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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

October 4, 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 reappoint James R. Davis, Position #9U355, (Appropriation #02-20-20-200510-2611-013-500132), as an Assistant Attorney General at a salary of \$120,000, effective upon Governor and Executive Council approval or October 31, 2023, whichever is later, for a term ending October 31, 2028.

EXPLANATION

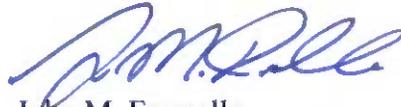
Mr. Davis, a resident of Hancock, earned a Bachelor of Arts, *with distinction*, from the University of Virginia in 1981, and a Juris Doctor, *cum laude*, from Wake Forest University School of Law in 1984. He was admitted to the New Hampshire Bar in 1984 and was engaged in private practice in Keene for over 37 years. He joined Bragdon, Berkson, and Mangones, PC, as an Associate, in 1984 and was an Officer, Director and Shareholder at the firm (or predecessor firms) from 1990 to 2000. From 2000 to 2022 he was an Officer, Director and Shareholder of Davis and Hockensmith, PC, (or predecessor firms). He served on the New Hampshire Bar Association Board of Governors from 1991 to 1993 and was Secretary of the Cheshire County Bar Association from 1991 to 2014. He was honored with the New Hampshire Bar Association Pro Bono Award for Cheshire County in 2016. He joined the Department's Consumer Protection and Antitrust Bureau on April 29, 2022. His salary will remain the same, and I will continue his assignment in the Consumer Protection Bureau. A copy of his resume is attached.

RSA 21-M:3 and RSA 94:1-a 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.

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I am pleased to offer Mr. Davis' reappointment 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

#4204604

JAMES ROMEYN (J.R.) DAVIS

PROFESSIONAL EXPERIENCE:

NEW HAMPSHIRE ATTORNEY GENERAL'S OFFICE

Consumer Protection and Antitrust Bureau

33 Capitol Street, Concord, NH

Assistant Attorney General

October 2022 – present

Attorney

April 2022 – October 2022

DAVIS & HOCKENSMITH, PC *or predecessor firms*

28 Middle Street, Keene, NH

Officer, Director, & Shareholder

January 2000 – present

BRAGDON, BERKSON, DAVIS & KLEIN, PC *or predecessor firms*

82 Court Street, Keene, NH

Officer, Director, & Shareholder

January 1990 – January 2000

Associate

August 1984 – December 1989

Prior to joining the Attorney General's Office, thirty-seven years general, private practice with extensive experience in litigation, administrative law, and office practice; and numerous trials, including jury and issues cases, motion hearings, and oral arguments in all NH state courts and federal courts, including district, bankruptcy, First Circuit Court of Appeals, and Federal Circuit Court of Appeals – on brief only.

Practice areas included the following:

Municipal law: zoning board of adjustment applications and appeals, planning board applications and appeals, *mandamus*, road law, municipal governance, right to know, town meeting, warrant articles, employment, and competitive bidding. Clients included municipalities, municipal boards, owners, applicants, and opponents;

Real estate disputes: quieting titles, deed interpretation, specific enforcement, partition, adverse possession, prescriptive easements, trespass, landlord and tenant, and pleas of title, *etc.* Clients included owners, buyers, claimants, and financial entities;

Bankruptcy & debtor – creditor: Chapters 7, 11, & 13 cases, foreclosures, enjoining foreclosures, statutory accountings, collections, fraudulent conveyances, consumer protection, *etc.* Clients included secured parties, debtors, creditors, and interested parties;

Civil rights: state based & 42 USC §1983. Clients included claimants;

Employment law: commission and compensation, restrictive covenants, wrongful discharge, “*for cause*” and “*good cause*” discharges, violation of protective legislation, wage claims, retaliatory claims, breach of fiduciary duty, trade secrets, *etc.* Clients included claimants and defendants;

Contract claims: interpretation of express terms, disputes regarding implied terms, breaches of implied and express warranties, breaches of implied obligations of good faith and fair dealing, damages, *quantum meruit* claims, *etc.*;

Tort cases: automobile, dog bite, premises liability, negligence, conversion, trover, negligent misrepresentation, deceit, *etc.* Clients included claimants and defendants;

Family law: divorces parenting dispute, grandparent rights, adoption, alimony, child support, prenuptial and postnuptial agreement interpretation, guardianship – minor and adult, abuse, neglect, CHINS, *etc.*;

Criminal law: defense of felonies, misdemeanors, and violations before state circuit and superior courts; and representing minor victims in felony sexual assault cases;

Arbitration: construction, engineering, private arbitration in contract disputes, uninsured motorist arbitration, and superior court arbitration in diverse areas;

Mediation: personal injury cases, real property disputes, timber trespasses, building contract disputes, partnership and business dissolutions / accountings, and probate proceedings; and

Transactional practice & conveyancing: residential and commercial real estate, land development. land, and entity sales ranging from negotiating, zoning, subdivision, site plan review, title examination, financing review, to closing transactions representing buyers, sellers, and secured parties in transactions up to \$16M;

BAR ADMISSIONS:

New Hampshire: 1984 to present

United States Court of Appeals – 1st Cir. (Boston, MA): 1985 to present

United States District Court – DNH (Concord, NH): 1984 to present

United States Bankruptcy Court – DNH (Manchester, NH): 1984 to present

United States District Court – EDWisc. (Milwaukee, WI): 1995 – 1996

NEW HAMPSHIRE BAR ASSOCIATION

Member: 1984 - present

Board of Governors: 1991-1993

CHESHIRE COUNTY BAR ASSOCIATION

Member: 1984 - 2022

Secretary: 1991 – 2014

RECOGNITION:

2016 NHBA Distinguished Pro Bono Award (Cheshire County)

EDUCATION:

Wake Forest University School of Law, Winston-Salem, NC

Juris Doctorate, cum laude

1984

University of Virginia, Charlottesville, VA

Bachelor of Arts, with distinction

1981
