDACTED] [REDACTED] -- and I started my new job
20 in September.

21 INTERVIEWER: Yeah. And why did you leave?
22 Do you mind telling us?

23 [REDACTED] [REDACTED] Many reasons.

1 INTERVIEWER: Okay.

2 [REDACTED] Yeah. That was my first
3 experience working for a government. (Laughs.) So
4 --

5 INTERVIEWER: It'll be your last.

6 [REDACTED] -- my conclusion was maybe
7 government is not for me.

8 (Laughs.)

9 [REDACTED] Things take too long to --
10 I want to move forward and do things and move
11 quickly. That was impossible. And I was hoping for
12 an opportunity to advance and I had that with
13 Suzanne. She was going to like take me under her
14 wing and we were gonna do HR projects that would
15 expand my growth as a professional. And when Lorrie
16 came in, that -- it was apparent that my role was
17 gonna be much more limited. Yeah, so.

18 INTERVIEWER: All right. Thank you.

19 INTERVIEWER: Okay. I don't think I have
20 anything else.

21 INTERVIEWER: Yeah. Yeah, I can't think of
22 anything else. Is there anything that we didn't ask
23 you that you think we should know? You've read the

1 articles. You know what the controversy is about.

2 [REDACTED] [REDACTED] Uh-hmm.

3 INTERVIEWER: So anything about all of that
4 that you think would be something that would be
5 important for us to know as we look at this?

6 [REDACTED] [REDACTED] Why would -- what's
7 convenient about that timeframe between April 1st
8 terminated or whatever and April 2nd or whatever it
9 was to be hired --

10 INTERVIEWER: Uh-hmm.

11 [REDACTED] [REDACTED] -- in employment. When you
12 terminate employment, you're -- you lose your
13 benefits.

14 INTERVIEWER: Uh-hmm.

15 [REDACTED] [REDACTED] But if -- but not until the
16 end of the month.

17 INTERVIEWER: Right. Your health benefits?

18 [REDACTED] [REDACTED] Right.

19 INTERVIEWER: Right. So you're saying if
20 the termination and the rehire are in the same date,
21 there will not be a gap in benefits. Is that your
22 point?

23 [REDACTED] [REDACTED] I think there was something

1 about that, that --

2 INTERVIEWER: So if she -- if an employee,
3 any employee gets -- their employment with the State
4 ends on the 28th of this month but they're rehired on
5 the 1st of the next month, would there be a
6 separation of benefits or would --

7 [REDACTED] [REDACTED] Uh-hmm.

8 INTERVIEWER: So they would have to start
9 all over again?

10 [REDACTED] [REDACTED] I think so. I think they
11 would have to -- I have a cheat sheet actually for
12 that. I think they have to wait 30 days --

13 INTERVIEWER: Thirty days.

14 [REDACTED] [REDACTED] -- until the 1st of the
15 month.

16 INTERVIEWER: But if their employment ends
17 on the 1st of the month and their new employment
18 starts two or three days later in the same month,
19 they don't lose any benefits?

20 [REDACTED] [REDACTED] Uh-hmm.

21 INTERVIEWER: Yeah. You're shaking your
22 head?

23 [REDACTED] [REDACTED] Yes. The health insurance,

1 for example --

2 INTERVIEWER: Okay.

3 [REDACTED] [REDACTED] -- would remain in place.

4 INTERVIEWER: Okay, all right. So that's
5 something you were thinking about when you saw the
6 timing on these letters. And, in fact, like because
7 your understanding it sounds like had been she's not
8 working for the Branch as of the meeting on February
9 28th but then later you see letters that have a
10 different termination date than that, is that -- is
11 that -- and you think that that was maybe structured
12 to preserve the benefits for her rather than make her
13 go through a new waiting period?

14 [REDACTED] [REDACTED] Yes. And I don't know if
15 it was my conclusion alone or if it was a
16 conversation with Suzanne. I just remember someone
17 saying something like, yeah, well. And I don't know
18 if any of this is true or -- it's just hearsay that
19 there -- you know, the reason for the delay of all of
20 this is because she wanted to keep her insurance
21 because her daughter's only insurance. And actually
22 there was a loop hole in the Personnel rules and now
23 there could be a payout. I feel like -- I think that

1 was a conversation in the room but I don't know --
2 you know, that's just in my head as like something I
3 heard.

4 INTERVIEWER: Okay. So if I show you this,
5 this is a document that says, "Request to approve
6 higher entry level step for new employee".

7 [REDACTED] [REDACTED] Uh-hmm.

8 INTERVIEWER: If you could take a look at
9 that.

10 [REDACTED] [REDACTED] Yeah.

11 INTERVIEWER: Is that -- remember we talked
12 about that there was -- there were the three
13 documents and one of them was an upgrade. Is that
14 the one -- is that the document you're talking about?

15 [REDACTED] [REDACTED] No. This is a standard
16 document that hiring managers have to fill out
17 whenever employee gets hired at a higher step than
18 one --

19 INTERVIEWER: Okay.

20 [REDACTED] [REDACTED] -- for the organization.

21 INTERVIEWER: There's another one. There's
22 another document.

23 [REDACTED] [REDACTED] That's similar looking to

1 this.

2 INTERVIEWER: Okay.

3 [REDACTED] [REDACTED] That would be the re --

4 INTERVIEWER: So I don't have -- so this
5 looks like it's the offer letter to the new position?

6 [REDACTED] [REDACTED] Yeah.

7 INTERVIEWER: If you could just take a look
8 at that. Does that look familiar to you?

9 [REDACTED] [REDACTED] Yes.

10 INTERVIEWER: Okay. Is that the one that
11 you remember seeing?

12 [REDACTED] [REDACTED] Uh-hmm. Yes.

13 INTERVIEWER: Okay. And then what is this
14 -- do you know what that document is?

15 [REDACTED] [REDACTED] That's so weird they added
16 the Concord Regional Technical Center students --

17 INTERVIEWER: Yeah.

18 [REDACTED] [REDACTED] -- will be honored and
19 supported. Like that's not -- doesn't go with offer
20 letters.

21 INTERVIEWER: Uh-hmm. Yeah.

22 [REDACTED] [REDACTED] That is part of a job
23 description normally. Yeah, that's just -- this is

1 also a standard document. So this is what's needed
2 to actually rehire someone is --

3 INTERVIEWER: Okay.

4 [REDACTED] [REDACTED] -- this, the hire step and
5 the offer. So those three have to be put together.

6 INTERVIEWER: Okay.

7 [REDACTED] [REDACTED] But there was one more that
8 is the reclass -- reclassification of the general
9 counsel --

10 INTERVIEWER: Okay.

11 [REDACTED] [REDACTED] -- positions. Because if
12 you reclassify one job, you have to reclassify all of
13 the other jobs with the same title.

14 INTERVIEWER: All right. Okay. I don't
15 think there's anything else. I don't think I have
16 anything else.

17 INTERVIEWER: If you do think of something
18 later that you feel like we should have known, feel
19 free to reach back out to Dick and -- would it be all
20 right if we had other questions if we reached out
21 again?

22 [REDACTED] [REDACTED] Yeah, sure.

23 INTERVIEWER: Okay. Thank you.

1 INTERVIEWER: Okay. I have nothing else.

2 INTERVIEWER: All set.

3 INTERVIEWER: This is -- all set. This is
4 really helpful. Thank you.

5 [REDACTED] [REDACTED] Okay.

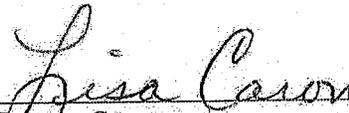
6 INVESTIGATOR RICHARD TRACY: Okay. We're
7 going to go off record, it's 2:25.

8 (End)

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CERTIFICATE

I, Lisa Caron, a court-approved transcriptionist, do hereby certify that the foregoing is a correct transcript from the official electronic sound recording of the proceeding in the above-entitled matter to the best of my professional skill and ability .



Lisa Caron

Avicore Reporting

Exhibit 7

**DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
REPORT OF INVESTIGATION**

Matter #	Case Name	Investigator	Report Date
2025180174	Review of Dianne Martin's Employment in Judicial Branch	Daniel J. Mederos	November 20, 2025

11/14/25- Interview with Dianne Martin at the New Hampshire Department of Justice

On November 13, 2025, I was assigned to assist with an interview scheduled for November 14, 2025 with:

Dianne Martin ("Martin")
General Counsel
New Hampshire Supreme Court Office of Bar Admissions

The interview was in reference to a preliminary review being conducted by the Department of Justice. This review involved the facts and circumstances referenced in Todd Bookman's recent report on NHPR (New Hampshire Public Radio online) regarding Martin's employment within the New Hampshire Judicial Branch to determine if any appropriate next steps were warranted. This interview was scheduled and agreed upon through Martin's private counsel:

Emma Sisti
Shaheen & Gordon Attorneys at Law
107 Storrs Street, Concord, NH 03301

On November 14, 2025 at approximately 4:30 pm, Deputy Attorney General James Boffetti, Associate Attorney General Christopher Bond and I met with Martin and Attorney Sisti at the New Hampshire Department of Justice at 1 Granite Place South, Concord, NH. Martin had signed in as visitors with reception prior to being escorted upstairs with Attorney Sisti to a fourth-floor conference room where the interview was conducted. After introductions, Martin was advised the purpose of the interview relates to an initial review regarding her employment within the Judicial Branch and that no formal criminal investigation has been opened regarding this matter. Martin was asked and respectfully declined to have our contact audio recorded. Martin confirmed the following in reference to her employment within the Judicial Branch:

She confirmed she was asked to join the Judicial Branch as the Director of Administration by Chief Justice Gordon MacDonald in November 2021. She expressed she had high hopes of taking on this new position to assist with changes within the Judicial Branch. During her position as Director of Administration, her sole point of contact and supervisor was Chief Justice MacDonald, who she reported directly to. By 2023 she felt stressed in her position due to the changes within the court and human resource related issues among other things. This was while working upwards of 70 hours per week. Under these conditions in 2024, [REDACTED] and by August 2024 she began a stint of approved leave being fully out of work. Although she was

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**DEPARTMENT OF JUSTICE
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2025180174	Review of Dianne Martin's Employment in Judicial Branch	Daniel J. Mederos	November 20, 2025

fully on leave, admittedly she was terrible at saying “no” and assisted while out with some work to include the budget and other projects she was invested in. She was aware other Judicial Branch employees were tasked to “pickup work” due to her leave.

In December 2024 into January 2025, she returned to work from her leave with approval to work up to 40 hours per week with flexible work scheduling. After this return to work, she described that her overall workplace dynamic “felt different”. She believed Chief Justice MacDonald was annoyed as the workplace was chaotic, describing the justices as not agreeing with or communicating with each other and not being on the same page regarding the administration of the court. She pointed out that this was during the time period Justice Anna Barbara Hantz Marconi was on leave from the court. Martin advised there were always problems and justices would approach her about issues with staff. [REDACTED]

[REDACTED]. She expressed that the combination of these issues made it a difficult work environment for her. She cited the diversity, equity and inclusion initiative project of the court and its grant funding as one of the contentious topics at the Judicial Branch. She said she had limited interactions with justices about these projects but described an interaction with Chief Justice MacDonald on/or about February 25, 2025 regarding her understanding and the completion of billing for work associated with the diversity, equity and inclusion project. Martin described later receiving a text message from the Chief Justice on her work cell phone directing her to shut down the project and that she was uncomfortable relaying this to the project members.

Soon after, she was invited to a meeting with Justices Patrick Donovan and Melissa Countway scheduled for February 28, 2025 at 10:00 am at the Supreme Court in Concord. This meeting was scheduled by the justices’ support staff. Martin was unaware of what the meeting was about. She prepared for this meeting with topics of discussion as if it was the type of meeting she would typically have with Chief Justice MacDonald. She believed this meeting with these justices would be addressing and helping with the Chief Justice’s workload.

Martin met with Justices Donovan and Countway on Friday February 28, 2025. At this meeting, Martin advised the justices she had prepared an agenda for the meeting. Justice Donovan stated words to the effect that they were “here to let you know your position is being eliminated effective immediately” and “You are going to be replaced by a judge” referencing a reorganization at the Judicial Branch. She advised there was no previous communication about this reorganization, and she was completely shocked by this notification. She was offered the

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2025180174	Review of Dianne Martin's Employment in Judicial Branch	Daniel J. Mederos	November 20, 2025

position of General Counsel to the Office of Bar Admissions at the Judicial Branch, at this meeting, which she refused.

She was aware the General Counsel to the Office of Bar Admissions position was a position the court had been attempting to fill as the individual in that position was due to retire in August 2025. The plan was to hire for the position prior to the February and July bar exams so the new General Counsel would have overlapped time with the current General Counsel to become familiar with the position. She stated the General Counsel position was structured under her supervision as the Director of Administration. She declined the offer of this position as it paid less than her current position and she felt that it was a demotion.

During this meeting, Martin did point out that there was a process in the Judicial Branch policies regarding layoffs. After discussion about this process, Justice Donovan commented to Martin words to the effect of "other people had to do parts of your job". Justice Countway advised that their meeting was not a negotiation, and that the court had made a decision, advising Martin her position was "at will". This meeting concluded with Justice Donovan requesting and collecting from Martin her work computer, work cellphone, work identification and access cards with no further instruction as she was escorted out of the building by Justice Countway. She left this meeting under the impression the termination of her employment was effective that day. She was not provided with any written documentation or notification of this termination/layoff at this time. The next day, she made arrangements through Erin Creegan ("Creegan"), the Judicial Branch General Counsel at the time, to retrieve personal items from her office at the Administrative Office of the Courts. She later discovered Justice Donovan sent a message to all court staff that Martin was removed from her position immediately and Judge Christopher Keating would be taking over as Administrator of the Court.

The following Monday March 3, 2025, she reached out and corresponded from her personal email with Chief Justice MacDonald and Creegan regarding her position elimination. During this correspondence the Chief Justice praised Martin and expressed his hope she would take the General Counsel to the Office of the Bar Admissions position. She was under the impression Chief MacDonald was aware of the planned termination/layoff and provided his reasoning for the termination/ layoff as being nothing to do with her performance and was just a reorganization of the position.

After consulting with private counsel, on March 12, 2025 she began communicating and negotiating with Creegan regarding the termination/layoff from the Director of Administration position and still open offer for the General Counsel to the Office of the Bar Admissions

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**DEPARTMENT OF JUSTICE
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2025180174	Review of Dianne Martin's Employment in Judicial Branch	Daniel J. Mederos	November 20, 2025

position. Creegan expressed to Martin that Creegan was unaware of and knew nothing of the decision to terminate/layoff Martin. She believed Creegan was tasked with negotiating the risk associated with the process or lack thereof associated with Martin's termination/layoff. This is when Martin discovered she remained on paid administrative leave while the Judicial Branch formally processed her layoff effective April 1, 2025 which was documented in a letter dated April 1, 2025 sent to Martin from Judge Keating.

While negotiating with Creegan three potential options were presented and discussed to include: being offered the General Counsel to the Office of Bar Admissions position at a higher labor grade pay scale, talk about a monetary sum under a release to cover time spent searching for new employment, or potentially working alongside Judge Keating in some capacity. She eventually agreed to the verbal offer for the General Counsel to the Officer of Bar Admissions position at the higher pay rate. Martin was formally offered this position in writing from Judge Keating in a letter dated March 27, 2025. Martin executed and signed the offer letter agreeing to the terms of employment on April 3, 2025. Per the terms of the offer, her rehire date in this new position was scheduled for April 4, 2025. She denied ever being asked to sign any type of release in reference to taking this new position.

Martin stated that during this negotiation with Creegan, Martin denied threatening a lawsuit associated with her termination/ layoff and the retroactive accruals paid out to her in the amount of approximately \$49,000.00. She confirmed these calculated accrual amounts compiled by the Judicial Branch were presented to her by Creegan prior to the payout and Martin asserted they appeared accurate. Martin advised all her prior leave was properly documented, submitted, and approved by the Chief Justice pursuant to Judicial Branch procedures.

She confirmed she still holds her position as General Counsel to the Office of Bar Admissions, which is a remote position that now reports directly to the Chief Justice. In October 2025, Judge Keating reached out to her regarding a press inquiry relating to Martin's employment advising [REDACTED] had painted an unflattering picture regarding the termination/layoff and rehiring of Martin. She encouraged the court to be forthcoming that the layoff was due to a restructuring by the court. She provided her work email and cell number to Judge Keating for any inquiries directed to her. She was aware the court decided against providing a statement in response to the press inquiry and Martin was never contacted directly by the press regarding this inquiry or prior to Todd Bookman's published report on NHPR regarding her employment within the New Hampshire Judicial Branch. Martin stated she was unaware the Supreme Court Justices were going to issue the statement released on October 30, 2025 related to her layoff and current employment.

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The interview with Martin concluded at approximately 7:15 pm.

End of report

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Exhibit 8

**DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
REPORT OF INVESTIGATION**

Matter #	Case Name	Investigator	Report Date
2025180174	Review of Dianne Martin's Employment in Judicial Branch	Richard C. Tracy	November 20, 2025

On or about October 28, 2025, Deputy Attorney General James T. Boffetti, advised me that I would be assisting him and General Counsel Chris Bond, with a review of an employment personnel matter involving the former New Hampshire Judicial Branch Director of Administration and current General Counsel of the Bar of Admissions, Dianne Martin.

On October 30, 2025, Deputy AG Boffetti, informed me that we were scheduled to meet with the Director and Human Resource Manager with the Division of Personnel (DOP) at the Department of Administrative Services (DAS) the following morning, October 31, 2025, at their current office located at 54 Regional Drive, Concord.

Matthew Mavrogeorge, Director
Division of Personnel
(603) 271-2824

Joanne Lydick, Human Resource Manager
Division of Personnel
(603) 271-4100

October 31, 2025, at 9AM, Deputy Attorney General James Boffetti, Associate Attorney General Chris Bond and I met with Director Matthew Mavrogeorge and Human Resource Manager Joanne Lydick at the DOP's current office.

Dep. AG Boffetti read aloud the October 30, 2025, statement released by the Supreme Court regarding the personnel move involving Dianne Martin that NHPR reporter Todd Bookman wrote about in his October 23, 2025, article titled "In midst of budget crisis, an unusual move helped ally of NH Chief Justice collect \$50K". After hearing the statement read out loud by Dep AG Boffetti, Director Mavrogeorge expressed concern with that statement indicating that goes against his understanding of the situation. Specifically, he stated that DOP did not verify the amount of accrued leave to which Dianne Martin was entitled.

Director Mavrogeorge explained that in March of 2024, after the NH Judicial Branch (NHJB) lost many of its Human Resource Staff, the NHJB entered a Memorandum of Understanding (MOU) with Department of Administrative Services (DAS) to provide human resource support to NHJB. Director Mavrogeorge provided us with a copy of the MOU and cover letter dated March 20, 2024, which states, in part, that "DAS Division of Personnel (DOP) to provide certain human resource management (HR) support to NHJB..." The effective date of the MOU was retroactive to March 11, 2024, and ran through to June 30, 2025.

HR Manager Joanne Lydick and her staff assisted NHJB with certain HR related matters. Director Mavrogeorge and Manager Lydick pointed out that NHJB never gave DOP full access

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Matter #	Case Name	Investigator	Report Date
2025180174	Review of Dianne Martin's Employment in Judicial Branch	Richard C. Tracy	November 20, 2025

to all HR related matters and files. Both acknowledge that NHJB HR department has experienced a high rate of turn over the past few years.

Manager Lydick and her staff worked closely with Rebecca Plourde at NHJB on payroll related matters. Manager Lydick stated that NHJB uses "Bureau of Accounts" (BOA) for payroll, and a program called "ASAP" for tracking annual and sick leave and not "NH First" like most other state agencies. NHJB does use NH First on a limited basis and is starting to use NH First more.

Mavrogeorge & Lydick indicated that NHJB kept the Dianne Martin issue in house and initially did not work with DAS or DOP. Mavrogeorge and Lydick stated that Carolyn Bond with BOA did the math on what Martin would receive as part of her layoff package based on leave balances provided by NHJB. Mavrogeorge and Lydick agreed that DOP had nothing to do with the "back story" of what led to Martin's transfer from one position into another position at NHJB. Mavrogeorge and Lydick stated that they were led to believe that NHJB created a new position for Martin at the Board of Bar Overseers.

Mavrogeorge and Lydick heard that Martin had been on leave and working partially remote, which "Tracy" at NHJB was tracking. DOP believed that at some point Martin returned from leave and continued to work remotely. Mavrogeorge and Lydick reminded us of that NHJB kept the DOP HR Support Unit out of the loop regarding the handling of Martins removal as Director at NHJB and the creation of the new position for Martin. Mavrogeorge and Lydick, stated that DOP HRSU was not consulted about whether Martin's new position was duplicative or not of another position within NHJB, NHJB handled that and did not consult DOP. Eventually DOP assisted NHJB with finalizing the position for Martin.

Mavrogeorge, acknowledged that he had conversations and exchanged emails with NHJB former HR director Suzanne Gelinis over the Martin issue. Mavrogeorge stated that Gelinis was concerned with how NHJB was handling the process of removing Martin from one position and moving her into another position within NHJB.

We discussed Mavrogeorge's notes that he took during his [REDACTED] Mavrogeorge's notes indicate that [REDACTED] told Mavrogeorge that Martin was on paid leave pending an investigation, that [REDACTED] told Mavrogeorge that the "Chief" is Chief Justice McDonald, and that according to [REDACTED] Chief Justice McDonald met with Judge Keating the week prior and that the "Chief wants to lay her off (Martin) a week & then rehire her into a new role in the NH Bar Assoc."

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**DEPARTMENT OF JUSTICE
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Matter #	Case Name	Investigator	Report Date
2025180174	Review of Dianne Martin's Employment in Judicial Branch	Richard C. Tracy	November 20, 2025

Mavrogeorge's notes indicate that [REDACTED] told Mavrogeorge that Judge Keating reportedly "went to [REDACTED] & asked [REDACTED] to help him figure this out." [REDACTED] reportedly told Mavrogeorge that Judge Keating and Erin Creegan, the former NHJB General Counsel, were aware of this plan.

[REDACTED] told Mavrogeorge that Justice Donovan met with NHJB staff to advise them that "Diane Martin no longer works for the judicial branch."

[REDACTED] reportedly told Judge Keating that "she doesn't understand why the Chief wants to classify this as a layoff."

According to [REDACTED] Martin reportedly spoke with Creegan about the "21 day layoff & reinstatement rule" and that Martin believes that "Judge Keating being put in her position is triggering a layoff & they have 21 days to do it."

[REDACTED] told Mavrogeorge that the Chief told Judge Keating to have [REDACTED] put Diane and another employee on paid leaving pending an investigation, and that "putting Diane into another position is Chief's idea." Mavrogeorge understood that to mean it was Chief Justice McDonald's idea.

[REDACTED] told Mavrogeorge that "Erin (Creegan) told [REDACTED] that Diane needs health insur. [REDACTED] Diane won't accept transfer because she wants the layoff payout \$."

After speaking with [REDACTED] Mavrogeorge discussed [REDACTED] concerns with his immediate supervisor, Lori Rudis and they looped in with the Commissioner of Administrative Services, Charlie Arlinghaus. Mavrogeorge stated that he never heard back from Commissioner Arlinghaus.

Mavrogeorge stated that Lori Rudis had multiple conversations with Judge Keating who seemed troubled by the plan to lay off Dianne Martin and rehire her into another position within the judicial branch.

Mavrogeorge stated that he received an email from [REDACTED] expressing her concern about how the Dianne Martin positions were being handled and that [REDACTED] didn't feel she could work at the NHJB any further. Mavrogeorge informed [REDACTED] of the steps he took on his end and who he notified but did not have any additional information to offer [REDACTED]

**DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
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2025180174	Review of Dianne Martin's Employment in Judicial Branch	Richard C. Tracy	November 20, 2025

DOJ requested and received email correspondence, payroll records and other documents related to this review from DOP.

Exhibit 9

**DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
REPORT OF INVESTIGATION**

Matter #	Case Name	Investigator	Report Date
2025180174	Review of Dianne Martin's Employment in Judicial Branch	Richard C. Tracy	December 2, 2025

[REDACTED]

Friday, October 31, 2025, I reached out to [REDACTED] at the phone number above. [REDACTED] was in NH when we spoke. [REDACTED] informed me that [REDACTED] was in the process of closing on the sale of [REDACTED] home in [REDACTED] NH and returning to [REDACTED] in a U-Haul truck full of furnishings from [REDACTED] home. [REDACTED] did not have time to speak that day. We agreed to make contact on Monday, November 3, 2025 to set up a time for a meeting via Teams.

Monday, November 3, 2025, at approximately 1530 hours, Deputy Attorney General James T. Boffetti, General Counsel Chris Bond, and I held a Teams meeting with [REDACTED], who allowed our conversation to be audio recorded. Refer to transcript for details of that meeting.

Later that evening, at 7:22PM, [REDACTED] sent me a text message expressing concern that the NHJB payroll manager is "accessing the FBI SPOTS system for personal gain". Secondly, [REDACTED] was concerned that the assistant payroll manager and other NHJB employees are working as bail commissioners, which [REDACTED] feels is a "direct conflict of interest" and [REDACTED] asked what protection [REDACTED] has as a whistleblower.

I wrote back acknowledging that I received [REDACTED] text message and asked [REDACTED] what's a good time to contact [REDACTED] the next day to discuss [REDACTED] concerns, [REDACTED] replied anytime after "9:00AM EST."

[REDACTED] and I made phone contact the following day on November 4, at approximately 1:30PM; that conversation was not recorded.

[REDACTED] informed me that [REDACTED] has worked in the HR field for several years; 15 years with [REDACTED], and 8 years with [REDACTED], prior to taking [REDACTED] first state government position with the NHJB in December of 2024. [REDACTED] stated that when [REDACTED] was hired by NHJB those that interviewed [REDACTED] felt [REDACTED] was the right person to "change the atmosphere" at NHJB.

I asked [REDACTED] to tell me about the concerns [REDACTED] expressed in [REDACTED] text message [REDACTED] sent last evening. [REDACTED] stated that the NHJB payroll manager, [REDACTED], reportedly used her access to SPOTS to obtain a second address for her sister whom [REDACTED] needed to get removed from [REDACTED]. [REDACTED] did not provide a name for [REDACTED]'s sister or grandmother.

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Secondly, [REDACTED] stated that there are about 12 or 13 AOC employees who act as bail commissioners throughout the State of NH. [REDACTED] stated that some of the work being done by bail commissioners occurs while these employees are on duty with the AOC. [REDACTED] stated that [REDACTED], the assistant payroll manager, spends part of her day evaluating bail payments received in accounts payable. [REDACTED] stated that [REDACTED] reported [REDACTED] concerns about AOC employees working as bail commissioners to Judge Keating. [REDACTED] does not believe anything was done about it. [REDACTED] does not know if there is anything illegal with AOC employees performing bail commissioner duties while at work, but in [REDACTED] opinion [REDACTED] believes that AOC employees working as bail commissioners to be a conflict of interest.

Next, we discussed [REDACTED] concern as to what would happen to [REDACTED] should [REDACTED] have to testify in this matter, and would [REDACTED] get "whistleblower protection". I told [REDACTED] that at this point I was not sure that [REDACTED] would have to "testify" in this matter. I pointed out to [REDACTED] that [REDACTED] was not working for NHJB at the time the Bookman story came out and if [REDACTED] feels [REDACTED] was wrongly terminated, [REDACTED] may consider speaking with a private attorney.

[REDACTED] stated that [REDACTED] was able to move to [REDACTED] to take this new position because [REDACTED] mom sold her larger home and now lives in a smaller home in [REDACTED], plus [REDACTED] mother spends time with her boyfriend in [REDACTED]. Knowing [REDACTED] mom is in a good position now, is what allowed [REDACTED] to take this new job in [REDACTED].

We discussed the letter that Justice Donovan asked [REDACTED] to write, which [REDACTED] described as being about 1 ½ pages and more about concerns [REDACTED] had with [REDACTED] and not Dianne Martin. [REDACTED] stated that several employees at NHJB did not like Martin, but [REDACTED] ½ page complaint letter was more about [REDACTED] treatment of [REDACTED] and not Martin.

[REDACTED] explained that when [REDACTED] arrived at NHJB [REDACTED] discovered that there seemed to be an abnormally high number of employees on FMLA. One employee that [REDACTED] described as "difficult" was performing duties that FMLA indicated she should not be conducting. When [REDACTED] spoke with the employee about that, the employee filed a complaint for harassment against [REDACTED]. As a result of that complaint, Martin told [REDACTED] not to take any action without going through Martin or [REDACTED] first. [REDACTED] questioned Martin as to why she hired [REDACTED]

[REDACTED] explained that prior to [REDACTED] arrival at NHJB, the HR department had a staff of 5, it was [REDACTED] understanding that all 5 employees left within 2 months of each other. When [REDACTED] was hired in December of 2024, the NHJB HR department became a staff of two, [REDACTED] and [REDACTED], who started about one month prior to [REDACTED] and left a few months after [REDACTED] termination.

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offer letter for employment as the "General Counsel for the Office of Bar Admissions, a component entity of the New Hampshire Judicial Branch." The second letter dated April 1, 2025, letter advised Martin that "Your non-judicial position is being abolished as part of reorganization." That letter further indicates that Martin is being laid off and is entitled to a "payout". Bookman wrote in his text message, "Are these the two letters that you were forced to write? The layoff letter and the job offer letter?"

Five days later, September 24, 2025, at 1:15PM Bookman texted [REDACTED], "Hi [REDACTED] I'm just checking in before you skip town for warmer climates. If you'd like to talk, I'm available. I'm also happy to come meet you in person, if you'd prefer."

September 26, 2025, at 7:55AM Bookman sent a follow up text to [REDACTED], "I know you are hitting the road today. Safe travels. If you want to talk, I'm available."

September 29, 2025, at 4:35PM Bookman texted [REDACTED], "Sorry to hound. Just need to know if you want to participate in the story on-the-record. If not I understand. You've already been incredibly helpful. Also curious about the letter to Ayotte and if that was submitted?"

October 10, 2025, at 10:18AM, Bookman texted [REDACTED], "Hi, I just wanted to alert you that we filed a Right to Know request to both DAS and DOJ requesting any materials related to Dianne Martin. DAS turned over handwritten notes taken by Matthew from your March phone conversation, as well as a brief email chain."

Next, we discussed the letters that pertained to Martin's position with NHJB that Judge Keating asked [REDACTED] to write. [REDACTED] stated that there are about 6 versions of that letter. [REDACTED] explained that in the first letter [REDACTED] wrote regarding Martin, it was a letter of termination, because [REDACTED] felt that based on the meeting [REDACTED] attended with [REDACTED] co-workers with Judge Donovan [REDACTED] believed that Martin had been terminated. [REDACTED] acknowledged that the word termination or fired was not used by Justice Donovan during the meeting with AOC staff but the overall message from Justice Donovan led [REDACTED] to believe that Martin had been terminated from the NHJB.

After writing the first draft, [REDACTED] learned from Judge Keating that Martin was not terminated and that she had been offered a new position with the "bar association". After the second or third draft, Judge Keating told [REDACTED] to reach out to DOP for assistance with how to lay Martin off and hire her back into this new position. [REDACTED] stated that [REDACTED] spoke with "Matt" at DOP to discuss what the NHJB was trying to accomplish and that [REDACTED] felt it was "squirrely". [REDACTED]

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stated that Judge Keating was checking in with [REDACTED] about every 2 hours to ask if [REDACTED] heard back from DOP.

[REDACTED] stated that during one of [REDACTED] conversations with DOP [REDACTED] was told that NHJB needed to follow personnel rules. After the fourth version of the letter [REDACTED] stated that Judge Keating told [REDACTED] that Martin was in a financial situation and needed to maintain her health insurance, [REDACTED].

[REDACTED] stated that the fifth draft of the letter included the final payment for being laid off, that she would not lose health benefits and contained Martin's salary for the new position.

[REDACTED] was told that Martin was not happy with the salary for her new position. The sixth and final version of the letter included a salary and labor grade increase.

[REDACTED] stated that when AOC employees learned that Martin and [REDACTED] were coming back they began "flooding into see me" to find out how this could happen and why.

[REDACTED] stated that [REDACTED] had only met Chief Justice MacDonald twice. [REDACTED] proceeded to describe Chief Justice MacDonald as an "introvert", who is highly educated but "not capable of calling the shots", which is why [REDACTED] felt that the Chief Justice needed Martin around.

Exhibit 10

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Matter #	Case Name	Investigator	Report Date
2025180174	Review of Dianne Martin's Employment in Judicial Branch	Richard C. Tracy	December 5, 2025

Judge Christopher M. Keating,
State Court Administrator
Judicial Branch, Supreme Ct.

November 5, 2025, Attorney General John M. Formella, Deputy Attorney General James T. Boffetti, Associate Attorney General Chris Bond and I met with Judge Keating, NH Judicial Branch (NHJB) General Counsel Jessica A. King and outside counsel for the judicial branch, Attorney Rick Lehman for a prearranged meeting.

Judge Keating and his counsel expressed concern about discussing an NHJB personnel matter with us. Dep. AG Boffetti stated that we understand their concerns but said we could discuss the circumstances leading up to the October 23, 2025, NHPR Todd Bookman article, the statement released by the Supreme Court regarding the Dianne Martin matter and a letter from Attorney Jane E. Young advising DOJ that she is representing Chief Justice MacDonald in this matter, without the need for them to disclose confidential information.

Judge Keating explained that until March 3, 2025, he had been "sitting as a judge" in the Laconia Circuit Court. On March 3, 2025, Judge Keating was appointed the Interim Director of the Court. Judge Keating stated that two weeks ago his titled changed to "State Court Administrator" and he is now in charge of the ancillary court staff, security, human resource and payroll. Judge Keating stated that the Chief Justice oversees the Superior Court and Circuit Court Judges.

Judge Keating recalled that Justice Donovan contacted Judge Keating the last week of February 2025 to discuss his becoming the interim director of the AOC, which they continued to discuss throughout the weekend of March 1 and 2. Monday, March 3, Judge Keating was appointed interim director for the courts.

Judge Keating stated that he was not part of any meeting or conversation on February 28, 2025, that Justice Donovan and others had with court staff regarding Dianne Martin. Judge Keating stated that he came to understand that Martin was placed on paid leave. Judge Keating later learned that Martin was laid off.

Judge Keating stated that there may have been an implicit threat but not an explicit threat of litigation from Martin involving her removal as Director of the AOC. He was aware that Erin Creegan, then general counsel at NHJB had discussions and negotiations with Dianne Martin over the status of her employment within NHJB.

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██████████
██████████ Judge Keating stated that presently he does not have a specific recollection of the number of letters.

Judge Keating believes it was mid-March when he was asked to look into Dianne Martin being laid off and rehired. Judge Keating asked ██████████ to contact the Division of Personnel (DOP) within The Department of Administrative Services to inquire about that process and to keep him in the loop. Judge Keating believes that ██████████ met Matt Mavrogeorge and Lorri Rudis at DOP, but ██████████ did not include Judge Keating in that meeting as he had asked. Judge Keating stated that he hoped to attend the meeting with DOP and wondered if ██████████ purposely excluded him. Judge Keating stated that he never spoke with Mavrogeorge or Rudis about the Martin issue.

Judge Keating recalled that there were several drafts of the letter that involved the lay-off and rehiring of Dianne Martin, as he wanted to make sure it was "accurate".

Judge Keating was not aware of a previous payout received by Martin when she separated from the Public Utility Commission.

Judge Keating believes that Sherry Hieber was the overseer of the NH Board of Bar Admissions for about 15 years, and that having Martin overlapped the position for 5 months, which included the processing of two bar admission sessions, seemed appropriate.

Judge Keating and his counsel were hesitant to go into details about ██████████ termination but did indicate that ██████████ had difficulty in conversing with some employees, which resulted in complaints and ██████████ pushed back when they asked ██████████. Judge Keating's counsel suggested that if we obtained a release from ██████████ they would release additional information related to ██████████ termination.

Judge Keating stated that he was not aware that ██████████ expressed concerns to DOP about how the Martin layoff and rehire was handled. ██████████
██████████

Exhibit 11

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Matter #	Case Name	Investigator	Report Date
2025180174	Review of Dianne Martin's Employment in Judicial Branch	Richard C. Tracy	December 11, 2025

Jessica King, General Counsel
NH Judicial Branch
1 Granite Place North
Concord, NH 03301
(603) 271-3675

Emma M. Sisti, Attorney
Shaheen & Gordon,
107 Storrs St.
Concord, NH 03301
(603) 607-5244

November 17, 2025, 3PM, Deputy Attorney General James T. Boffetti, Associate Attorney General Chris Bond and I met with NH Judicial Branch General Counsel Jessica King and Attorney Emma M. Sisti in the Administrative Conference room at the Office of the Attorney General. Attorney Sisti was representing Dianne Martin at the time of the meeting. Martin was not present.

The purpose of the meeting was to discuss and review documents related to Diane Martin's time of service with the NHJB, her annual and sick time both accrued and used. We were allowed to review supporting documents but not retain them.

Counsel King and Attorney Sisti advised us that Martin was hired by the NHJB on 11/15/2021. Martin earned 13.25 hours of annual time and 11.25 hours of sick time per month. Martin earned 37.5 hours of Administrative Time each fiscal year.

Counsel King & Attorney Sisti stated that at the time of her layoff, Martin had used the following amount of annual time 183.5 and sick time 192.75.

Counsel King & Attorney Sisti stated that at the time of her layoff, Martin had the following remaining balance of annual time 354.675 hrs., sick time 209.25 hrs., and administrative time 187.5 hrs.

Counsel King & Attorney Sisti advised us that when Martin was laid off, she was paid for the following amounts of annual days 44, sick days 26 and administrative time 187.5 hrs.

We then were given the opportunity to review but not retain documents related to Martin's leave time usage. Counsel King attested to the accuracy of the leave time usage and balance, which was used to figure out Martin's pay out.

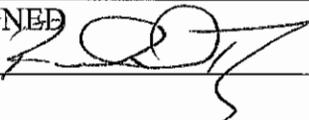
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Exhibit 12

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2025180174	Review of Dianne Martin's Employment in Judicial Branch	Richard C. Tracy	December 11, 2025

██████████
██████████
██████████ NH ██████████
(603) ██████████

November 7, 2025, at 1PM, Deputy Attorney General James T. Boffetti, Associated Attorney General Chris Bond and I met with ██████████ in room 108B at the Office of the Attorney General for a prearranged interview. ██████████ allowed for the interview to be recorded, refer to recording and/or transcript for details of the interview.

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