

STATE OF NEW HAMPSHIRE
SUPERIOR COURT

GRAFTON, SS.

Docket No. 18-CV-437

Officer A.B.

v.

Lara Saffo, Esq., in her capacity as Grafton County Attorney

ORDER

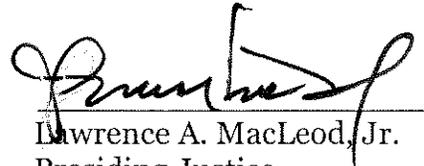
This case is before the court on March 4, 2019 for a hearing on the parties' Stipulation for Judgment. The plaintiff has brought suit against the defendant seeking various forms of declaratory and equitable relief to effectuate his removal from the New Hampshire Attorney General's so-called Exculpatory Evidence Schedule ("EES"), which was formally known euphemistically as the "Laurie List." The plaintiff appeared through his counsel of record, Gabriel Nizetic, Esquire. The defendant's elected successor, Martha Ann Hornick, Esquire, appeared in her capacity as Grafton County Attorney.

After hearing from both parties, and upon consideration of the applicable law, the court denies the Stipulation for Judgment. As became evident during the hearing, the Attorney General, and not the Grafton County Attorney or any other county attorney, is the sole executive officer with the authority to remove or decertify a police officer from the EES. Indeed, this fact is explicitly recognized at paragraph 6 of the parties' stipulation. Moreover, even if the court were to approve the parties' stipulation the result would be incongruent in the sense that the portion of the plaintiff's personnel record at issue would continue to be disclosed to criminal defendants prosecuted by the Attorney General or other county attorneys in cases

where the plaintiff was a witness but would not be disclosed in cases prosecuted by the Grafton County Attorney.

The parties' Stipulated for Judgment is DENIED.

SO ORDERED, this 9th day of April 2019.



Lawrence A. MacLeod, Jr.
Presiding Justice