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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

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February 7, 2024

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 Duncan A. Edgar, Position #9U041, (Appropriation #02-20-20-201010-2620-013-500132) as an Assistant Attorney General at a salary level of \$90,000, effective March 22, 2024, or upon Governor and Executive Council approval, whichever is later, for a term ending September 4, 2028.

EXPLANATION

Mr. Edgar, a Dover resident, earned his Bachelor of Arts, *magna cum laude*, in History from University of New Hampshire in 2009, and his Juris Doctor, *cum laude*, from University of Maine School of Law in 2014. In law school he was Editor-in-Chief of *Ocean and Coastal Law Journal* and a member of the Duberstein Bankruptcy Moot Court Competition team. He practiced law as an Associate at Rainboth, Murphy & Lown, P.A., in Portsmouth (2014-2017), Sandelands Eyet, LLP, in Bedminster, New Jersey (2017-2019), and Hoefle, Phoenix, Gormley & Roberts, PLLA, in Portsmouth (2020-2023). Mr. Edgar is admitted to practice in New Hampshire, Maine, and Vermont, is a graduate of the New Hampshire Bar Association Leadership Academy (2022), and a member of the New Hampshire Bar Association New Lawyers' Committee (2022-present). He was a Director and Officer of the Joan G. Lovering Health Center in Greenland (2015-2018) and is a Subscriber at the Portsmouth Athenæum (2022-present). Mr. Edgar joined the Department in 2023 and was assigned to the Civil Bureau's Client Counseling Unit. I plan to continue his current assignment and increase his salary by \$3,000, from \$87,000 to \$90,000. His resume is attached.

RSA 21-M:3 and RSA 94:1-a provide that the designation of positions, salary levels, and salary increases for attorneys at the Department of Justice shall be determined by the Attorney

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General, subject to approval of the Governor and Council, within appropriations made to the Department of Justice.

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

Thank you.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. M. Formella", is written over a faint, illegible stamp.

John M. Formella
Attorney General

#4351191

DUNCAN A. EDGAR

WORK EXPERIENCE

New Hampshire Department of Justice, Office of the Attorney General, Concord, New Hampshire
Attorney, 2023 – present

- Represented executive agencies in the negotiation and drafting of contracts having a material impact on the State.
- Collaborated with stakeholders from multiple executive agencies in connection with the negotiation of a State-wide merchant card servicing agreement.
- Advised agency leadership on various legal matters including federal compliance, responses to independent auditors' request for information, and litigation management.
- Providing training and guidance to procurement workforce on the legal aspects of risk management and strategies to improve procurement outcomes.

Hoefle, Phoenix, Gormley & Roberts, PLLC, Portsmouth, New Hampshire
Associate, 2020 – 2023

- Represented businesses and individuals in a wide variety of litigation matters including real estate title disputes, construction defects and mechanic's lien claims, as well as commercial contract disputes.
- Handled various transactional matters, including purchases and sales of businesses, formation of new business entities, and commercial real estate financing transactions.
- Assisted small business owners with applications for federal trademark registration, post-registration trademark maintenance, and provided advice to trademark owners on strategies to protect brand identity.

Sandelands Eyet LLP, Bedminster, New Jersey
Associate, 2017 – 2019

- Represented banks and financial service companies in contested residential foreclosure actions in multiple jurisdictions.
- Defended financial institutions in defense of claims brought under state and federal consumer protection regulations.
- Advised residential mortgage lenders in appeals involving complex real estate and commercial issues.

Rainboth, Murphy & Lown, P.A., Portsmouth, New Hampshire
Associate, 2014 – 2017

- Represented plaintiffs in personal injury, employment discrimination, and consumer protection cases.
- Advised debtors and creditors in bankruptcy lien avoidance actions.
- Administered probate estates in New Hampshire and Maine and represented administrators and heirs in contested probate matters.

EDUCATION

University of Maine School of Law, Portland, Maine
J.D., cum laude, 2014

- Ocean & Coastal Law Journal, Editor-in-Chief
- Duberstein Bankruptcy Moot Court Competition, Team Member

University of New Hampshire, Durham, New Hampshire
B.A., magna cum laude, History, 2009

BAR ADMISSIONS

- New Hampshire
- Maine
- Vermont
- U.S. District Court for the District of New Hampshire
- U.S. District Court for the District of Maine
- U.S. Court of Appeals for the First Circuit

PROFESSIONAL & COMMUNITY INVOLVEMENT

New Hampshire Bar Association New Lawyers Committee, Concord, New Hampshire
Member, 2022 – present

New Hampshire Bar Association Leadership Academy, Concord, New Hampshire
Graduate, Class of 2022

Portsmouth Athenæum, Portsmouth, New Hampshire
Subscriber, 2022 – present