

September 14, 2025

Nashua Ethics Review Committee  
City of Nashua  
229 Main Street  
Nashua, NH 03060  
cc. Alderman Derek Thibeault

Dear Ethics Committee Members, Nashua Legal Office,

Please find enclosed my formal complaint against Alderman Derek Thibeault for violations of the Nashua Code of Conduct, § 5-95. The complaint details his improper disclosure of confidential, sealed nonpublic session information and the misuse of his office to disparage a private citizen through his public newsletter of September 12, 2025.

The enclosed memorandum identifies the specific standards violated, including § 5-95(C), (D), (E), and (F), and requests that the Board take appropriate disciplinary action consistent with its obligations to the public. I respectfully urge the Ethics Committee and Board to address this matter promptly in order to maintain public trust and uphold the integrity of City governance.

I am requesting the recusal of Attorney Bush and Attorney Tencza for this matter. Additionally, Attorneys Bolton and Leonard should be recused from covering this ethics complaint given the Federal Trial and other Ortolano litigation matters.

For the purposes of scheduling, I am not available from October 7-13 as I am in a Trial. Please inform of the date and time of the screening review process.

Respectfully submitted,

/s/Laurie Ortolano  
Laurie Ortolano

**FORMAL COMPLAINT:  
VIOLATION OF NASHUA CODE OF CONDUCT § 5-95**

Complainant:  
Laurie A. Ortolano

Respondent:  
Alderman Derek Thibeault

**Subject:**

Improper disclosure of September 9, 2025 sealed nonpublic information and misuse of office.

**Attachments:**

- Derek Thibeault’s September 12, 2025 newsletter;
- Ortolano requests to obtain August 7, 2025 non-public meeting minutes;
- The August 7, 2025 unsealed non-public meeting minutes;
- Sealed non-public September 9, 2025 Board of Alderman meeting minutes (obtain from the City)

**I. Introduction**

Pursuant to the Nashua Code of Ordinances § 5-95, I submit this complaint regarding Alderman Derek Thibeault’s conduct in publishing a public newsletter on September 12, 2025, which disclosed contents of a sealed nonpublic session of the Board of Aldermen and made misrepresentations about my actions as a citizen petitioner. His conduct constitutes a violation of multiple standards of conduct for municipal employees and officials.

**II. Relevant Facts**

1. On September 9, 2025, the Board of Aldermen entered a nonpublic session under RSA 91-A:3, II(l) and II(m) to consider legal advice and whether to disclose minutes of an August 7, 2025 nonpublic session regarding the redevelopment of the Elm Street Middle School. At the conclusion, the Board voted to seal the September 9 minutes under RSA 91-A:3, III.
2. Despite that seal, on September 12, 2025, Alderman Thibeault published a newsletter to the public in which he disclosed information relating to the sealed September 9 session. His newsletter included statements about:
  - The Board’s deliberations regarding developers’ offers on the Elm Street property;
  - The rationale for entering nonpublic session;
  - His claim that I had “threatened to sue” to obtain the August 7 minutes;
  - He stated, “by the law, we would lose the suit because of a technicality”;
  - Assertions that “Alderman who was at that meeting would be liable for up to \$2000, and the city would not cover that”;
  - Characterizations of my request as “petty” and intended to “hurt the city and the board.”

3. These disclosures were made in his newsletter while the minutes of the September 9 nonpublic session remain sealed.

### **III. Applicable Standards Violated**

#### § 5-95(C): Improper Disclosure of Confidential Information

The September 9 nonpublic session was sealed, rendering its contents confidential. By publicly describing its deliberations and framing them in a way designed to disparage me, Alderman Thibeault improperly disclosed confidential, attorney-client privileged information. His disclosure furthered his personal and political interests by casting himself as a defender of the City while maligning a private citizen.

#### § 5-95(D): Misuse of Official Position to Secure Unwarranted Privileges

Alderman Thibeault used his official position to publish insider information, giving himself an unwarranted platform to advance a narrative unavailable to the general public. By implying knowledge of sealed discussions (though he admits he was not present at the August 7 meeting), he used his office to secure an advantage in shaping public opinion.

#### § 5-95(E): Conduct Giving Impression of Improper Influence

His newsletter repeats mischaracterizations previously advanced by City legal counsel (regarding personal fines and lawsuit threats), creating the impression that he is unduly influenced by counsel rather than exercising independent judgment. This raises concern that aldermen are serving as conduits for counsel's retaliatory narratives rather than as independent representatives of the public interest.

#### § 5-95(F): Conduct Raising Suspicion of Breach of Trust

Disclosing sealed information, misrepresenting statutory fines, and disparaging a citizen petitioner create a reasonable suspicion that Alderman Thibeault cannot be trusted to honor confidentiality, fulfill fiduciary duties, or separate public office from personal animus.

### **IV. Harm and Consequences**

1. His disclosure undermines the Board's stated justification for sealing the September 9 minutes.
2. It breaches the attorney-client privilege the Board invoked in order to enter nonpublic session.
3. It undermines public confidence in the integrity of the Board and raises suspicion that confidential sessions are being selectively weaponized against citizens.
4. It demonstrates a pattern of conduct that mirrors prior retaliatory misuse of authority by the City's legal office.

### **V. Requested Action**

I respectfully request that the Ethics Review Committee and Board:

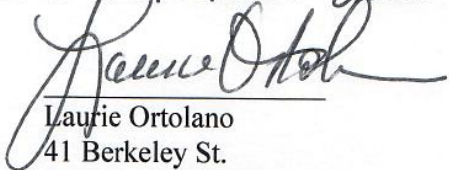
1. Acknowledge that Alderman Thibeault's disclosure constitutes a violation of § 5-95(C), (D), (E), and (F).

2. Take formal disciplinary action, including censure or sanction, to uphold the City's Code of Conduct.
3. Direct the Legal Department to clarify to all members the binding duty of confidentiality imposed by RSA 91-A:3, III and the City Code.

Respectfully submitted,

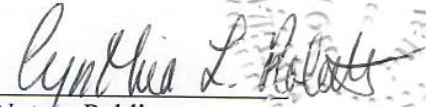

/s/Laurie Ortolano  
Laurie A. Ortolano

Signed under the Pains and Penalty of Perjury, this 17<sup>th</sup> day of September 2025

  
Laurie Ortolano  
41 Berkeley St.  
Nashua, NH 03064  
603-930-2853  
[laurieortolano@gmail.com](mailto:laurieortolano@gmail.com)

Then appeared before me the above-named Laurie A. Ortolano, who after being sworn, affirmed and attested that his statements in the foregoing Complaint are true and accurate to the best of her knowledge and belief.

STATE OF NEW HAMPSHIRE  
Hillsborough COUNTY

  
Notary Public  


My Commission Expires: **CYNTHIA L. ROBERTS**  
NOTARY PUBLIC  
State of New Hampshire  
My Commission Expires  
December 20, 2028