

STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS.

SUPERIOR COURT

CASE NO. 217-2020-CV-00026

DAVID MEEHAN

v.

STATE OF NEW HAMPSHIRE,
DEPARTMENT OF HEALTH AND HUMAN SERVICES, et al.

(IN RE YDC AND YDSU LITIGATION)

****THIS MOTION PERTAINS TO FIVE OR MORE CASES****

****THIS MOTION PERTAINS TO CONTRACTOR DEFENDANTS****

PARTIALLY ASSENTED-TO MOTION FOR ADMISSION PRO HAC VICE
OF CHRISTOPHER P. HOTALING

Pursuant to Rule 19 of the N.H. Superior Court Rules of Civil Procedure, Plaintiffs represented by Nixon Peabody LLP (“Plaintiffs”), by move this Court to allow Attorney Christopher P. Hotaling to appear on their behalf with undersigned counsel in the above-captioned matter and all consolidated cases (the “Motion”). The Verified Application for *Pro Hac Vice* Admission of Attorney Hotaling is appended to this Motion as **Exhibit A** (“Verified Application”). Counsel for the Defendants *assent to* the relief requested herein. In support of this Motion, Plaintiff states as follows:

1. Attorney Hotaling is a partner with the law firm of Nixon Peabody LLP, 70 West Madison, Suite 5200, Chicago, Illinois 60602-4378; telephone number (312) 977-4418; e-mail address chotaling@nixonpeabody.com.
2. Attorney Hotaling requests *pro hac vice* admission to appear on behalf of Plaintiff in the above-captioned matter.

3. Attorney Hotaling is a member in good standing of all state and federal courts to which he is admitted to practice law. See **Exhibit A**, Verified Application.

4. At all times during this proceeding, Attorney Hotaling will be actively associated with Nathan P. Warecki (Bar No. 20682), Partner with the firm of Nixon Peabody LLP and an active member in good standing with the New Hampshire Bar.

5. No memorandum of law is necessary, as the relief requested falls within the sound discretion of the Court.

6. Undersigned counsel sought the assent of counsel for all Defendants. As of the time of filing, counsel for State Defendants, NFI North, Inc., New England Salem Children's Trust, Chase Home for Children, Spurwink Services, Inc., Crotched Mountain Foundation, Eckerd Youth Alternatives, Inc., Nashua Children's Home, Webster House, Mount Prospect Academy, Inc., Orion House, Inc., Frederick L. Chamberlain Center, Youth Villages, Inc., Easter Seals, Inc., Dover Children's Home, New Hampshire Catholic Charities, Inc., Pine Haven Boys Home, and Oliverian School assent to the relief requested herein. Counsel for Spaulding Academy & Family Services has not responded as of the time of this filing.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court:

- A. Grant the Partially Assented-To Motion for Admission *Pro Hac Vice*, permitting Attorney Hotaling to appear and practice before this Court *pro hac vice*; and
- B. Grant such further relief as may be just and reasonable.

Respectfully submitted,

PLAINTIFFS

Dated: November 14, 2024

By and through counsel,

RILEE & ASSOCIATES, P.L.L.C.

NIXON PEABODY LLP

/s/ Cyrus F. Rilee, III

/s/ Erin S. Bucksbaum

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CERTIFICATE OF SERVICE

I state that on this date, November 14, 2024, I am sending a copy of this document as required by the rules of the court. I am electronically sending this document through the court's electronic filing system to all attorneys and to all other parties who have entered electronic service contacts (email addresses) in this case. I am mailing copies to all other interested parties.

/s/ Erin S. Bucksbaum
Erin S. Bucksbaum

EXHIBIT A

STATE OF NEW HAMPSHIRE

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VERIFIED APPLICATION FOR PRO HAC VICE ADMISSION

Pursuant to New Hampshire Superior Court Rule 19, I, Christopher P. Hotaling, Esq., respectfully submit this Verified Application for *pro hac vice* admission to appear on behalf of Plaintiffs represented by Nixon Peabody (“Plaintiffs”) in all consolidated cases. In support of this application, I state as follows:

1. I reside in Illinois, and my home address is:

2702 Sheridan Road
Evanston, Illinois 60201

2. My business address, telephone, and e-mail are:

Nixon Peabody LLP
70 West Madison, Suite 5200
Chicago, Illinois 60602-4378
Telephone: (312) 977-4418
E-mail: chotaling@nixonpeabody.com

3. I have been retained to represent Plaintiffs in the above-captioned matter.

4. I am a member in good standing of the bar of the following jurisdiction: Illinois (2000) (Bar Number 6272432).

5. I have never been a member of the State Bar of New Hampshire.

6. I have never been denied *pro hac vice* admission in New Hampshire.

7. I have never had *pro hac vice* admission revoked in New Hampshire.

8. I have never been sanctioned or formally disciplined by a court in New Hampshire.

9. I have never been the subject of any formal disciplinary proceedings.

10. I have never been formally held in contempt, or otherwise sanctioned by a court in a written order for disobedience to its rules or orders.

11. In the past two years, I have not filed for *pro hac vice* admission in New Hampshire.

12. I have reviewed and am familiar with the New Hampshire Rules of Professional Conduct and all court rules relevant to practice before the New Hampshire Superior Court in which I am seeking admission.

13. At all times during this proceeding, I will be actively associated with Nathan P. Warecki, Esq, and Mr. Warecki will remain responsible to the client and responsible for the conduct of the proceeding before the Court in the above-captioned action. His contact information is:

Nathan P. Warecki
Bar No. 20503
Nixon Peabody LLP
900 Elm Street, 14th Floor
Manchester, NH 03101
Telephone: (603) 628-4077
E-mail: nwarecki@nixonpeabody.com

14. No memorandum of law is necessary, because the relief requested herein is within the sound discretion of the Court.

15. In accordance with New Hampshire Superior Court Rule 19 (e), when I file my application, I will submit the non-refundable fee in the amount of \$350.00, as set forth in Superior Court Rule 201.

I, Christopher P. Hotaling, Applicant in the foregoing Verified Application for *Pro Hac Vice* Admission, hereby verify that the facts contained herein are true and accurate to the best of my knowledge.

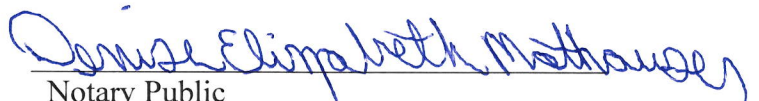
This 12th day of November, 2024



Christopher P. Hotaling, Esq.
Applicant.

Sworn to and subscribed before me this 12th day of November, 2024.





Notary Public
My commission expires: 10/13/27

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Verified Application for *Pro Hac Vice* Admission was served via the Court's e-filing system on all parties of record on November 12, 2024.

/s/ Nathan P. Warecki
Nathan P. Warecki