

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT

Rockingham Superior Court
Rockingham Cty Courthouse/PO Box 1258
Kingston NH 03848-1258

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.nh.gov>

SUMMONS IN A CIVIL ACTION



Case Name: **Daniel Richard, et al v Mary Jane Wallner, et al**
Case Number: **218-2021-CV-01160**

Date Complaint Filed: November 18, 2021

A Complaint has been filed against Lou D'allesandro; Gary Daniels; Jess Edwards; Tracy Emerick; Keith Erf; John M. Formella; Theodore L Gatsas; Bob Giuda; Joseph D Kenny; Peter Leishman; Bob Lynn; Chuck Morse; Joseph Pitre; Cindy Rosenwald; Janet Stevens; Christopher T Sununu; Karen Umberger; Mary Jane Wallner; Cinde Warmington; David K Wheeler in this Court. A copy of the Complaint is attached.

The Court ORDERS that ON OR BEFORE:

- January 24, 2022 Thomas W Chapmon; Kelley L Potenza; Daniel Richard shall have this Summons and the attached Complaint served upon Lou D'allesandro; Gary Daniels; Jess Edwards; Tracy Emerick; Keith Erf; John M. Formella; Theodore L Gatsas; Bob Giuda; Joseph D Kenny; Peter Leishman; Bob Lynn; Chuck Morse; Joseph Pitre; Cindy Rosenwald; Janet Stevens; Christopher T Sununu; Karen Umberger; Mary Jane Wallner; Cinde Warmington; David K Wheeler .
- February 14, 2022 Thomas W Chapmon; Kelley L Potenza; Daniel Richard shall electronically file the return(s) of service with this Court. Failure to do so may result in this action being dismissed without further notice.
- 30 days after Defendant is served Lou D'allesandro; Gary Daniels; Jess Edwards; Tracy Emerick; Keith Erf; John M. Formella; Theodore L Gatsas; Bob Giuda; Joseph D Kenny; Peter Leishman; Bob Lynn; Chuck Morse; Joseph Pitre; Cindy Rosenwald; Janet Stevens; Christopher T Sununu; Karen Umberger; Mary Jane Wallner; Cinde Warmington; David K Wheeler must electronically file an Appearance and Answer or other responsive pleading form with this Court. A copy of the Appearance and Answer or other responsive pleading must be sent electronically to the party/parties listed below.

Notice to Lou D'allesandro; Gary Daniels; Jess Edwards; Tracy Emerick; Keith Erf; John M. Formella; Theodore L Gatsas; Bob Giuda; Joseph D Kenny; Peter Leishman; Bob Lynn; Chuck Morse; Joseph Pitre; Cindy Rosenwald; Janet Stevens; Christopher T Sununu; Karen Umberger; Mary Jane Wallner; Cinde Warmington; David K Wheeler: If you do not comply with these requirements you will be considered in default and the Court may issue orders that affect you without your input.

Send copies to:

Daniel Richard	95 Rockingham Rd Auburn NH 03032
Mary Jane Wallner	State House 107 North Main Street Concord NH 03301
Bob Lynn	State House 107 North Main Street Concord NH 03301
Joseph Pitre	State House 107 North Main Street Concord NH 03301
Cindy Rosenwald	State House 107 North Main Street Concord NH 03301
Lou D'allesandro	State House 107 North Main Street Concord NH 03301
Chuck Morse	State House 107 North Main Street Concord NH 03301
Bob Giuda	State House 107 North Main Street Concord NH 03301
Gary Daniels	State House 107 North Main Street Concord NH 03301
Tracy Emerick	State House 107 North Main Street Concord NH 03301
Jess Edwards	State House 107 North Main Street Concord NH 03301
Peter Leishman	State House 107 North Main Street Concord NH 03301
Keith Erf	State House 107 North Main Street Concord NH 03301
Karen Umberger	State House 107 North Main Street Concord NH 03301
David K Wheeler	State House 107 North Main Street Concord NH 03301
Theodore L Gatsas	State House 107 North Main Street Concord NH 03301
Janet Stevens	State House 107 North Main Street Concord NH 03301
Cinde Warmington	State House 107 North Main Street Concord NH 03301
Joseph D Kenny	State House 107 North Main Street Concord NH 03301
Christopher T Sununu	State House 107 North Main Street Concord NH 03301
Thomas W Chapmon	59 Abbott Avenue Bath NH 03740
Kelley L Potenza	75 South Main Street Unit 7-229 Concord NH 03301
John M. Formella	NH Department of Justice 33 Capitol Street Concord NH 03301

BY ORDER OF THE COURT

December 10, 2021

Jennifer M. Haggard
Clerk of Court

(1146)

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NOTICE TO DEFENDANT

Case Name: **Daniel Richard, et al v Mary Jane Wallner, et al**
Case Number: **218-2021-CV-01160**

You have been served with a Complaint which serves as notice that this legal action has been filed against you in the **Rockingham Superior Court**. Review the Complaint to see the basis for the Plaintiff's claim.

Each Defendant is required to electronically file an Appearance and Answer 30 days after service. You may register and respond on any private or public computer. For your convenience, there is also a computer available in the courthouse lobby.

If you are working with an attorney, they will guide you on the next steps. If you are going to represent yourself in this action, go to the court's website: www.courts.nh.gov, select the Electronic Services icon and then select the option for a self-represented party.

1. Complete the registration/log in process. Click Register and follow the prompts.
2. After you register, click Start Now. Select **Rockingham Superior Court** as the location.
3. Select "I am filing into an existing case". Enter **218-2021-CV-01160** and click Next.
4. When you find the case, click on the link and follow the instructions on the screen. On the "What would you like to file?" screen, select "File a Response to Civil Complaint". Follow the instructions to complete your filing.
5. Review your Response before submitting it to the court.

IMPORTANT: After receiving your response and other filings the court will send notifications and court orders electronically to the email address you provide.

A person who is filing or defending against a Civil Complaint will want to be familiar with the Rules of the Superior Court, which are available on the court's website: www.courts.nh.gov.

Once you have registered and responded to the summons, you can access documents electronically filed by going to <https://odypa.nhecourt.us/portal> and following the instructions in the User Guide. In that process you will register, validate your email, request access and approval to view your case. After your information is validated by the court, you will be able to view case information and documents filed in your case.

If you have questions regarding this process, please contact the court at 1-855-212-1234.

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**THOMAS W CHAPMON; KELLEY L POTENZA; DANIEL RICHARD
INSTRUCTIONS FOR SERVICE
BY THE SHERIFF'S DEPARTMENT**

Case Name: **Daniel Richard, et al v Mary Jane Wallner, et al**
Case Number: **218-2021-CV-01160**

Instructions for: Thomas W Chapmon; Kelley L Potenza; Daniel Richard

The attached Summons must be sent to the Sheriff's Department for service. Service must be completed on or before **January 24, 2022**.

Further action is required by you

You must:

- **Print two copies of the Summons per defendant**
- **Print two copies of the Notice to Defendant per defendant**
- **Print two copies of the Complaint filed with the Court per defendant**
- **Make two packets for service. Each packet should contain:**
 - **One Summons**
 - **Once Notice for Defendant**
 - **One Complaint filed with the Court**
- **Mail or hand deliver the packets to the Sheriff's Department in the county where each defendant resides.**

Sheriff Departments in New Hampshire:

[Belknap County Sheriff's Department:](#)

[Hillsborough County Sheriff's Department:](#)

[Carroll County Sheriff's Department:](#)

[Merrimack County Sheriff's Department:](#)

[Cheshire County Sheriff's Department:](#)

[Rockingham County Sheriff's Department:](#)

[Coos County Sheriff's Department:](#)

[Strafford County Sheriff's Department:](#)

[Grafton County Sheriff's Department:](#)

[Sullivan County Sheriff's Department:](#)

If one or more of the parties resides out of state, please click [here](#) for the requirements

Service must be made upon the defendant before **January 24, 2022**.

If the Sheriff is unable to complete service by **January 24, 2022** you will receive a "Notice of Incomplete Service" from the Sheriff's Department. You may request that new paperwork be issued by electronically filing a Request for Documents. There is a fee for this request.

The Sheriff will mail the 'Return of Service' to you. You **MUST** electronically file the 'Return of Service' with the court by February 14, 2022.

If service is not made as directed, no further action will occur and the case may be dismissed by the court.

Instructions for filing the Return of Service:

If you are working with an attorney, they will guide you on the next steps. If you are going to represent yourself in this action, go to the court's website: www.courts.nh.gov, select the Electronic Services icon and then select the option for a self-represented party.

1. Select "I am filing into an existing case". Enter 218-2021-CV-01160 and click Next.
2. When you find the case, click on the link follow the instructions on the screen. On the "What would you like to file?" screen, select "File Other Document" and choose "Return of Service".
3. Scan the Return of Service packet and follow the instructions in the electronic filing program to upload the Return of Service to complete your filing.
4. If the sheriff was unable to serve the paperwork, you can request new paperwork by filing a Request for Documents. On the "What would you like to file?" screen, select "File Other Document" and choose "Request for Reissued Summons" from the menu and upload the Request for Documents form.

FAILURE TO FILE THESE DOCUMENTS MAY RESULT IN YOUR CASE BEING DISMISSED.

December 10, 2021
Date

Jennifer M. Haggar
Clerk of Court

You can access documents electronically filed through our Case Access Portal by going to <https://odypa.nhecourt.us/portal> and following the instructions in the User Guide. In that process you will register, validate your email, request access and approval to view your case. After your information is validated by the court, you will be able to view case information and documents filed in your case.