

STATE OF NEW HAMPSHIRE

HILLSBOROUGH COUNTY  
NORTHERN DISTRICT

SUPERIOR COURT

STATE OF NEW HAMPSHIRE

v.

ALEXANDRA ECKERSLEY

216-2022-CR-3011

UNDER SEAL/OBJECTION TO STATE'S MOTION TO EXCLUDE  
TESTIMONY

Alexandra Eckersley, through counsel, Kimberly A. Kossick and Jordan Strand, objects to the State's motion to exclude the testimony of Dr. Mathilde Pelaprat.

In support the following is stated:

1. The above captioned matter is scheduled for final pretrial on January 10, 2024 and jury selection on January 22, 2024.
2. The defense filed a witness list on January 2, 2024. Dr. Mathilde Pelaprat was on that list. On January 3, 2024, the defense filed an updated witness list also including Dr. Pelaprat and adding Pam Packard.
3. On January 4, 2024, the State filed a motion to exclude Dr. Pelaprat from testifying at the trial. The State objects to the timeliness of the disclosure of Dr. Pelaprat as an expert witness.
4. On or about October 17, 2023, undersigned counsel had an informal conversation with the State. During that conversation, undersigned counsel told the State that Ms. Eckersley was being evaluated by Dr. Pelaprat and that the report would be disclosed when we received it. Following that conversation, the State sent an email with a revised counter-offer.
5. The defense received Dr. Pelaprat's completed report on December 8, 2023. The

defense submitted the report as part of a mediation memo on December 15, 2023.

The defense sent Dr. Pelaprat's CV to the State on December 19, 2023.

6. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
7. The State had notice in October there would be a report from Dr. Pelaprat. The State received the report on December 15. The State had the expert CVs on December 19, 2023.
8. The defense disclosed the reports in a timely manner as they were received from the experts. The defense disclosed the experts' qualifications in a timely manner ahead of the mediation hearing. The State's representation that the "only previous mention" of Dr. Pelaprat was the filing of the mediation memo is wrong.

WHEREFORE, Alexandra Eckersley, through counsel, asks the Honorable Court to:

- A. Deny the State's motion.
- B. Hold a hearing on this matter if necessary.
- C. Grant other relief deemed equitable and just.

Respectfully submitted,

/s/ Kimberly A. Kossick  
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CERTIFICATE OF SERVICE

I certify that this pleading was forwarded through e-file.

/s/ Kimberly A. Kossick