

**STATE OF NEW HAMPSHIRE  
SUPERIOR COURT ROCKINGHAM COUNTY  
MOTION TO AMEND COMPLAINT**

**Docket No. 218-2026-CV-00085**

**Al Salvatore Brandano and Joseph C. Cacciatore, Pro Se. individually and on behalf of similarly situated voters and taxpayers of the Kensington and East Kingston School District,**

*Plaintiffs,*

v.

**Kensington School Board, East Kingston School Board, Dr. Christopher Andriski in his official capacity as Superintendent of SAU 16, and SAU 16,**

*Defendants.*

**Docket No. 218-2026-CV-00085**

**MOTION TO AMEND COMPLAINT**

NOW COME Plaintiffs Al Salvatore Brandano and Joseph C. Cacciatore, pro se, and respectfully move this Court pursuant to Superior Court Rule 15 for leave to file the attached Amended Complaint. In support thereof, Plaintiffs state as follows:

1. “This action is brought by Plaintiffs Al Salvatore Brandano and Joseph C. Cacciatore, individually and as representatives of similarly situated registered voters and taxpayers of the Kensington and East Kingston School District who signed or supported the citizen petition and who were denied their statutory and constitutional right to have the article placed on the warrant.”The original Complaint challenges the Defendants’ denial of a citizen-petitioned

warrant article seeking a study of escalating education costs at Kensington and East Kingston Elementary School Districts (KES/ EKI). The denial was based solely on an administratively imposed “close of business” deadline that has no statutory basis in RSA 197:6 or RSA 40:13.

2. Since the original filing, and the court’s denial of the plaintiffs motion for emergency stay was summarily denied, a surprisingly material post-election developments has occurred. Voters in the Kensington School District rejected the proposed FY2027 KES operating budget and the associated teacher salary/benefit contracts at the March 2026 election. The District is now operating under the default budget, creating ongoing live controversies regarding compliance with RSA 32:10, I(e) and the District’s fiduciary duty to respect voter intent.
3. The proposed Amended Complaint incorporates these new facts, refines the legal claims, and requests targeted equitable relief in the form of a stipulated agreement (or good-faith mediation) that would place the citizen-petitioned KES and EKI cost-study article on the warrant for the next annual Kensington and East Kingston School District meeting. This relief is directly tied to the local budget controversy and is necessary to vindicate the voters’ constitutional rights of oversight and participation under Part I, Articles 8 and 38 of the New Hampshire Constitution.
4. Amendment is timely, will not unduly prejudice the Defendants, and promotes judicial economy by resolving all issues arising from the same core facts in a single proceeding. No trial date has been set, and substantial discovery has not yet occurred.
5. A copy of the proposed Amended Complaint is attached hereto as **Exhibit A**.

WHEREFORE, Plaintiffs respectfully request that the Court grant this Motion to Amend Complaint and accept the Amended Complaint for filing.

Dated: March 25, 2026

Respectfully submitted,

Al Salvatore Brandano Al Salvatore Brandano, Pro Se

/s/ Joseph Cacciatore Joseph Cacciatore, Pro Se

**Certificate of Service**

I hereby certify that on this 25<sup>th</sup> day of March, 2026, a true copy of the foregoing Motion to Amend Complaint together with the attached Proposed Amended Complaint (Exhibit A) was served via [email / U.S. Mail] upon opposing counsel at the following address:

Soule,Leslie, Kidder, Sayward, & Loughman 220 Main St. Salem NH 03079

Email: Owen Graham ...Ograham@Soulefirm.com, Gorden Graham ... Graham@Soulefirm.com

/s/ Al Salvatore Brandano Al Salvatore Brandano, Pro Se

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