REQUEST FOR RECONSIDERATION

Re: Grievance against Timothy E. Bush, Esquire

Filed by: Laurie Ortolano

Date: April 6, 2026

Original Grievance Received: December 11, 2025

ADO Findings Date: April 1, 2026

Pursuant to New Hampshire Supreme Court Rule 37A(VI)(a), Complainant Laurie Ortolano respectfully submits this Request for Reconsideration of the Attorney Discipline Office's letter dated April 1, 2026, declining to docket the above-referenced grievance. This request identifies seven specific points of fact and law that were overlooked or misapprehended in the ADO's analysis, each of which is independently material to the determination of whether there is a reasonable likelihood that a hearing panel would find clear and convincing evidence of a rule violation.

The ADO reviewed the verbatim transcript of the May 15, 2025 ERC meeting, the audio recording of the December 4, 2025 ERC meeting, the original grievance, Bush's voluntary response, Complainant's reply, and supplemental email submissions. The seven points raised herein are grounded exclusively in documents and recordings already in the ADO's possession. They are not new evidence. They are specific findings within those existing records that were overlooked or misapprehended. Each point is identified with particularity as required by Rule 37A(VI)(a).

PART ONE: MAY 15, 2025 ERC MEETING

I. POINT OF FACT OVERLOOKED OR MISAPPREHENDED: THE ADO'S FINDING THAT THERE IS "NO EVIDENCE" BUSH KNEW OF THE MUCCIOLI ORDER MODIFICATION IS DIRECTLY CONTRADICTED BY THE MAY 15, 2025 TRANSCRIPT

The ADO's April 1, 2026 letter states:

> *"There is no evidence that Mr. Bush knew, at the time that his statements were made at the meeting on May 15, 2025, that the Court Order in the Muccioli Action had been modified to correct who was communicating with Ms. Muccioli during the hearing."*

This finding is factually incorrect. The verbatim transcript of the May 15, 2025 ERC meeting, which was attached to the original grievance and available to the ADO, contains the following exchange at pages 38-39.

> *After Bush read the Muccioli footnote publicly, Complainant stated: "Well, I have it, but it was supposed to have been struck according to Jackie Coburn. So, you are reading something that isn't struck."*
>
> *Bush responded: "It is not struck. There's nothing in here that's struck."*

Complainant then stated: "Because I challenged her, what she wrote, and she admitted that it was an error. And she was going to strike it. So, it's not struck."

Bush then stated: "My understanding, because I remember reading a motion for reconsideration where she confused you with Mrs. Cahoon, and she had said something that Mrs. Cahoon had said. And you said in a motion for reconsideration, 'Hey, that wasn't me. That was, I think it was Mrs. Cahoon.'" *(T-39 – May 15, 2025 Teeboom ERC Verbatim Meeting Minutes)*

This statement establishes three things with documentary certainty.

First, Bush affirmatively stated he had **read** the motion for reconsideration. His words are "I remember reading a motion for reconsideration." This is not a vague acknowledgment that a motion existed. It is a specific assertion of personal knowledge of its contents.

Second, Bush accurately described the **substance** of the reconsideration, specifically that it concerned the court's confusion between Complainant and Ms. Colquhoun. This level of substantive accuracy is inconsistent with mere awareness that a motion had been filed. It reflects actual familiarity with the motion's content.

Third, Bush made these statements **at the same meeting** when questioned by Complainant after he publicly deployed the footnote to accuse Complainant of criminal conduct. His knowledge of the reconsideration proceedings was therefore contemporaneous with his use of the document.

Furthermore, after Complainant informed Bush that the order had been corrected, Bush did not respond as someone learning this for the first time. He did not say "I was not aware it was granted." Instead, he said:

"And if you tell me that the Superior Court has stricken this from the record, then we will have this stricken from the record here as well. But right now, this stands because it's a public document." (T-41, May 15, 2025 Teeboom ERC Verbatim Meeting Minutes.

This response places the burden on Complainant to prove the correction in real time at a public meeting, while Bush simultaneously demonstrated knowledge of the reconsideration proceedings. An attorney acting in genuine good faith, upon being informed by the subject of a judicially corrected footnote that the court had granted the correction, would be expected to pause, verify, and refrain from continuing to publicly wield the document. Bush instead continued.

This transcript evidence directly contradicts Bush's statement in his ADO response that he "was not aware of that subsequent ruling on May 15, 2025," and it directly contradicts the ADO's finding that there is "no evidence" he knew of the modification. The ADO had this transcript in its possession. The finding that there is no evidence of Bush's knowledge overlooks transcript pages 38-41, which constitute direct evidence of that knowledge in Bush's own words. This is a specific point of fact that was overlooked or misapprehended within the meaning of Rule 37A(VI)(a), and it is material because the ADO's entire analysis of the May 15 conduct rests on the premise that Bush acted without knowledge of the modification.

II. POINT OF LAW OVERLOOKED: BUSH'S FAILURE TO VERIFY THE CURRENT STATUS OF A COURT ORDER HE DELIBERATELY PREPARED FOR PUBLIC USE

CONSTITUTES AN INDEPENDENT VIOLATION OF RULE 1.1 REGARDLESS OF HIS ACTUAL KNOWLEDGE

The ADO's analysis focused exclusively on whether Bush knew of the Muccioli order modification. The ADO did not analyze the independent question of whether Bush's failure to verify the current status of the order before using it publicly constitutes a violation of Rule 1.1. This is a point of law that was overlooked in the ADO's analysis and is independently sufficient to warrant reconsideration and docketing.

Rule 1.1 requires that an attorney exercise "the legal knowledge, skill, thoroughness and preparation reasonably necessary" in connection with the exercise of professional judgment.

The undisputed record establishes the following sequence of deliberate preparation. Bush specifically requested a copy of the Muccioli order from the City prior to the May 15 meeting. ERC Administrator Gary Perrin confirmed in a May 15, 2025 email sent at 11:41 AM:

> *"As requested, attached is a copy of 20230722 - (Court) Order Final. As directed, I will have copies available for the committee and the public for tonight's meeting."*

Bush pre-arranged public distribution of the order to committee members and the press. Bush then used the order as the sole legal basis for a public accusation that Complainant was engaged in criminal unauthorized practice of law under RSA 311:7. This was not a passing or casual reference to a court document. It was a deliberate, pre-planned public action in which Bush specifically sought out, obtained, copied, and arranged the distribution of a court order, and not the revised order, for the express purpose of publicly accusing a named citizen of criminal conduct at a noticed public meeting attended by press, **all done outside of his Committee's knowledge**.

When an attorney takes these specific preparatory steps to deploy a court document as the basis for a public criminal accusation against a named individual, the standard of thoroughness required by Rule 1.1 demands verification of that document's current status before acting. The August 17, 2023 order granting the motion for reconsideration was a public court record available for nearly two years before the May 15, 2025 meeting. It was accessible through the same court docket from which Bush obtained the original order. A minimally diligent review of that docket would have revealed it; however, Bush did not want to show the correct record because it would not have suited Bush's purpose of publicly accusing the Complainant of engaging in criminal conduct.

The ADO did not analyze this question. Ignorance of the modification, under these specific circumstances, is not a defense. It is the violation. An attorney who deliberately prepares a court document for public distribution to support a public accusation of criminal conduct against a named citizen bears a professional duty of due diligence that cannot be satisfied by reliance on the face of a document without verifying its current judicial status. Failure to conduct that verification, resulting in the public dissemination of a judicially corrected finding to accuse a citizen of criminal conduct, reflects a lack of the thoroughness and preparation required by Rule 1.1.

III. POINT OF FACT MISAPPREHENDED: THE ADO CHARACTERIZED THE MAY 15, 2025 PROCEEDING AS A "HEARING" WHEN IT WAS PUBLICLY NOTICED AND CONDUCTED AS A SCREENING MEETING, REFLECTING BUSH'S OWN MISCHARACTERIZATION

The ADO's April 1, 2026 letter states on page 4: "During ***the hearing*** on May 15, 2025, Mr. Bush believed that you were assisting Mr. Teeboom..."

This characterization is factually inaccurate and material. The May 15, 2025 proceeding was publicly noticed as a **screening meeting**, not a hearing. The ERC rules establish a screening meeting as a distinct procedural step that precedes any formal hearing, with different procedural requirements and different public notice obligations under RSA 91-A. Neither Complainant, the public, nor Mr. Teeboom was informed that they were attending an evidentiary hearing.

The transcript itself reflects this distinction on page 43. Complainant stated: "I'm just saying, your rules say that the first screening meeting will be non-verbatim minutes, but this became more of a hearing, and for that reason I think the minutes should be verbatim." Significantly, Bush himself responded: "**It's an initial screening.**" *(T-43, May 15, 2025 Teeboom ERC Verbatim Meeting Minutes)*

Bush thus characterized the proceeding as a screening meeting **on the record at the time**, yet his ADO response and the ADO's findings characterize it as a hearing. This is a direct contradiction between Bush's contemporaneous on-the-record statement and his subsequent representation to the ADO, and the ADO adopted Bush's later characterization without examining his prior contradictory statement.

This mischaracterization is material for the following reasons. First, by converting the screening meeting into effectively an evidentiary proceeding, placing Teeboom under oath, allowing witness testimony from Attorney Bolton, conducting cross-examination, and introducing court documents, under the guise of a screening meeting, Bush deprived Teeboom and Complainant of the procedural protections and notice they were entitled to for a hearing. Second, Bush's public accusation regarding unauthorized practice of law was made in a context where Complainant had no opportunity to prepare a legal response, present authority, or be represented, precisely because she attended what was noticed as a screening meeting. In a properly conducted screening meeting, the rules and Mr. Teeboom's request for a non-attorney assistant would have been addressed at the outset by the entire committee not introduced by Bush unilaterally at the moment he converted the meeting into a hearing, ambushing Complainant without warning. The Rules of Procedure confirm that such matters are to be resolved before any hearing takes place. Bush's decision to weaponize this issue mid-proceeding, rather than allow the committee to address it transparently at the start, was neither reasonable nor procedurally legitimate. Third, the ADO's adoption of the word "hearing" reflects Bush's own post-hoc mischaracterization, finding its way into the ADO's findings without critical examination.

IV. POINT OF FACT MISAPPREHENDED: THE ADO ACCEPTED BUSH'S MISCHARACTERIZATION THAT TEEBOOM REQUESTED A NON-LAWYER REPRESENTATIVE, WHEN THE DOCUMENTARY RECORD ESTABLISHES HE REQUESTED A NON-ATTORNEY ADVISORY ASSISTANT, A DISTINCTION BUSH HIMSELF ACKNOWLEDGED REQUIRED FULL COMMITTEE DETERMINATION THAT NEVER OCCURRED

The ADO's April 1, 2026 letter states on page 4: "Mr. Bush stated that prior to the ERC meeting Mr. Teeboom also sent an email requesting **a non-lawyer represent him** at the meeting."

This characterization is factually inaccurate and material. The documentary record, both the email exchange and the May 15 transcript, establishes that Teeboom did not request representation. He requested a non-attorney advisory assistant. This distinction is critical because the entire legal foundation of Bush's unauthorized practice accusation rests upon it.

The Email Record:

On May 6, 2025, Teeboom asked: "Am I entitled to bring my own 'special counsel' who happens not to be an attorney-at-law?"

On May 7, 2025, Bush responded: "You should be prepared to represent yourself in this matter. We need to look at whether or not a non-attorney can represent you. **That is an issue that should probably be decided by the entire board.**"

On May 8, 2025, Teeboom explicitly corrected Bush's characterization in writing: "You are misreading my message of May 6, 2025. **I fully intend to represent myself; but I request bringing a non-attorney co-counsel to assist me.**"

The Transcript Record:

At pages 37-38 of the May 15 transcript:

> *Bush: "I'll remind everyone in this room, because you've asked that you wanted a non-person representative, or non-attorney representative, right?"*
>
> *Teeboom: "**No, advisory.**"*
>
> *Bush: "Non-attorney advisory committee. Okay."*

Teeboom said "No" directly and explicitly when Bush characterized his request as seeking a representative. He corrected Bush both in writing on May 8 and verbally at the meeting on May 15. The ADO accepted Bush's mischaracterization without examining either correction.

Why This Is Material:

First, RSA 311:7 concerns the practice of law. Providing advisory assistance to an elderly citizen at a municipal screening meeting is materially different from representing someone in a legal proceeding. Bush inflated a request for advisory assistance into a representation scenario in order to invoke RSA 311:7, and the ADO accepted that inflation without examining the underlying record.

Second, Bush's own May 7 email acknowledged that whether a non-attorney could assist "should probably be decided by the entire board." No committee vote or determination ever occurred before Bush made his public accusation at the May 15 meeting. The ADO did not address this gap.

Third, no committee determination was made that assisting an 87-year-old citizen with exhibits at a municipal screening meeting constitutes the practice of law within the meaning of RSA 311:7. Bush alone made that determination publicly, without committee deliberation, without legal analysis on the record, and based on a mischaracterization of what was actually requested.

PART TWO: DECEMBER 4, 2025 ERC MEETING

V. POINT OF FACT OVERLOOKED: THE ADO ADDRESSED THE "SOMEONE DIED TODAY" STATEMENT BUT DID NOT ADDRESS THE SEPARATE AND MORE SIGNIFICANT STATEMENT "WE JUST FOUND OUT ABOUT THIS," WHICH IS DIRECTLY CONTRADICTED BY THE DOCUMENTARY RECORD

The ADO addressed Bush's statement that "someone died today" and concluded it was not a material misrepresentation because the member's unavailability was the material issue rather than the precise date of death. Complainant does not re-argue that specific finding here.

However, the ADO did not address a separate and independently significant statement that appears twice in the December 4 verbatim minutes. Bush stated:

> ***"we just found out about this. We just found out about this."***

This statement was not about the date of the death. It was about when the committee learned of the member's unavailability. It was used specifically to explain and justify the committee's failure to cancel the meeting in advance, sparing the parties an unnecessary trip to City Hall.

The RTK records obtained by Complainant establish that ERC member Lyndsay Robinson sent an email to Bush on December 2, 2025, two days before the meeting, stating she did not believe she would be able to attend. Bush was a recipient of that email.

The statement "we just found out about this," made twice on the record, is therefore directly contradicted by documentary evidence showing Bush received notice of the member's unavailability two days before the meeting. This is not a minor timing discrepancy. The statement was the specific justification offered for why the meeting was not cancelled in advance. If Bush had known since December 2, the failure to cancel was not excusable as a sudden emergency. It was a choice. The statement used to justify that choice was materially inaccurate. The ADO addressed the date of death question but did not address the "we just found out" statement at all. This is a specific point of fact that was overlooked and is independently material to the Rule 8.4(c) analysis.

VI. POINT OF FACT MISAPPREHENDED: BUSH'S REPRESENTATION TO THE ADO THAT COMPLAINANT HAD NO LESS ACCESS TO COMMITTEE DECISION-MAKING THAN RESPONDENT THIBEAULT IS DIRECTLY CONTRADICTED BY THE RTK RECORD

In his voluntary response to the ADO, Bush stated:

> *"Mrs. Ortolano did not have any less access to the decision making of the committee than the other party in her complaint, Derek Thibeault."*

The ADO accepted this representation without analysis. It is directly contradicted by the documented record.

The RTK records establish the following sequence. Alderman Thibeault communicated with Director Cummings regarding a potential conflict involving ERC member Wiseman prior to the December 4, 2025 meeting. Thibeault personally flagged the potential conflict to city officials. That information was conveyed to Bush through the ERC administrator. Wiseman recused on December 2 or 3, 2025, before the meeting took place. On December 4, 2025, Committee members, including Bush and Sullivan, met to "approve" Wiseman's recusal.Complainant had no knowledge of any of these communications at the time of the proceeding. The existence and context of the recusal became known to Complainant only through subsequent RTK disclosures and Bush's response to this ADO complaint.

The documentary record, therefore, establishes that one party to the complaint, the respondent, initiated communications that directly affected committee composition before the screening meeting, while the complainant had no knowledge that those communications were occurring. Bush's representation to the ADO that both parties had equal access to committee decision-making is not a matter of interpretation. It is directly contradicted by a documented sequence of

events. The ADO accepted this representation without examining the RTK record that contradicts what Bush stated. This is a specific point of fact that was misapprehended and is material to the Rule 8.4(c) and Rule 8.1 analysis.

VII. POINT OF LAW OVERLOOKED: THE "YOU WILL SEE WHAT A BIG BOY I AM" STATEMENT MUST BE EVALUATED IN THE CONTEXT OF BUSH'S INSTITUTIONAL POSITION, WHICH THE ADO DID NOT ADDRESS

The ADO characterized the exchange at the end of the December 4 meeting as "a dispute between you and him as to what information he was legally obligated to provide" and did not find Bush's conduct to constitute a rule violation. The ADO did not, however, analyze the statement "You will see what a big boy I am" in the context of Bush's specific institutional position. This is a point of law that was overlooked and is material to the analysis.

Bush is not simply a private citizen who responded to a provocation. At the time of the December 4 meeting, he held the following positions simultaneously:

- Chairman of the Nashua Ethics Review Committee, a quasi-judicial body
- Member of the New Hampshire Judicial Selection Committee
- Member of the New Hampshire Judicial Ethics Committee

These are positions of direct institutional authority over the selection and ethical oversight of the very judges before whom Complainant has active cases in the New Hampshire court system. When the holder of those positions says to a pro se litigant with active NH court cases, "You will see what a big boy I am." That statement carries an implied institutional weight and implied consequence that it would not carry coming from an ordinary citizen in a private dispute.

The ADO analyzed this statement purely as a personal exchange between two individuals who were arguing. It did not analyze the power imbalance created by Bush's institutional position, or whether a statement made by a member of the Judicial Selection and Ethics Committees to a pro se litigant with active cases in that same judicial system, made during an official quasi-judicial proceeding where Bush was presiding in his official capacity, constitutes conduct that a reasonable attorney in those positions should know carries implied institutional threat beyond its literal words.

Furthermore, the statement was not isolated. Bush compounded it by saying, "you have no class" as he exited the meeting. This was said after the meeting was adjourned, outside the context of any provocation, as a parting personal attack on a private citizen by a man holding significant institutional power over the judicial system in which that citizen is an active litigant. The ADO did not address this statement at all.

The sequence must also be considered in its proper order. The record shows that Bush said, "Well, you can file a lawsuit in Superior Court", **before** Complainant responded with a discourteous statement. The provocation therefore did not originate with Complainant. For the chair of a quasi-judicial body, whose entire purpose is to provide an administrative remedy that avoids unnecessary litigation, to respond to a party's legitimate procedural questions by suggesting she file a lawsuit is not a neutral procedural observation. It is a dismissal of her right to information delivered in a manner calculated to provoke. The sequence, Bush's litigation suggestion,

Complainant's crass comment, Bush's threat, Bush's parting insult, must be evaluated as a whole and in proper order, not with Complainant's statement treated as the originating event.

VIII. THE SEVEN ARGUMENTS TOGETHER AND INDIVIDUALLY ESTABLISH A REASONABLE LIKELIHOOD OF A RULE VIOLATION

Each of the seven points raised herein is independently sufficient to warrant reconsideration. Together they present a compounding record of factual misapprehension and overlooked legal analysis that undermines the ADO's findings at multiple levels.

From the May 15, 2025 meeting:

- The ADO's central factual finding that there is no evidence Bush knew of the Muccioli modification is directly contradicted by pages 38-39 of the transcript in Bush's own words.
- The ADO overlooked an independent Rule 1.1 due diligence theory entirely.
- The ADO adopted Bush's post-hoc characterization of the proceeding as a hearing without examining his contemporaneous on-the-record statement calling it a screening meeting.
- The ADO accepted Bush's mischaracterization of Teeboom's request without examining the emails in which Teeboom explicitly corrected that characterization or the transcript in which Teeboom said "No" when Bush described the request as seeking representation.

From the December 4, 2025 meeting:

- The ADO addressed the date of death discrepancy but did not address the separate "we just found out" statement, which is independently contradicted by the Robinson December 2 email.
- The ADO accepted Bush's equal access representation without examining the RTK record establishing that Thibeault participated in communications affecting committee composition while Complainant had no knowledge those communications were occurring.
- The ADO did not analyze Bush's "You will see what a big boy I am" statement in the context of his simultaneous membership on the Judicial Selection Committee and Judicial Ethics Committee.

Under Rule 8.4(c), misrepresentation by statement or material omission is prohibited. Under Rule 1.1, an attorney must exercise the thoroughness and preparation reasonably necessary. Under Rule 8.1, candor in connection with a disciplinary matter is required. This matter does not turn on tone, personality, or subjective characterization. It turns on specific documentary contradictions between the record and the ADO's findings, and on legal questions that were not addressed.

IX. CONCLUSION

For the foregoing reasons, Complainant respectfully requests that the Attorney Discipline Office reconsider its April 1, 2026 determination and docket this matter as a formal complaint for investigation and hearing.

The seven specific points requiring reconsideration are as follows.

First, the factual finding that there is "no evidence" Bush knew of the Muccioli order modification is directly contradicted by pages 38-39 of the May 15, 2025 transcript, which reflects Bush's own statements demonstrating knowledge of the reconsideration proceedings.

Second, the ADO overlooked the independent legal question of whether Bush's failure to verify the current status of a court order he deliberately prepared for public use as the basis of a criminal accusation violates Rule 1.1 regardless of his actual knowledge.

Third, the ADO mischaracterized the May 15 proceeding as a hearing when it was publicly noticed as a screening meeting, reflecting Bush's own post-hoc mischaracterization and overlooking his contemporaneous on-the-record statement identifying it as an initial screening.

Fourth, the ADO misapprehended the nature of Teeboom's request, accepting Bush's characterization of it as seeking representation when the emails and transcript establish it was a request for advisory assistance that Teeboom explicitly corrected both in writing and verbally, and which Bush himself acknowledged required full committee determination that never occurred.

Fifth, the ADO addressed the date of death discrepancy but did not address the separate and more significant "we just found out" statement, which is directly contradicted by the Robinson December 2 email establishing Bush had two days' notice of the member's unavailability.

Sixth, the ADO accepted Bush's representation that both parties had equal access to committee decision-making **without** examining the RTK record establishing that Thibeault participated in communications affecting committee composition before the meeting, while Complainant had no knowledge those communications were occurring.

Seventh, the ADO did not analyze Bush's "You will see what a big boy I am" statement in the context of his simultaneous membership on the Judicial Selection Committee and Judicial Ethics Committee, which creates an institutional power imbalance that is material to whether the statement constitutes conduct implicating Rule 8.4 when directed at a pro se litigant with active cases in the NH court system over which those committees exercise oversight.

These are not questions of tone or interpretation. They are specific documentary contradictions and unaddressed legal questions that are material to the ADO's determination. Reconsideration and formal docketing are warranted.

Respectfully submitted,

/s/ Laurie Ortolano
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I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and belief.

/s/ Laurie Ortolano
Laurie Ortolano

EXHIBITS

- Exhibit A: May 15, 2025 transcript pages 37-43
- Exhibit B: May 6, 7, and 8, 2025 email exchange between Teeboom and Bush

- Exhibit C: Perrin May 15, 2025 11:41 AM email confirming preparation of Colburn order for public distribution
- Exhibit D: August 17, 2023 order granting motion for reconsideration in Muccioli action
- Exhibit E: Lyndsay Robinson December 2, 2025 email to Bush stating she could not attend the December 4 meeting
- Exhibit F: RTK records establishing Thibeault communications with Director Cummings regarding Wiseman conflict prior to December 4 meeting