

48

**ATTORNEY GENERAL**  
**DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA  
ATTORNEY GENERAL

JAMES T. BOFFETTI  
DEPUTY ATTORNEY GENERAL



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June 14, 2023

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, Position #9U694 (Appropriation #02-20-20-200510-26110000-013-500132) as an Assistant Attorney General, at a salary level of \$90,000, effective upon Governor and Executive Council approval or June 30, 2023, whichever is later, for a term ending July 1, 2027.

**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 3<sup>rd</sup> 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 served as the Deputy Division Chief of a General Trial Division and the office Elder Abuse Liaison. He is admitted to practice law in New Hampshire, Kentucky, and Massachusetts. Mr. Olberding has made significant contributions since joining the Criminal Justice Bureau's Youth Development Center Prosecution Task Force in late 2022. As such, I am requesting he be appointed as an Assistant Attorney General. I plan

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council

June 14, 2023

Page 2 of 2

to continue his assignment and his salary will increase by \$3,000 from \$87,000 to \$90,000. A copy of his resume is attached.

I am pleased to offer Mr. Olberding's designation as an Assistant Attorney General at the above-referenced salary for your approval and respectfully urge your favorable consideration. Thank you.

Respectfully submitted,



John M. Formella  
Attorney General

#4046128

# Ryan Nicholas Olberding

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**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:**

**YDC Task Force Attorney**, December 30, 2022 – Present  
*New Hampshire Attorney General's Office, Concord, NH*

- Serves as legal counsel to assist in the review of investigations and the coordination of prosecutions of criminal cases as a member of the YDC Task Force.
- Represents the State as co-counsel in various criminal cases including cases involving drug trafficking, homicides, and YDC-related matters.
- Assisted in development of proposals for task force workflow and database reports.

**Assistant Commonwealth's Attorney**, August 3, 2009 – December 15, 2022  
*Jefferson County Commonwealth's Attorney's Office, Louisville, KY*

- Served as the Division Chief of a General Trial Division currently consisting of 8 attorneys, 2 paralegals, a victim advocate, and 2 legal assistants.
- Served as the office Elder Abuse Liaison specializing in and coordinating the prosecution of crimes involving abuse, neglect, or financial exploitation of vulnerable adults.
- Represented 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:** State of New Hampshire, December 2022

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