

STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS

SUPERIOR COURT

**JD 178;
JD 226;
JD 521;
JD 330;
JD 622;
JD 643;
JD 881; and
JD 1126**

v.

State of New Hampshire,
New Hampshire Department of Health and Human Services, et al.

**SPURWINK SERVICES, INCORPORATED'S OMNIBUS STIPULATION TO BE
BOUND BY THIS COURT'S MAY 26, 2023 PROTECTIVE ORDER**

THIS PLEADING PERTAINS TO MORE THAN FIVE CASES:

**JD 178 / 217-2023-CV-00673
JD 226 / 217-2022-CV-00141
JD 330 / 217-2022-CV-00286
JD 521 / 217-2022-CV-000827
JD 622 / 218-2023-CV-00056
JD 643 / 217-2023-CV-00136
JD 881 / 217-2023-CV-00463
JD 1126 / 218-2024-CV-00893**

NOW COMES the Defendant, Spurwink Services, Inc. by and through its counsel, Gallagher, Callahan & Gartrell, P.C., and pursuant to this Court's May 26, 2023 Protective Order hereby stipulates and agrees to be bound by this Court's May 26, 2023 Protective Order in the above-referenced matters.

In connection herewith, Spurwink Services, Inc. states as follows:

1. This Court's May 26, 2023 Protective Order provides: "Additional parties may

through counsel stipulate and agree to this Protective Order by counsel signing a copy of this Revised Protective Order and filing it with the Court." Order, at 1.

2. Attached hereto as Exhibit A are copies of the Acknowledgements and Agreements to be Bound by the Revised Protective Order executed by all counsel of record for Spurwink Services, Inc.

3. Exhibit A represents Spurwink Services, Inc. and its counsel's agreement to be bound by the terms of the Protective Order in each of the cases identified in this Omnibus Stipulation.

4. Spurwink Services, Inc. is a Maine nonprofit corporation that is separate and distinct corporate entity from, and did not own or operate the Spurwink School New Hampshire where Plaintiffs in the above captioned matters claim they were subjected to mistreatment. Spurwink Services, Inc. therefore files this Omnibus Stipulation to allow for the production/exchange of placement records establishing whether the individual Plaintiffs in the captioned actions identified above were placed at any facility that was owned or operated by Spurwink Services, Inc. at any time and, if so, the timing thereof, to allow Spurwink Services, Inc. to meaningfully defend these actions. The Stipulation will also be honored for other purposes, as appropriate, as the litigation of the above captioned matters proceeds.

5. To date, Spurwink Services, Inc. has been unable to obtain records from the Plaintiffs and/or the State evidencing Plaintiffs' alleged placements at Spurwink Services, Inc. and/or the Spurwink School, New Hampshire, thus the need for this Stipulation.

Respectfully submitted,

Spurwink Services, Incorporated

By its attorneys,

GALLAGHER CALLAHAN &
GARTRELL, PC

Dated: January 16, 2025

By: /s/ Jonathan Lax
Jonathan A. Lax, Esq. (NH Bar # 14017)
Keelan B. Forey, Esq. (NH Bar #11815)
214 N. Main Street
Concord, NH 03301
(603) 228.1181
lax@gcglaw.com
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CERTIFICATE OF SERVICE

I hereby certify that I state that on January 16, 2025 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 or hand delivering copies to all other interested parties.

DATED: January 16, 2025

By: /s/ Jonathan Lax
Jonathan Lax Esq. (NH Bar # 14017)

Exhibit A

EXHIBIT A

**ACKNOWLEDGEMENT AND AGREEMENT TO BE
BOUND BY REVISED PROTECTIVE ORDER**

I, Jonathan A. Lax, have read the foregoing Revised Protective Order (“Order”) in this action and have received a copy of the Order. I agree that I shall not disclose any discovery materials designated as Protected Information (whether designated CONFIDENTIAL or HIGHLY CONFIDENTIAL – RESTRICTED USE) or otherwise subject to confidentiality protections, as defined in the Order, other than as expressly permitted. I shall destroy or return all Protected Information to the attorney who provided it to me, upon request of that attorney, and I shall not retain any copies of said Protected Information (or any other information contained within those discovery materials designated as Protected Information) after the termination of this litigation, including all appeals.

By acknowledging these obligations, I understand that I am submitting myself to the jurisdiction of the Superior Court, State of New Hampshire, concerning any issue or dispute arising hereunder and that my disclosure of Protected Information (or any other information contained within those discovery materials designated as Protected Information) in any manner contrary to the terms of the Order may subject me to sanctions for contempt of court.

Dated: 1/16/2025

Signature: /s/ Jonathan A. Lax

Printed Name: Jonathan A. Lax

Exhibit A

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ACKNOWLEDGEMENT AND AGREEMENT TO BE BOUND BY REVISED PROTECTIVE ORDER

I, Keelan B. Forey, have read the foregoing Revised Protective Order (“Order”) in this action and have received a copy of the Order. I agree that I shall not disclose any discovery materials designated as Protected Information (whether designated CONFIDENTIAL or HIGHLY CONFIDENTIAL – RESTRICTED USE) or otherwise subject to confidentiality protections, as defined in the Order, other than as expressly permitted. I shall destroy or return all Protected Information to the attorney who provided it to me, upon request of that attorney, and I shall not retain any copies of said Protected Information (or any other information contained within those discovery materials designated as Protected Information) after the termination of this litigation, including all appeals.

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Dated: January 16, 2025

Signature: Keelan B. Forey

Printed Name: Keelan B. Forey