STATE OF NEW HAMPSHIRE
THE GOVERNOR AND THE EXECUTIVE COUNCIL

DOCKET NO. 2010-002

IN RE: PETER HILDRETH

SCHEDULING CONFERENCE REPORT AND ORDER

The Governor and the Executive Council of the State of New Hampshire, pursuant to RSA 4:1 and RSA 383, accepted a Petition for Removal brought forward by Attorney Peter Krupp on behalf of the Governor and Executive Council relating to Bank Commissioner, Peter C. Hildreth, on October 11, 2010.

On October 19, 2010, counsel for the Governor and the Executive Council met with counsel for Mr. Hildreth and Attorney Krupp to formulate a procedural schedule for the consideration of the charges contained in the Petition. The Governor and Council, previously having voted to establish a hearing date of November 29, 2010, enter the following order:

1. The hearing requested by Mr. Hildreth shall commence on November 29, 2010 and shall continue thereafter upon a showing of good cause that additional hearing days are warranted.

2. Except to the extent modified by this report and order, the Model Rules of Practice and Procedure, NH Code Admin. R., Chap. 800, shall govern this proceeding.

3. Requests for information and documents shall be served by October 22, 2010. Responses to such requests shall be due no later than October 29, 2010.

4. Any legal action by the parties relative to discovery in this matter, this report and order, or any other matter related to the removal hearing shall be filed in Superior Court by October 29, 2010.

5. Dispositive motions shall be filed by November 10, 2010. Objections to any such motions shall be filed by November 19, 2010.

6. Witness lists, exhibit lists, and motions *in limine* shall be filed by November 19, 2010. Objections to motions *in limine* shall be filed by November 23, 2010.

7. Expert disclosures by Respondent shall be made by November 8, 2010 with depositions taking place by November 23, 2010. The Petitioner does anticipate calling rebuttal experts and reserves the right to retain rebuttal experts and disclose such experts by November 15, 2010, with depositions thereof to be completed by November 23, 2010.

8. Commissioner Hildreth, through his legal counsel, David L. Nixon, Esq., does not consent to this order.

9. Pleadings and all other papers shall be deemed filed with the Governor and Executive Council upon service of the originals upon Donald J. Perrault, Esq., Wadleigh, Starr & Peters, PLLC, 95 Market Street, Manchester, NH 03101, with copies provided contemporaneously to Jeffrey A. Meyers, Esq., Office of the Governor, State House, 107 North Main Street, Concord, NH 03301-4990, Peter B. Krupp, Esq., Lurie & Krupp LLP, One McKinley Square, Boston, MA 02109, and Karen Ladd, Office of the Secretary of State, 107 North Main Street, Concord, N.H. 03301-4990.

10. This proceeding shall be conducted as a public proceeding.

11. The Governor and Executive Council shall provide a stenographer for the hearing in this proceeding. Any party requesting a transcript of any part of the proceeding shall be responsible for the cost of the transcript.

SO ORDERED.

HON. JOHN H. LYNCH
Governor of the State of New Hampshire

Date: October 19, 2010

By: Jeffrey Meyers
Jeffrey A. Meyers, Esq.

HON. MEMBERS OF THE NEW
HAMPSHIRE EXECUTIVE COUNCIL

Date: October 19, 2010

By: Donald J. Perrault /jm
Donald J. Perrault, Esq.