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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

4D

November 21, 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 Ryan N. Olberding to Position #9U672 (Appropriation #02-20-20-201510-2462-500117) as an Attorney at a salary level of \$87,000, effective upon Governor and Executive Council approval or December 30, 2022, whichever is later.

EXPLANATION

Mr. Olberding earned a Bachelor of Science, *summa cum laude*, in Business Administration and a Bachelor of Arts, *magna cum laude*, in Economics from University of Maine in 2000, and a Juris Doctor, *cum laude*, from University of Maine School of Law in 2003. Following law school graduation, he began six years' active duty as a commissioned officer in the United States Army Judge Advocate General's Corps. His military assignments included Claims Attorney/Assistant Hospital Legal Advisor (2004-2005) and Trial Counsel/Special Assistant United States Attorney (2005-2006) at Joint Readiness Training Center and Fort Polk, Louisiana; Chief of Military Justice (2006-2008) at the Office of the Staff Judge Advocate, U.S. Army Recruiting Command, Fort Knox, Kentucky; and Brigade Judge Advocate (2008-2009) at the Office of the Brigade Judge Advocate, U.S. Army 3rd Recruiting Brigade, Fort Knox, Kentucky. Mr. Olberding joined the Jefferson County Commonwealth's Attorney's Office in Louisville, Kentucky, as an Assistant Commonwealth's Attorney, after concluding his military service in 2009. In addition to prosecuting felony offenses (including homicides, violent crime, fraud, and elder abuse and exploitation) he serves as the Deputy Division Chief of a General Trial Division and the office Elder Abuse Liaison. He will leave his current position in December 2022 and relocate with his family to Hooksett. He is admitted to practice law in the Commonwealths of Kentucky and Massachusetts and is pending admission to the New Hampshire Bar. Considering Mr. Olberding's experience, I am requesting he be appointed as an

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Attorney at a salary of \$87,000. He will be assigned to the Criminal Justice Bureau's Youth Development Center Prosecution Task Force. A copy of his resume is attached.

RSA 21-M:3 and RSA 94:1-a(I)(c) provide 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.

I am very pleased to offer Mr. Olberding'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

#3789419

Ryan Nicholas Olberding

PROFILE: Attorney with practice and teaching experience in various areas of law, particularly in criminal law. Proven ability to quickly adapt to dynamic work environments.

EDUCATION:

UNIVERSITY OF MAINE SCHOOL OF LAW, August 2000 – May 2003

Juris Doctor awarded upon graduation on May 24, 2003

GPA: 3.13, *cum laude*

UNIVERSITY OF MAINE, August 1996 – May 2000

Bachelor of Science in Business Administration (Finance Concentration)

GPA: 3.64, *summa cum laude*

Class Standing in Business School: 7/179

Bachelor of Arts in Economics

GPA: 3.64, *magna cum laude*

EXPERIENCE:

Assistant Commonwealth's Attorney, August 3, 2009 – Present

Jefferson County Commonwealth's Attorney's Office, Louisville, KY

- Serves as the Deputy Division Chief of a General Trial Division currently consisting of 8 attorneys, 2 paralegals, a victim advocate, and 2 secretaries.
- Serves as the office Elder Abuse Liaison specializing in and coordinating the prosecution of crimes involving abuse, neglect, or financial exploitation of vulnerable adults.
- Represents the Commonwealth in hearings and in criminal trials of felony offenses including homicides, violent crime, property crime, fraud, and elder exploitation/abuse.
- Served as first-chair prosecutor in five jury trials of homicides, including a homicide jury trial involving significant local and Federal law enforcement coordination.

Brigade Judge Advocate, Captain, January 3, 2008 – May 1, 2009

Office of the Brigade Judge Advocate, U.S. Army 3rd Recruiting Brigade, Fort Knox, KY

- Served as the primary legal counsel and instructor for the 3rd Recruiting Brigade in multiple fields of law, including administrative law, criminal law, fiscal law, and government ethics.
- Managed the overall operation of the 3rd Recruiting Brigade legal office, consisting of one civilian attorney and two civilian paralegal specialists.
- Represented the Government in all courts-martial and administrative hearings.
- Served as the screening officer for attorneys in Kentucky and Maine applying for a commission to serve on active duty in the U.S. Army JAG Corps.

Chief of Military Justice, Captain, June 30, 2006 – January 2, 2008

Office of the Staff Judge Advocate, U.S. Army Recruiting Command, Fort Knox, KY

- Supervised prosecution of courts-martial and administrative hearings as the chief prosecutor for the Recruiting Command, a command with a world-wide jurisdiction.
- Provided technical subject matter supervision to five attorneys and paralegal staff.
- Developed systems and databases to assist in tracking and reporting misconduct.
- Routinely interfaced with civilian law enforcement and local prosecutors to address jurisdictional issues and to facilitate investigations.

Trial Counsel / Special Asst. U.S. Attorney, Captain, April 15, 2005 – June 29, 2006

Office of the Staff Judge Advocate, Joint Readiness Training Center and Fort Polk, LA

- Prosecuted felony courts-martial cases for the military population of multiple brigade-level commands, amounting to a supported population of more than 4,000 soldiers.
- Provided advice to and reviewed the work of CID agents and police investigators.
- Taught courses on military justice, adverse administrative actions, ethics, and International Law (Law of War) to both training soldiers and permanent party soldiers.
- Prosecuted civilian misdemeanor and traffic offenses occurring on Fort Polk for the U.S. Attorney's office in the Western District of Louisiana.

Claims Attorney / Asst. Hospital Legal Advisor, Captain, April 14, 2004 – April 14, 2005

Office of the Staff Judge Advocate, Joint Readiness Training Center and Fort Polk, LA

- Authored litigation reports for the U.S. Attorney's Office on pending tort litigation.
- Investigated claims against the Army under the Federal Tort Claims Act (FTCA).
- Authored legal memorandums for settlement or denial of tort claims.
- Advised and instructed physicians and other members of the hospital staff on legal issues.
- Served as a part-time military magistrate to review law enforcement requests for authority to conduct search and seizure operations on military installations.

BAR ADMISSION: Commonwealth of Kentucky, July 2009

Commonwealth of Massachusetts, December 2003

ACADEMIC HONORS:

Phi Beta Kappa – National Liberal Arts Honor Society

Omicron Delta Epsilon – International Economics Honor Society

Beta Gamma Sigma – International Business Honor Society

ADVANCED LEGAL TRAINING:

The Judge Advocate General's Legal Center and School Officer Basic Course

Criminal Law Advocacy Course

Military Justice Managers Course

National District Attorneys Association's Digital Prosecutor Conference

National District Attorneys Association's Career Prosecutor Course

SOFTWARE SKILLS: Microsoft Excel, Microsoft PowerPoint, Microsoft Word, JustWare

INTERESTS: College Hockey, Economics, Running, Soccer, Technology