

ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

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CONCORD, NEW HAMPSHIRE 03301-6397

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JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

September 7, 2022

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

That approval be and hereby is given to the Attorney General to appoint Catherine A. Denny to Position #9U500 (Appropriation #02-20-20-201010-2620-500132) as an Attorney at a salary level of \$75,000, effective upon Governor and Executive Council approval or September 23, 2022, whichever is later.

EXPLANATION

Ms. Denny, a Norwich, Vermont resident, is a member of the New Hampshire and District of Columbia Bars and holds inactive status in the Colorado Bar. She earned her Bachelor of Arts, *magna cum laude*, from Colby College in 2008, and her Juris Doctor from University of Denver Sturm College of Law in 2014. While in law school she was Treasurer of the American Civil Liberties Union, Research Assistant for a Professor updating the *Wigmore on Evidence* supplement, Academic Achievement Program Leader in the criminal law field, and a Milton and Jean Morris Endowed Scholarship recipient. She was a Deputy Public Defender with the Office of the State Public Defender (Adams County) in Brighton, Colorado from 2014 to 2015. Between 2016 and 2021, she was Senior Attorney at the DC Tenants' Rights Center in Washington, D.C. In light of Ms. Denny's experience, I am requesting she be appointed as an Attorney at a salary of \$75,000. She will be assigned to the Civil Law Bureau's Litigation Unit. A copy of her resume is attached.

RSA 94:1-a(I)(c)(3) provides that designation of positions, salary levels, and salary increases for attorneys at the Department of Justice shall be determined by the Attorney General, subject to approval of the Governor and Council, within appropriations made to the Department of Justice.

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I am very pleased to offer Ms. Denny's appointment as an Attorney at the above-referenced salary for your approval and respectfully urge your favorable consideration. Thank you.

Respectfully submitted,



John M. Formella
Attorney General

#3703554

Catherine Denny

BAR ADMISSION

State of New Hampshire (Admitted June 2022, Active)
District of Columbia (Admitted July 2016, Active)
State of Colorado (Admitted November 2014, Inactive)

PROFESSIONAL EXPERIENCE

DC Tenants' Rights Center, Washington, DC

May 2016-June 2021

Senior Attorney

- Advised D.C. tenants about any issue they have with their landlord, including lease terminations, utilities, evictions, property conditions, security deposits, rent control violations, and other contract disputes
- Litigated on behalf of tenants in multiple forums in the District, including D.C. Superior Court (civil division, landlord and tenant, and small claims), the Office of Administrative Hearings, the Office of Human Rights, and the Rental Housing Administration, in all aspects of litigation, including evidentiary hearings, mediations, motions hearings, and trials
- Drafted successful motions to dismiss, motions to seal, motions for summary judgment, motions for reconsideration, and appeals
- Secured punitive and compensatory damages for a tenant in a civil jury trial, on claims of wrongful eviction and assault
- Negotiated over one hundred settlements on behalf of tenants
- Represented tenants and tenant associations seeking to exercise their rights under the Tenant Opportunity to Purchase Act (TOPA), assisting with the purchase and sale of several multimillion-dollar rental properties
- Filed lawsuits against landlords for claims including wrongful eviction, toxic mold, and carbon monoxide poisoning, and obtained favorable settlements
- Supervised and trained three junior attorneys

Office of the State Public Defender (Adams County), Brighton, CO November 2014-December 2015

Deputy Public Defender

- Represented clients in all aspects of criminal defense, including discovery, advisements, plea negotiations, written motions, motions hearings, trial, and sentencing, for charges including assault, child abuse, harassment, and driving under the influence
- Represented clients in twelve criminal jury trials; eight trials resulted in an acquittal on all charges

Killmer, Lane, and Newman, LLP, Denver, CO

Fall 2013

Legal Intern

- Drafted memoranda and performed research on cases involving excessive force and illegal searches and seizures under 42 U.S.C. § 1983, employment discrimination and hostile work environment under Title VII of the Civil Rights Act, and minimum wage disputes under the Fair Labor Standards Act
- Attended trials and settlement negotiations in federal court

Office of the State Public Defender (Douglas County), Castle Rock, CO

Summer 2013

Certified Intern

Catherine Denny

- Represented clients in all aspects of criminal defense under the Student Practice Act
- Represented clients in four criminal trials for driving under the influence, driving without a license, and harassment, resulting in one acquittal

Office of the State Public Defender, Denver County Trial Office, Denver, CO Summer 2012

Legal Intern

- Drafted motions and memoranda for attorneys, including motions to suppress evidence seized during illegal search, exclude prior bad acts under 404(b), exclude hearsay evidence, and reconsider probation
- Equal Justice Works Summer Corps recipient

EDUCATION

University of Denver Sturm College of Law, Denver, CO 80210

J.D. 2014; Constitutional Rights and Remedies Certificate

- Milton and Jean Morris Endowed Scholarship, 2013-2014
- Academic Achievement Program Leader (Professor Farrell), spring and fall 2013, assisted students in developing legal study skills in area of Criminal Law
- Research Assistant (Professor Best), fall 2013, researched treatment of residual hearsay exceptions among different states to update *Wigmore on Evidence* supplement
- Competitions: Client Counseling Competition; CU/DU Moot Court; Environmental Moot Court
- Organizations: American Civil Liberties Union, *Treasurer*

Colby College, Waterville, ME 04901

B.A. 2008; Double Major: Government and International Studies

- Honors: *Magna cum Laude*, Distinction in International Studies

LEGISLATIVE ADVOCACY AND COMMUNITY ENGAGEMENT

- Mentor at the D.C. Bar Pro Bono Center Advocacy and Justice Clinic, in which I was assigned to mentor pro bono attorneys representing tenants in eviction and housing conditions cases, from 2019 through 2021
- Represented D.C. Tenants Rights Center at monthly Housing Casehandlers Meetings, from 2019 through 2021
- Testified on behalf of the D.C. Tenants' Rights Center at two D.C. Council committee meetings with other industry and legal services organizations, advocating for strengthening rent control protections and closing the rent concession loophole
- Guest on the Kojo Nnamdi Show, "The District of Columbia – Habitating with Bedbugs," January 2020

OTHER ACTIVITIES AND INTERESTS

Dartmouth Skiway, *Ski Instructor* (winter 2022)

Norwich Nursery School, *Treasurer*

Hanover Cooperative Nursery School, *Soccer Program Coordinator*