

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS

SUPERIOR COURT

Docket No. 217-2012-CV-00617

EXETER HOSPITAL, INC.

v.

DR. SHARON ALROY-PREIS, ET AL.

MOTION FOR EXPEDITED HEARING

Respondents, Dr. Sharon Alroy-Preis, Dr. Jose Montero, and the Department of Health and Human Services (“Public Health” or the “Department”), by and through their counsel, the Office of the Attorney General, submit the following Motion for Expedited Hearing, stating as follows:

1. This case involves an ongoing investigation by Public Health of an outbreak of hepatitis C at Exeter Hospital. As part of its investigation, Public Health has conducted or requested reviews of medical records maintained by Exeter Hospital to fulfill the purposes of: (1) defining the extent of the outbreak, (2) identifying and recommending testing for exposed persons enabling infected patients to seek follow up treatment, (3) identifying the source of the outbreak, (4) identifying risk factors associated with the outbreak, and (5) protecting the public and controlling the outbreak to prevent additional infections.

2. Outstanding questions remain including questions regarding the mode of transmission and the scope of the outbreak. This is an ongoing investigation that will require gathering additional information from Exeter Hospital, its employees and regional providers as well as state and federal agencies, including the CDC including, but not limited to, information contained in medical records maintained by Exeter Hospital.

3. Prompt resolution by the Court of the issues raised by the Petitioner is necessary for the investigation to proceed in an efficient and effective manner.

WHEREFORE, it is requested that this Honorable Court:

A. Schedule a hearing on the Petitioner's Motion for Protective Order as soon as the Court's schedule allows; and

B. Grant such other and further relief as justice may require.

Respectfully submitted,

**THE STATE OF NEW HAMPSHIRE
HEALTH AND HUMAN SERVICES,**

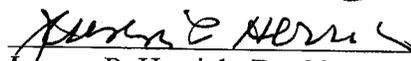
DEPARTMENT OF

By their attorney,

MICHAEL A DELANEY
ATTORNEY GENERAL

Date: October 2, 2012

By:



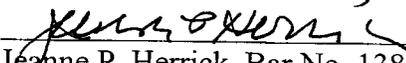
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion has been mailed to:

W. Scott O'Connell, Esquire
Gordon J. MacDonald, Esquire
Anthony J. Galdieri, Esquire
Nixon Peabody, LLP
900 Elm Street, 14th Floor
Manchester, NH 03101

Date: October 2, 2012



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