

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

TOWN OF WOLFEBORO)	
)	Civil No. 1:12-cv-00130-JD
Plaintiff,)	
v.)	
)	
WRIGHT-PIERCE,)	
)	
Defendant.)	

PLAINTIFF’S MOTION FOR AWARD OF TREBLE DAMAGES UNDER RSA 358-A

Pursuant to the Court’s (DiClerico, Jr., U.S.D.J.) May 15, 2014 Order, docketed as Document No. 181 in the above-captioned action (the “Order”), and pursuant to the New Hampshire Consumer Protection Act, RSA 358-A (the “CPA”), Plaintiff, the Town of Wolfeboro (the “Town”), hereby moves for an award of treble damages based on Defendant, Wright-Pierce’s, willful and/or knowing violations of the CPA perpetuated against the Town over a multi-year period. See Order. In accordance with the Court’s Order, the Town provided notice of its intent to seek additional damages pursuant to the CPA on May 20, 2014. See Document No. 182. In support of this Motion, the Town incorporates the accompanying memorandum of law as if set forth fully herein.

WHEREFORE, for all the reasons set forth in the memorandum of law in support of this Motion, the Town respectfully requests that the Court grant this Motion and issue an award of treble damages against Wright-Pierce.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Respectfully submitted,

TOWN OF WOLFEBORO

By its attorneys,

Date: May 30, 2014

/s/ Seth M. Pasakarnis

Hinckley, Allen & Snyder LLP

Rhian M.J. Cull, Esq. (*Pro Hac Vice*)

Seth M. Pasakarnis, Esq. (Bar #18971)

Daniel M. Deschenes, Esq. (Bar #14889)

11 South Main Street, Suite 400

Concord, NH 03301-4846

Tel: (603) 225-4334

spasakarnis@hinckleyallen.com

ddeschenes@hinckleyallen.com

rcull@hinckleyallen.com

CERTIFICATE OF SERVICE

I, Seth M. Pasakarnis, hereby certify that on this date a true and accurate copy of this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Seth M. Pasakarnis

Seth M. Pasakarnis