

NEW HAMPSHIRE SUPREME COURT
PROFESSIONAL CONDUCT COMMITTEE

a committee of the attorney discipline system

David M. Rothstein, Chair
Heather E. Krans, Vice Chair
Elaine Holden,* Vice Chair
* non attorney member
Barbara J. Guay, Legal Assistant

*Marshall, Keri J. advs. Attorney Discipline Office - #19-011, 20-015
In the Matter of Keri J. Marshall, Esquire - LD-2021-0010*

Addendum to Recommendation on Request to Resign

On October 27, 2021, the Professional Conduct Committee recommended that the Court deny Attorney Keri J. Marshall's request to resign under investigation, because the agreement required that she pay only half the costs associated with investigation and prosecution. On or about December 16, 2021, the Committee learned that Attorney Marshall forwarded a check covering the full costs of investigation and prosecution.

Because Attorney Marshall has paid the costs in full, the Committee now recommends that the Court accept her request to resign under investigation.

January 6, 2022

/s/ David M. Rothstein
David M. Rothstein
Chair

cc: Sara S. Greene, Disciplinary Counsel
Keri J. Marshall, Esquire

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Recommendation on Request to Resign

Keri J. Marshall has filed a request to resign while under investigation, pursuant to Supreme Court Rule 37(11). Her request is attached. The Professional Conduct Committee's obligation is to file the request with a recommendation to this Court as to whether it should be granted. Sup. Ct. R. 11(b).

The Committee initially deliberated on Attorney Marshall's request at its September 21, 2021, meeting. The product of that meeting was the attached order. The order noted two concerns. One was that Attorney Marshall was reimbursing the Attorney Discipline Office (ADO) for only half the costs of prosecution. Two was that the Committee was unclear on what would happen in the event Attorney Marshall faced any additional complaints between the time the request to resign was approved, and the time she wrapped up her practice. Attorney Marshall and the ADO filed responses to the Committee's order, which are attached. The Committee resumed its deliberations on October 19, 2021.

The ADO's response addressed the Committee's second concern, i.e., the possibility that Attorney Marshall faces another founded complaint before she officially ceases practicing. The Committee recommends that the Court include the language on pages 1-2 of the ADO's response in its order should the Court grant the request to resign.

Attorney Marshall's response did not address the Committee's first concern. The Committee asked Attorney Marshall to explain why she would be unable to pay the full costs incurred by the investigation. In the Committee's view, she failed to provide any explanation. In its response, the ADO explained the basis for the costs incurred. Given the nature of the complaint against Attorney Marshall and the need for the Committee to hire an expert in patent law practice, the costs are reasonable. The Committee sees no reason why they should not be borne by Attorney Marshall.

For these reasons, unless Attorney Marshall agrees to repay the full costs of the prosecution of these matters, the Committee respectfully recommends that the Court deny her request to resign under investigation.

October 27, 2021

/s/ David M. Rothstein
David M. Rothstein
Chair

cc: Sara S. Greene, Disciplinary Counsel
Elizabeth M. Murphy, Assistant Disciplinary Counsel
Keri J. Marshall, Esquire

NEW HAMPSHIRE SUPREME COURT
PROFESSIONAL CONDUCT COMMITTEE

Marshall, Keri J. advs. Attorney Discipline Office - #19-011

and

Marshall, Keri J. advs. Attorney Discipline Office - #20-015

REQUEST TO RESIGN
PURSUANT TO RULE 37(11)

NOW COMES, Keri J. Marshall, New Hampshire Bar #4092, and respectfully requests leave to resign from the New Hampshire Bar pursuant to New Hampshire Supreme Court Rule 37(11). In support thereof, Ms. Marshall states as follows:


1. I was admitted to the New Hampshire Bar in 1987 and have practiced law since that time.
2. I was also admitted to practice law in Maine on September 17, 1987. My current status with the Maine Bar is listed as “inactive nonresident.”
3. I currently practice law and operate a law office as Marshall Law, PLLC, 47 Depot Road, East Kingston, NH 03827 (“Marshall Law office”).

4. I am currently the subject of formal proceedings of the ADO and wish to resign while under investigation.
5. I submit my Affidavit, attached hereto as Exhibit A, to set forth the material facts that gave rise to violations of certain Rules of Professional Conduct.
6. My Affidavit complies with the formalities of Rule 37(11).
7. The ADO does not object to my resignation and I have cooperated fully with the ADO throughout its investigation.
8. In the unlikely event that I apply for readmission to the Bar, I understand that the ADO may object to my application and, in its discretion, may bring forward and prosecute the underlying disciplinary matter. I waive my defenses and my right to assert that such prosecution would be barred by the statute of limitations. I understand that I will be bound by my representations and admissions as contained in this Affidavit and related attachments. I also understand that in the event I apply for readmission, this matter may be presented to the Committee on Character and Fitness.

9. I agree to pay the costs incurred by the ADO in the investigation and pursuit of this disciplinary matter as set forth in the Agreement to Pay Costs.

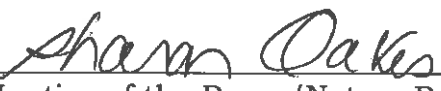
Respectfully Submitted,

Dated: 9-15-2021


Keri J. Marshall, Esquire
Marshall Law Office
47 Depot Road
East Kingston, NH 03827
(603) 642-5311

STATE OF NEW HAMPSHIRE
COUNTY OF Rockingham

On this 15th day of September, 2021, personally appeared the above named Keri J. Marshall, Esquire, and made solemn oath that the facts above are true to the best of her knowledge and belief.


Justice of the Peace/Notary Public
My Commission Expires:

SHARON M. OAKES
Notary Public - New Hampshire
My Commission Expires December 2, 2025