

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2021-0010, In the Matter of Keri J. Marshall, Esquire

On January 6, 2022, the Professional Conduct Committee (PCC) submitted a recommendation that the court accept the request of Attorney Keri J. Marshall to resign from the bar in accordance with Supreme Court Rule 37(11). On January 10, 2022, the court issued an order accepting Attorney Marshall's resignation from the bar effective on January 31, 2022, subject to certain conditions to which Attorney Marshall and the Attorney Discipline Office (ADO) had agreed. On January 26, 2022, the ADO filed an assented-to expedited motion to extend the date of Attorney Marshall's resignation to April 1, 2022. In response, the court ordered a show cause hearing before a single justice (Donovan, J.) on January 31, 2022, to provide the parties with an opportunity to more fully explain the bases for the requested extension.

At that hearing, Attorney Marshall represented that she currently has approximately 66 client matters in various stages of litigation or representation that she has not transferred to alternative counsel. She further represented that, with respect to a number of complex matters with extensive discovery, she cannot withdraw without causing significant prejudice and costs to her clients. The court reviewed the list of matters, which did not include information identifying the clients, with Attorney Marshall and the ADO and ordered the parties to confer and identify those client matters that are at a critical stage such that Attorney Marshall's withdrawal would cause significant prejudice to her clients. On February 1, 2022, the parties submitted a joint status report to the court identifying 11 matters that the parties believe are at a critical stage and have scheduled hearing and/or mediation dates in February and March of 2022.

Based upon that report and the parties' representations at the show cause hearing, the court grants, in part, the parties' request to extend the date of Attorney Marshall's resignation from the bar to **March 21, 2022**, subject to the following conditions:

- (1) Attorney Marshall shall, within 10 days of this order, issue a letter of termination and motions to withdraw (as applicable) in all matters that are not at a critical stage of litigation or representation and, to the extent possible, identify successor counsel to whom the client matters are to be transferred. Any matters for which mediation or marital hearings regarding temporary orders have been scheduled shall be

considered non-critical matters. If necessary, Attorney Marshall may file motions to continue these non-critical matters;

- (2) With respect to any matters identified as being at a critical stage, Attorney Marshall shall withdraw from any of these matters in the event they are continued to a date beyond the resignation date;
- (3) In an effort to protect the public, Attorney Marshall shall confer with the ADO on a weekly basis and apprise the ADO of the status of her caseload and her progress withdrawing from and transferring matters to successor counsel;
- (4) All other conditions set forth in the court's January 10, 2022 order remain in effect.

MacDonald, C.J., and Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

DATE: February 1, 2022

ATTEST:


Timothy A. Gudas, Clerk

Distribution:
Professional Conduct Committee, 19-011, 20-015
Keri J. Marshall, Esquire
Sara S. Greene, Esquire
Elizabeth M. Murphy, Esquire
Michele Gilbert, NHBA
Donna Parker, NH Bar News
File

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LD-2021-0010, In the Matter of Keri J. Marshall, Esquire

On October 28, 2021, the Professional Conduct Committee (PCC) submitted a request from Attorney Keri J. Marshall to resign from the bar in accordance with Supreme Court Rule 37(11). Attorney Marshall's resignation request was accompanied by her affidavit, which satisfies the requirements of the rule. The PCC submitted an initial recommendation that the resignation request be denied "unless Attorney Marshall agrees to repay the full costs of the prosecution of [the] matters" under investigation. On January 6, 2022, the PCC submitted an addendum to its recommendation on the request to resign. The addendum states that Attorney Marshall has since "paid the costs in full" and that the PCC "now recommends that the Court accept her request to resign under investigation."


The court has reviewed the affidavit of Attorney Marshall and the PCC's recommendation and addendum. In accordance with Rule 37(11), Attorney Marshall's resignation from the bar is accepted. Her resignation shall be effective on January 31, 2022, and shall be subject to the following PCC-recommended condition to which Attorney Marshall and the Attorney Discipline Office (ADO) had agreed.

If a grievance is docketed by the ADO prior to January 31, 2022, and the docketed matter alleges "serious misconduct" as defined by Rule 37(9-B)(b), the ADO shall promptly inform the Supreme Court in a pleading filed under seal (as the docketed matter will still be confidential). Such pleading shall be copied to Attorney Marshall. The court may then take such action as justice may require, including revoking this order granting the resignation, so that the docketed matter may be resolved in the normal course.

MacDonald, C.J., and Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

DATE: January 10, 2022

ATTEST:


Timothy A. Gudas, Clerk

Distribution:

Professional Conduct Committee, 19-011, 20-015

Keri J. Marshall, Esquire

Sara S. Greene, Esquire

Elizabeth M. Murphy, Esquire

Michele Gilbert, NHBA

Donna Parker, NH Bar News

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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
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.

Sharon Oakes
Justice of the Peace/Notary Public
My Commission Expires:

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