

STATE OF NEW HAMPSHIRE

6<sup>th</sup> CIRCUIT

FAMILY DIVISION – HILLSBOROUGH

In the Matter of Jennifer A. Eber and Gordon J. MacDonald

Docket No. 644-2020-DM-00107

**RESPONDENT'S ANSWER TO PETITION FOR DIVORCE**  
**AND**  
**RESPONDENT'S CROSS-PETITION FOR DIVORCE**

NOW COMES the Respondent, Gordon J. MacDonald, by and through his attorneys, TENN AND TENN, P.A., and submits this Answer to Petition for Divorce and Respondent's Cross-Petition for Divorce and, in correspondingly numbered paragraphs, states as follows:

1. The Respondent admits the allegations set forth in Paragraph 1 of the Petition for Divorce ("Petition").
2. The Respondent admits the allegations set forth in Paragraph 2 of the Petition, except that the Hancock address is a temporary address.
3. The Respondent admits the allegations set forth in Paragraph 3 of the Petition.
4. The Respondent admits the allegations set forth in Paragraph 4 of the Petition.
5. The Respondent admits the allegations set forth in Paragraph 5 of the Petition.
6. The Respondent admits the allegations set forth in Paragraph 6 of the Petition, except as to the June 8, 2019 date.
7. The Respondent admits the allegations set forth in Paragraph 7 of the Petition.
8. The Respondent admits the allegations set forth in Paragraph 8 of the Petition.
9. No response is required to Paragraph 9 of the Petition as that Paragraph is blank.
10. No response is required to Paragraph 10 of the Petition as that Paragraph is blank.
11. The Respondent admits the allegations set forth in Paragraph 11 of the Petition.
12. The Respondent admits the allegations set forth in Paragraph 12 of the Petition.

13. The Respondent admits the allegations set forth in Paragraph 13 of the Petition.

14. The Respondent admits the allegations set forth in Paragraph 14 of the Petition to the extent that irreconcilable differences have developed that have caused the irremediable breakdown of the marriage, but Respondent otherwise denies the remaining allegations of Paragraph 14.

15. Paragraph 15 of the Petition sets forth Petitioner's requested relief and no answer is required here as those requests do not allege facts requiring an answer.

**AND, IN FURTHER ANSWERING,** the Respondent, Gordon J. MacDonald, states by way of Cross-Petition for Divorce the following:

16. The parties were lawfully married on May 20, 2006 in Hillsborough, New Hampshire.

17. Gordon J. MacDonald has continuously resided in New Hampshire for more than one year.

18. The Petitioner, Jennifer A. Eber, resides at 128 Dickey Hill Road, Deering, County of Hillsborough, State of New Hampshire 03244. Her date of birth is [REDACTED], 1966.

19. The Respondent, Gordon J. MacDonald maintains his permanent residence at 128 Dickey Hill Road, Deering, County of Hillsborough, State of New Hampshire, 03244 and is presently living at a temporary address of 30 Norway Hill Road, Hancock, County of Hillsborough, State of New Hampshire 03449. His date of birth is [REDACTED], 1961.

20. One child has been born to the parties during this marriage, namely: Nellie MacDonald (date of birth [REDACTED], 2008).

21. List the places where the minor child of the parties has/have lived in the last five (5) years and the names of the people they lived with at that time, if you know. Start with where the child lives now and work backward in time.

Date From/To	Town/City, State	Parent(s)/Caretaker	Current Address/Contact Address of Parent /Caretaker	Which Child/ren
5/20/14 – 5/29/19	Deering, NH	Jennifer and Gordon	128 Dickey Hill Road, Deering	Nellie MacDonald
5/29/19 - present	Deering, NH	Jennifer	128 Dickey Hill Road, Deering	Nellie MacDonald

If more space is needed, attach Extra Page (Form NHJB-2656-FPS).

☐ I have attached Form NHJB-2656-FPS because additional space was needed.

22. Are there any person(s), not a party to this proceeding, who have physical custody of the child/ren or who claim to have custody, physical custody or parenting time rights?

☐ Yes ☒ No

If yes, list name(s) and address(es) of person(s):

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23. Check one of the following:

☒ I have not participated in any court case(s) concerning the custody, visitation, parenting time or placement of the child/ren in this or any other state.

OR

☐ I have participated in any court case(s) concerning the custody, visitation, parenting time or placement of the child/ren in this or any other state. I have participated in the following:

Name of Court	State	Case No.	Date of Court Order

24. Are there any actions for enforcement, or proceedings relating to domestic violence, domestic relations, protective orders, marriage dissolution, paternity, legitimation, custody, parental rights and responsibilities, termination of parental rights, adoption, juvenile, or other proceedings in any court in any state affecting any children named in this petition or parents of those children?

☐ Yes ☒ No If yes, complete the following:

Name of Court	State	Case No.	Type of Court Case

25. Optional: ☐ I am alleging, under oath, that my or my child/ren's health, safety, or liberty would be jeopardized by the disclosure of identifying information set forth in this Petition. To support my allegation, I state as follows:

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26. Please check one of the following regarding public assistance:

- ☒ No public assistance (TANF) is now being or has within the last 6 months been provided, nor is medical assistance (Medicaid) presently being provided, for any minor child of the parties.
- ☐ The N.H. Department of Health and Human Services is providing or has provided within the last 6 months public assistance (TANF) and/or medical assistance (Medicaid) for a minor child of the parties. If you check this box you must mail copies of this petition and the Personal Data Sheet to DHHS at :

New Hampshire Department of Health and Human Services  
Division of Child Support Services – Legal Unit  
129 Pleasant Street  
Concord, NH 03301

27. To my knowledge, the Petitioner is not pregnant.

28. The parties own various items of real estate, personal property, motor vehicles, retirement accounts, and bank accounts.

29. Irreconcilable differences have developed that have caused the irremediable breakdown of the marriage.

WHEREFORE, the Respondent, Gordon J. MacDonald, prays that this Honorable Court:

A. Grant a divorce from the bonds of matrimony between the Respondent and the Petitioner on the grounds of irreconcilable differences that have caused the irremediable breakdown of the parties' marriage;

B. Order that the real estate, personal property, financial, retirement and other assets of the parties be equitably divided between them;

C. Make appropriate orders regarding decision-making and residential responsibility and parenting time for the minor child;

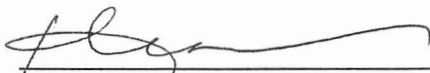
D. Make appropriate orders regarding child support;



- E. Dismiss the Petition for Divorce and deny the relief sought by the Petitioner; and  
F. Award such other and further relief as may be just and equitable.

Respectfully submitted,

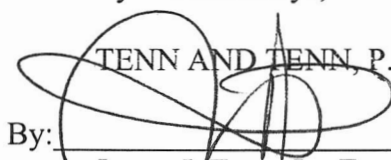
Dated: November 6, 2020

  
\_\_\_\_\_  
Gordon J. MacDonald

By His Attorneys,

TENN AND TENN, P.A.

Dated: November 6, 2020

By:   
\_\_\_\_\_  
James J. Tenn, Jr., Esquire (NH Bar No. 8842)  
16 High Street Suite Three  
Manchester, NH 03101  
(603) 624-3700

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

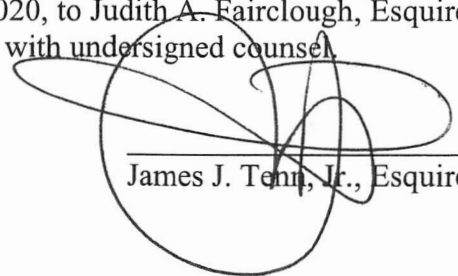
Before me, the undersigned officer, personally appeared on this 6<sup>th</sup> day of November, 2020, the said Gordon J. MacDonald, and made oath to the facts contained in the foregoing Answer and Cross-Petition for Divorce are true to the best of his knowledge, information and belief.

  
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Notary Public/Justice of the Peace



Certificate of Service

I hereby certify that a copy of the foregoing Answer and Cross-Petition for Divorce was forwarded this 6<sup>th</sup> day of November, 2020, to Judith A. Fairclough, Esquire, who has been communicating on behalf of the Petitioner with undersigned counsel.

  
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James J. Tenn, Jr., Esquire