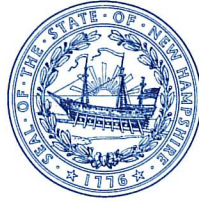


ATTORNEY GENERAL 4H - 6/17/26
DEPARTMENT OF JUSTICE

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

May 29, 2026

Her Excellency, Governor Kelly A. Ayotte
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 Michael P. DeGrandis (Position #9U215, Appropriation #02-20-20-201010-26200000-013-500132), as an Assistant Attorney General at a salary level of \$106,920, effective upon Governor and Executive Council approval or June 30, 2026, whichever is later, for a term ending June 30, 2031. 100% General Funds.

EXPLANATION

Mr. DeGrandis, a resident of Hudson, earned his Bachelor of Arts, *magna cum laude*, from Salve Regina University in 1992, and his Juris Doctor from Antonin Scalia Law School at George Mason University in 2005. He began his legal career as an Associate focusing on complex commercial litigation at McGuire Woods LLP from 2007 to 2012. He practiced in the same field at Hunton & Williams LLP, from 2007 to 2012, and Sands Anderson PC, from 2012 to 2014. Mr. DeGrandis was managing member of his own law office from 2014 to 2018. He joined the Civil Liberties Alliance in 2014 and served as senior litigation counsel until 2022. He was Vice President and General Counsel at American Juris Link from 2022 until he joined the Department of Justice in August 2023. He has been assigned to the Civil Litigation Unit where he has been responsible for discovery, dispositive motions, and evidentiary issues in several significant state and federal cases. He will continue his assignment in the Civil Law Bureau's Litigation Unit. His salary will remain the same. A copy of his resume is attached.

RSA 21-M:3 and 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.

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
May 29, 2026
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I am pleased to offer Mr. DeGrandis' reappointment as an Assistant Attorney General at the above-referenced salary for your approval and respectfully urge your favorable consideration of this request. Thank you.

Respectfully submitted,



John M. Formella
Attorney General

#5571284

Michael P. DeGrandis

| Michael.P.DeGrandis@doj.nh.gov | work cell: 603.513.3654

Assistant Attorney General | Civil Law Bureau | Office of the Attorney General

Represents New Hampshire, state agencies, and current and former state employees in New Hampshire state and federal trial court litigation, appeals to the New Hampshire Supreme Court, and agency administrative proceedings. Scope of representation includes matters presenting complex and novel questions of state and federal law. Advises Attorney General Formella and his senior staff regarding matters of critical state interest. Twenty-year legal career includes complex commercial, administrative law, constitutional law, and civil rights litigation in the highest state courts of New Hampshire, Virginia, Massachusetts, and New Mexico, and federal courts of appeals in New Hampshire, Virginia, and New York. Prior to legal career, designed and taught affordable housing and fair housing regulatory compliance certification courses as Vice President of Research & Development at a national nonprofit.

ADVOCACY ON BEHALF OF THE STATE OF NEW HAMPSHIRE

N.H. DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL | Concord, N.H. | Asst. Attorney Gen. 2023 – present
Litigation Unit Assistant Attorney General advocating for New Hampshire, its agencies, and its former and current employees through all phases of litigation including motions practice, discovery, mediation and settlement, hearings, trial, and appeal. Notable examples include:

• New Hampshire State & Federal Trial Court Cases

- *N.H. Youth Movement v. Scanlan | Coal. Open Democracy v. Scanlan*, Consol. Case No. 1:24-cv-00291-SE-TSM (D.N.H.)
 - Represents the Secretary of State and Attorney General in lawsuits challenging the constitutionality of New Hampshire voting registration laws
 - Successfully dismissed two of three organizations and five individuals in their challenge to HB 1569's repeal of the Challenged Voter Affidavit
 - Drafted and argued motions to dismiss and for summary judgment, and proposed conclusions of law
 - Conducted multiple depositions, produced hundreds of thousands of pages of documents, continually supplemented written discovery, and managed numerous discovery disputes against plaintiffs represented by more than 15 attorneys
 - Tried case in a nine-day bench trial with a team of three other DOJ litigators
 - Currently assessing order implementation strategies and appellate opportunities
- *Tirrell v. Edelblut*, Case No. 1:24-cv-00251-LM-TSM (D.N.H.)
 - Represented the Commissioner of the Department of Education in a challenge to the constitutionality of New Hampshire's prohibition of biological boys playing girls' sports in middle and high schools
 - Drafted and argued objections to plaintiffs' motions for a preliminary injunction to amend the complaint and motion to dismiss
 - Case is currently stayed pending U.S. Supreme Court consideration of materially similar cases
- *Alpert v. Dep't of Nat. & Cultural Res.*, Case No. 217-2023-CV-00424 (Merrimack Super. Ct.)
 - Successfully moved to dismiss a challenge to DNCR's removal of the Elizabeth Gurley Flynn historical marker.
 - Prevailed by arguing that plaintiffs do not have constitutional or statutory standing where they challenge discretionary executive agency action instead of challenging the legality of state fund usage.
- *Dep't of Health & Hum. Servs. v. Soto*, Case No. 217-2023-CV-00618 (Merrimack Super. Ct.)
 - Successfully appealed a Right-to-Know Ombudsman decision in the first appeal of an Ombudsman order to the Superior Court.
 - due to their pre-decisional character and function.

• New Hampshire Supreme Court Cases

- *Hawthorne v. Hanks*, Case No. 2023-0502 (N.H. Sup. Ct.)
 - Successfully solicited the Supreme Court's denial of certiorari to an inmate challenging whether the Department of Corrections properly executed his court-ordered modified sentence.
 - Prevailed by arguing that inmates do not have a right to early release, the Department has a statutory duty to protect the public's and the inmate's interests in rehabilitation, and that the Supreme Court should only hear novel questions of law, not questions grounded in factual intrigue manufactured by threadbare allegations of wrongdoing.
 - Successfully moved to dismiss the companion trial court case on similar grounds.
- *Dep't of Health & Hum. Servs. v. Soto*, Case No. 2024-0230 (N.H. Sup. Ct.)
 - Pending appeal: Will argue that where the DHHS Commissioner retains decision-making authority, a hearings officer's RSA 126-A:5, VIII(c) proposed decision is a preliminary draft and an integral component of the Commissioner's decision-making process, so it is exempt from disclosure under RSA 91-A:5, IX.

• New Hampshire Administrative Proceedings

- *Minichiello v. Simon*, Investig. No. 2023-MHP-Simon-1425 (Off. of Pro. Licensure & Certification)
 - Successfully moved to dismiss a complaint alleging a Department of Corrections mental health counselor's misconduct.
 - Prevailed by arguing that OPLC does not have jurisdiction to investigate conduct unrelated to a mental health counselor's competence to provide sex offender counseling.
 - Engaged with the OPLC investigator to prevent future baseless accusations and inmates from using the OPLC complaint system to collaterally attack Department sex offender rehabilitation programming and punish mental health counselors.

• **Advocacy Outside the Courtroom**

- New Hampshire's Federal Emergency Management Agency State Mitigation Plan
 - Advised the Attorney General and senior staff regarding potential solutions to FEMA's 44 C.F.R. § 201.3(b)(5) objections to New Hampshire's State Mitigation Plan, implicating New Hampshire's receipt of non-emergency Stafford Act federal assistance.

ADDITIONAL LEGAL EXPERIENCE

AMERICAN JURIS LINK Virtual Office Vice President & Senior Counsel	2022 – 2023
NEW CIVIL LIBERTIES ALLIANCE Washington, D.C. Senior Litigation Counsel	2018 – 2021
DEGRANDIS LAW OFFICE PLLC Tysons Corner, Virginia Managing Member	2014 – 2018
SANDS ANDERSON PC Vienna, Virginia Counsel	2012 – 2014
HUNTON & WILLIAMS LLP Tysons Corner, Virginia Associate	2007 – 2012
MCGUIREWOODS LLP Tysons Corner, Virginia Summer Associate; Law Clerk; Associate	2004 – 2007

- **Complex Commercial Litigation:** Developed and executed strategies for the investigation and defense of civil litigation related to contracts and business torts, mass torts and products liability, banking and finance, fair housing and employment discrimination, healthcare, veterans' rights, landlord/tenant matters, and eminent domain in cases that included bet-the-company dynamics.
- **Constitutional & Civil Rights Law:** Initiated litigation and prosecuted appeals defending structural constraints on governmental action and defending civil liberties, including challenges to tenure protections and executive decrees as violative of separation of powers, asserting the right to privacy in individuals' associations, and advocating for qualified immunity reform.
- **Administrative Law:** Petitioned state and federal agencies to engage in statutory rulemaking where agencies sought to regulate third parties, to make COVID-19 grants more inclusive, and to prohibit or curtail speech licensing schemes.
- **eDiscovery:** Served as certified e-discovery specialist at Hunton & Williams LLP, developing, managing, and executing discovery strategies for Rule 26(f) conferences, legal holds, search term and claw-back agreements, document collection/review/production, privilege identification and log creation, written discovery requests and responses, and document review protocols and workflow.
- **Non-Courtroom Legal Work:** Advised a state Attorney General regarding potential Port Preference and Equal Protection Clauses challenges to the Jones Act's cabotage provisions' discriminatory effect on citizens of select states. Managed and conducted internal investigations of publicly traded companies that implicated the False Claims Act and potential white collar criminal liability. Negotiated agreements including cable franchises, settlements, sales contracts, and non-competes.

OTHER PROFESSIONAL EXPERIENCE

NATIONAL CENTER FOR HOUSING MANAGEMENT (NCHM) 1998 – 2004

- **Vice President of Research & Development (2001-2004):** Designed and developed all professional certification courses for national nonprofit affordable housing education organization, including Sec. 8 and Sec. 42 LIHTC occupancy and Fair Housing Act compliance. Evaluated and trained instructors regarding teaching performance and methods. Stakeholder at HUD and REAC regulatory meetings. Secured government contracts to provide training and services that increased NCHM revenue by more than 200%.
- **Regulatory Compliance Trainer (1999-2004):** Taught housing managers at federally assisted properties how to comply with affordable housing occupancy rules and regulations. Taught Fair Housing Act and Americans with Disabilities Act courses. Achieved the highest national student certification pass rate each year. Earned the highest national teacher approval rating each year.
- **Director of Operations (1998-2001):** Managed operations, grant writing, and human resources. Turned a nonprofit on the brink of insolvency (and evicted from its D.C. and Puerto Rico offices for rent nonpayment) into a self-sustaining enterprise in just three years.

EDUCATION

George Mason University School of Law, Arlington, Virginia | **Juris Doctor**

- Night student
- Editor-in-Chief, George Mason Law Review
- Writing Fellow, Legal Research & Writing LAW094 and LAW095

Salve Regina University, Newport, Rhode Island | **Bachelor of Arts, Politics**

- *Magna cum laude* | Bower Award for Research: Most Outstanding Scholarly Work | Rhode Island Intern of the Year

SELECT MEMBERSHIPS, PUBLICATIONS & ACTIVITIES

- Member of the New Hampshire Bar Association (No. 277332) and Virginia State Bar (No. 70939)
- Co-author: *Out of the Separation-of-Powers Frying Pan and Into the Nondelegation Fire*, 87 Univ. of Chicago L. Rev. Online 55 (Aug. 27, 2020)
- Author: *Atkins v. Virginia*: Nothing Left of the Independent Legislative Power to Punish and Define Crime, 11 Geo. Mason L. Rev. 805 (Summer 2003 (pub. 2005)) (cited by Michigan Supreme Court in *People v. Correa*, 288 Mich. 989, 791 N.W.2d 285 (2010))
- Virginia Pro Bono Service Honor Roll inductee (2021-22) | Three-time recipient of Williams Award for Outstanding Pro Bono Service
- Continuing Legal Education instructor on e-discovery matters including Fed. R. Civ. P. 26 and social media discovery