

STATE OF NEW HAMPSHIRE
Superior Court
Rockingham County, ss.

Case No. 215-2022-CV-00167

Clerk's Notice of Decision
Document Sent to Parties
on 11/28/2022

Steven Rand and Randvest, Inc.,

*Dr. Robert Gabrielli and the
Gabrielli Family Ltd. Partnership,*

Jessica Wheeler Russell and Adam Russell,

James Lewis,

John Lunn,

Petitioners,

v.

The State of New Hampshire

Defendant.

Granted



Honorable David W. Ruoff
November 28, 2022

**ASSENTED TO MOTION FOR SOME MEMBER OF THE PLAINTIFFS'
LEGAL TEAM TO
PARTICIPATE IN HEARING BY VIDEO**

Now come the Plaintiffs, by and through their undersigned counsel, and move the Court to permit some of their counsel to participate in the hearing scheduled for November 28, 2022 at 2:30 p.m. by video conference link. At least two members of Plaintiffs' counsel team will be present in the court room.

In support of this motion, Plaintiffs state that two members of their legal team live and practice in the New York City area. These lawyers, Michael Jaoude and Morgan Brock-Smith, traveled to the Grafton County Superior Court to participate in person in the hearing that was

held on November 4, 2022 on issues related to those that will be considered at the hearing on the 28th. It will be difficult for these lawyers to arrange their schedules to return to New Hampshire for the upcoming hearing. Plaintiffs also note that these lawyers are a part of a *pro bono* team at White and Case and Plaintiffs wish to save these lawyers the expense of travel. Further, one of Plaintiffs' New Hampshire lawyers, John Tobin, has previously existing plans to be with his family in Virginia on the 28th. He will be able to participate via video link.

The other party in this matter, the State of New Hampshire, has been consulted regarding this motion and, by and through its Solicitor General, Anthony Galdieri, assents.

WHEREFORE, FOR THE FOREGOING REASONS, Plaintiffs request the Court permit some members of the Plaintiffs' legal team to participate in the hearing scheduled for November 28, 2022 via video link and for such other relief as is just and proper.

Dated: Concord, New Hampshire
November 22, 2022

Respectfully submitted,

/s/ Andru Volinsky
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Certificate

I certify that all counsel of record have been served with a true copy of the foregoing through the Court's electronic filing system this 22nd day of November, 2022.

/s/ Andru Volinsky