



**ROCKINGHAM COUNTY ATTORNEY**  
**STATE OF NEW HAMPSHIRE**  
**PATRICIA G. CONWAY**



March 10, 2015

Rockingham County Board of Commissioners  
Brentwood, New Hampshire

RE: Non-public meeting – Request for Defense and Indemnification pursuant to RSA 29-A:2

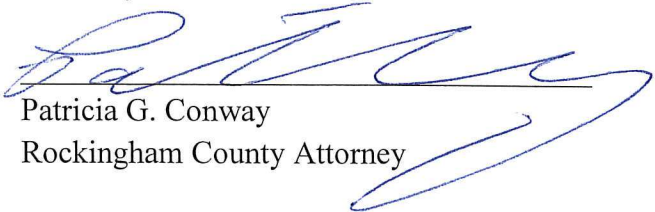
Dear Board of Commissioners:

On March 9, 2015, I received a letter from Attorney Sean O’Connell notifying the Board and me that his client, Jerome Blanchard, intends to commence litigation against both the County and me personally for alleged wrongful termination.

Pursuant to RSA 29-A:2 , I respectfully request that the County defend and indemnify me, as an elected official for Rockingham County, as it relates to the potential litigation commenced by Jerome Blanchard through his attorney, Sean O’Connell.

Please be advised that I will not be available to meet at the BOC meeting tomorrow, March 11, 2015, as I will be in trial until at least mid-day Thursday, March 12, 2015.

Sincerely,



Patricia G. Conway  
Rockingham County Attorney

# SHAHEEN & GORDON, P.A.

A T T O R N E Y S   A T   L A W

Tenacity. Creativity. Results.™

Sean O'Connell  
Attorney at Law

Licensed in NH & ME

March 6, 2015

Thomas Tombarello  
Kevin Coyle  
Kevin St. James  
Board of Commissioners, Rockingham County  
119 North Road  
Brentwood, NH 03833

Pat Conway  
Rockingham County District Attorney  
P. O. Box 1209  
Kingston, NH 03848-1258

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ROCKINGHAM COUNTY  
ATTORNEYS OFFICE

**Re: Jerome Blanchard**

Dear Commissioners and Attorney Conway:

This office represents Jerome Blanchard. Mr. Blanchard was wrongfully terminated on November 7, 2014. The purpose of this letter is to resolve this matter in good faith, before commencing litigation. This letter is also provided prior to commencing litigation as a courtesy to avoid the attendant publicity a lawsuit would bring to the Rockingham County Attorney's Office.

As you know, Mr. Blanchard was employed as an Assistant County Attorney ("ACA") for approximately 14 years. Mr. Blanchard's most recent performance evaluation demonstrated high marks and no concerns with respect to his performance, judgment or other relevant categories. In fact, acting County Attorney James Boffetti can be expected to testify that Mr. Blanchard was - by far - the most capable and helpful ACA in the office based on his own personal experience, interaction and observation. Mr. Boffetti would further testify that he relied on Mr. Blanchard as his primary back up and would leave my client in charge of the office when necessary. Further, my client was responsible for the management of approximately 2/3 of the office. Mr. Blanchard was widely respected within the County Attorney's office by his peers and also within the local defense bar.

None of the above suggests or implies, in any way, an employee who performed in such a way as to justify his termination. Rather, the facts unequivocally demonstrate an employee who was wrongfully terminated in retaliation for his efforts to ensure the County's compliance with the so-called "Laurie List" and for his cooperation with the Attorney General in the investigation of County Attorney's mismanagement of funds and sexual harassment within the County Attorney's office. As you know, the Laurie List (hereafter "the List") is a record of law enforcement officers whose credibility could be called into question were they to testify in criminal trials.

Current Rockingham County District Attorney Patricia Conway's husband, Eric Lamb ("Lamb"), was a Detective with the Salem Police Department. Lamb was on the List. Of course, prior to being elected as Rockingham County District Attorney, Patricia Conway served as an Assistant County Attorney and was a colleague of my client.

Prior to the election, my client was working on a sexual assault case with the Salem Police Department when it was brought to my client's attention - by the Salem Police Department - that Lamb had been removed from the List. The Salem Police Department was concerned that Lamb had been removed improperly and should, in fact, still be on the List.

My client brought this issue to the attention of acting County Attorney Jim Boffetti and representatives from the Attorney General's Office. Upon review and investigation, it was determined that Lamb had, in fact, been removed improperly from the List by former County Attorney Jim Reams. As a result, Lamb was placed back on the List. The return placement of Lamb back to the List was communicated to all Rockingham County Attorneys, including Ms. Conway.

My client also brought to the attention of the New Hampshire Attorney General information with respect to former County Attorney Jim Reams' mismanagement of Rockingham County funds and further cooperated with the Attorney General's investigation of sexual harassment in the County Attorney's office. As you know, the Attorney General brought significant attention and action to Mr. Reams with respect to his handling of County funds and the sexual harassment claims within the County Attorney's Office under his regime. As you are also no doubt aware, Ms. Conway was very close - both professionally and personally - with Mr. Reams. It is more than fair to characterize Mr. Reams as a mentor to Ms. Conway and a champion of hers within the County Attorney's office. In fact, both Mr. Reams and his wife were very active in Ms. Conway's election campaign.

Patricia Conway was elected to serve as County Attorney on November 4, 2014. Ms. Conway was sworn into office on November 6, 2014 at approximately 6:00 p.m.

Less than 24 hours later, Ms. Conway summarily terminated my client's employment. No other ACA's have been terminated since Ms. Conway assumed office.

The termination was clearly in violation of public policy and motivated by retaliation for my client's appropriate handling of Ms. Conway's husband's improper removal from the List and his subsequent placement back on the List, in addition to my client's cooperation with the Attorney General in its financial and sexual harassment investigations. My client was devastated at losing a career he valued greatly.

My client intends to commence litigation if an agreeable resolution is not reached. We intend to file claims with respect to New Hampshire's Whistleblowers' Protection Act, wrongful termination in violation of public policy, intentional infliction of emotional distress and negligent infliction of emotional distress. Rockingham County will be named as a defendant and Ms. Conway will also be named a defendant in her individual capacity.

As you know, New Hampshire allows for enhanced compensatory damages on wrongful termination claims and the New Hampshire Whistleblowers' Protection Act specifically allows for the recovery of attorney's fees. Given the above facts, it is reasonable to assume that a jury will award enhanced compensatory damages in addition to the statutorily allowed attorney's fees.

In light of the above, my client has authorized me to accept \$250,000.00 in exchange for a full release of his claims against both the County and Ms. Conway.

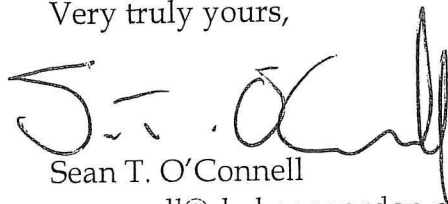
Finally, please allow this letter to also serve as a formal preservation notice (with respect to both Rockingham County and Pat Conway) with respect to the following:

- A full and complete copy of Mr. Blanchard's personnel file;
- Any and all document, record, note, writing, email, text or other electronic communication which relates in any way to the termination of Mr. Blanchard;
- Any and all document, record, note, writing, email, instant messaging; text or other electronic communication which relates in any way to Eric Lamb, Salem Police Department and/or the Laurie List;
- Any and all emails (including sent, received or deleted) related to former Prosecuting Attorney James Reams; former ACA Thomas Reid; former Interim Prosecuting Attorney James Boffetti; Pat Conway; and Mr. Blanchard;
- Any and all hardware, software or other electronic device which would have any record of all emails sent, received or deleted by former Prosecuting Attorney James Reams; former ACA Thomas Reid; former Interim Prosecuting Attorney James Boffetti; Pat Conway; and Mr. Blanchard;
- Any and all phone records, text messages and any other source of data with respect to any cell phone issued to former County Attorney Jim Reams;

- Any and all phone records, text messages and any other source of data with respect to any cell phone issued to former ACA Thomas Reid;
- Any and all phone records, text messages and any other source of data with respect to any cell phone owned or used by Pat Conway between 2012 and the present;
- Any and all source of any office phone records for former Prosecuting Attorney James Reams; former ACA Thomas Reid; former Interim Prosecuting Attorney James Boffetti; Pat Conway; and
- Any and all personal email accounts used, operated or utilized by Pat Conway between 2012 and the present.

Thank you for your attention.

Very truly yours,



Sean T. O'Connell  
[soconnell@shaheengordon.com](mailto:soconnell@shaheengordon.com)

STO/smf

cc: Client