

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
SOUTHERN DISTRICT

SUPERIOR COURT

Docket No. 226-2023-CV-00035

Dana Albrecht

v.

Christopher J. Mattei, et. al.

Motion for Reconsideration of July 25, 2023 Order

NOW COMES Plaintiff Dana Albrecht, *pro se*, and respectfully requests reconsideration of this Honorable Court's July 25, 2023 *Order*.

In support thereof it is stated:

1. This case is assigned to the Honorable Charles Temple.
2. This Honorable Court's June 30, 2023 *Order* (Temple, C.) clearly stated:

*Count Seven and Count Eight have already been dismissed as evidenced by the Court's Order of April 25, 2023. There is not any legal basis for individual liability under RSA 91-A. Count Eight fails to state a claim for relief under Part 1, Article 10 of the N.H. Constitution.
3. There is no award of attorney's fees in the narrative of this Honorable Court's June 30, 2023 *Order*.
4. Moreover, this Honorable Court has not yet issued any ruling on Plaintiff's *Motion for Reconsideration of June 30, 2023 Order* (Index #36) that is presently pending before this Honorable Court.

5. Consequently, it would be inappropriate for a *different* judicial officer (Colburn, J.) to rule on the Conway Defendants' *Motion* (Index #39), prior to any ruling on Plaintiff's *Motion for Reconsideration* (§4, *supra*).
6. Plaintiff's *Motion for Late Entry of Pleadings* and Plaintiff's *Objection to Conway Defendants' Motion for Award of Ordered Fees*, filed concurrently with this *Motion*, are both incorporated by reference herein, the same as if plead in full.
7. Consequently, for the reasons previously set forth, this Honorable Court should reconsider its July 25, 2023 *Order*.

WHEREFORE, Plaintiff Dana Albrecht respectfully prays that this Honorable Court:

- A) Grant this *Motion*; and,
- B) Reconsider its July 25, 2023 *Order*; and,
- C) Deny the Conway Defendants' *Motion for Award of Ordered Fees* without prejudice; and,
- D) Provide any such other relief as may be just and equitable.

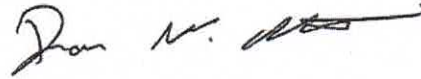
The Court ruled on this motion at the hearing of September 8, 2023. The purpose of this order is to reflect this ruling in the court file. Prayer B is granted and the issue of attorney's fees is deferred until the final hearing on the merits. (See record of September 8, 2023 hearing).



Honorable Charles S. Temple
November 17, 2023

Clerk's Notice of Decision
Document Sent to Parties
on 11/17/2023

Respectfully submitted,



DANA ALBRECHT

Pro Se

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July 27, 2023.

CERTIFICATE OF SERVICE

I, Dana Albrecht, hereby certify that a copy of this Motion shall be served on Lawrence P. Gagnon, Esq., counsel for the State, and Jason B. Dennis, Esq., Counsel for the Conway Defendants, through the Court's electronic filing system.



DANA ALBRECHT

July 27, 2023