

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

New Hampshire Attorney General Joseph A. Foster and  
Rockingham County Commissioners

v.

Rockingham County Attorney James Reams

Docket No. 217-2014-CV-00133

2019 APR 29 PM 12 27

SUPERIOR COURT

029170

**STIPULATION**

The Attorney General and the County Attorney submit this stipulation to the Court for its approval:

1. County Attorney Reams shall return to his position as Rockingham County Attorney on Wednesday, April 30, 2014. County Attorney Reams shall be allowed into the RCAO on that date. Subject to the remaining terms of this Order, County Attorney Reams shall retain the full authority of the Rockingham County Attorney.

2. The Court's previous Orders granting the Attorney General's motion to appoint an Acting County Attorney are vacated. The preceding paragraph of this Order precludes any need for an Acting County Attorney.

3. If County Attorney Reams believes it is necessary to impose discipline against an Assistant County Attorney, including, without limitation, firing or demoting an Assistant County Attorney, physically moving an Assistant County Attorney from one office to another, substantially re-assigning the responsibilities or cases of an Assistant County Attorney, or causing someone to implement any of the foregoing actions, County Attorney Reams will seek the assent of the Attorney General for such action. County Attorney Reams will not impose any of the foregoing discipline against an Assistant County Attorney without the Attorney General's

approval, which will not be unreasonably withheld. In addition, if the County Attorney Reams seeks to hire an Assistant County Attorney he will seek the approval of the Attorney General and the County Commissioners as provided by RSA 7:33-f.

4. If County Attorney Reams believes it is necessary to impose discipline against an RCOA staff member other than an Assistant County Attorney, including, without limitation, fire or demote an RCOA staff member other than an Assistant County Attorney, physically move an RCOA staff member other than an Assistant County Attorney from one office to another, or substantially re-assign the responsibilities or cases of an RCOA staff member other than an Assistant County Attorney, or cause someone to implement any of the foregoing actions, County Attorney Reams will seek the assent of the Rockingham County Commissioners for such action. County Attorney Reams will not impose discipline against an RCOA staff member other than an Assistant County Attorney without the Rockingham County Commissioners' approval, which will not be unreasonably withheld. Should County Attorney Reams seek to hire an RCOA Staff member, he will notify and seek the assent of the Rockingham County Commissioners which consent will not be unreasonably withheld.

5. County Attorney Reams may re-assign the responsibilities formerly performed by the Deputy County Attorney to an Assistant County Attorney of his choosing currently employed at the RCOA. County Attorney Reams shall not, however, formally install an Assistant County Attorney as Deputy County Attorney.

6. Although no longer Acting Rockingham County Attorney, the Assistant Attorney General who formerly was named Acting County Attorney may remain at the RCOA through Friday, May 2, 2014, to assist in an orderly transition. After May 2, 2014, the Attorney General may assign an Assistant Attorney General other than the former Acting Count Attorney to

monitor the operations and management of the RCAO, and to otherwise assume responsibilities within the Attorney General's statutory and common law authority including, without limitation, RSA 7:6, RSA 7:11 and RSA 7:34 and Wyman v. Danais, 107 N.H. 487 (1958).

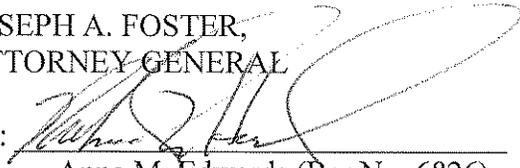
7. Rockingham County Attorney Reams agrees that he will not discuss or otherwise question any Assistant County Attorney or member of the RCAO about information reportedly provided to investigators or their anticipated testimony outside of the formal discovery process.

8. This Order will remain in effect until a final order is entered in this case or further order of the Court.

**SO STIPULATED.**

JOSEPH A. FOSTER,  
ATTORNEY GENERAL

Dated: 4/28/14

By: 

Anne M. Edwards (Bar No. 6826)  
Associate Attorney General  
Richard W. Head (Bar No. 7900)  
Associate Attorney General  
33 Capitol Street  
Concord, NH 03301  
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JAMES REAMS  
ROCKINGHAM COUNTY ATTORNEY

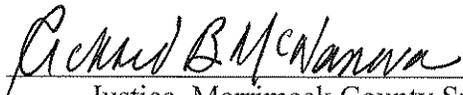
Dated: 4/28/14

By: 

Michael D. Ramsdell (Bar No. 2096)  
RAMSDELL LAW FIRM, P.L.L.C.  
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(603) 856-7536

**SO ORDERED.**

4/29/14

  
Justice, Merrimack County Superior