

**NEW HAMPSHIRE BAR ASSOCIATION  
PUBLIC PROTECTION FUND  
ANNUAL REPORT TO THE SUPREME COURT**

**YEAR ENDING:** May 31, 2018

**FUND BALANCE:** \$2,235,712.08

The Public Protection Fund (PPF) had six claims pending awaiting review and decision at fund year end, of which four originated in prior fund years. Claims from prior year's total \$1,103,077, of which one claim for \$675,202 was filed in 2009 against disbarred attorney T. Tessier. That claim is capped by the then-applicable PPF rule at \$150,000.00. The PPF Committee's July 14, 2016 decision awarded that claim in the amount of \$14,242.51. The Claimant appealed to the N.H. Supreme Court. In Appeal of Estate of B. Jakobiec, decided 11/30/17, the N.H. Supreme Court remanded the case for further proceedings in the Probate Court and PPF. Those proceedings are pending. Additional claims pending are against V. Tamzarian in the amount of \$106,000, C. Salomon in the amount of \$301,875 (capped by rule at \$250,000), and R. Mooney in the amount of \$20,000. Two claims received in the fund year are pending decision, against D. Horan in the amount of \$2,500 and T. Gosling in the amount of \$1,500.

Claims approved by the PPF, that have now been paid after the fund year end, are against: T. Nolin in the amount of \$5,000; two claims against D. Dargon in the amount of \$5,166; two claims against R. Mooney totaling \$77,290; T. Gage in the amount of \$38,728, and T. Gosling in the amount of \$500. Current fund year claims paid earlier to claimants were against E. DiMariano in the amount of \$45,000 and C. Solomon in the amount of \$2,000. Claims withdrawn or denied in the fund year totaled \$140,886.21. In addition, one claim was filed against an attorney who has not been suspended or disbarred and thus the criteria to process the claim have not been met.

The outstanding claims at the end of the fund year, total \$1,233,761. However, when reduced by the applicable per claim and per attorney caps, as required by Supreme Court Rule 55(4), the maximum exposure to the Fund for pending claims against suspended or disbarred attorneys total \$656,683.

**FUND BALANCE AT PRIOR YEAR END (5/31/17):** \$2,364,547.35

**ASSESSMENTS RECEIVED IN REPORTING YEAR:**

• Total Assessments for Reporting Year	\$146,299.96	
• Less: Portion of assessment allocated to Lawyers Assistance Program	<u>\$146,299.96</u>	
Net Assessments designated to the Public Protection Fund		\$ 0.00

**Comment:** There was no assessment for the Public Protection Fund in the reporting year.

**INCOME EARNED IN REPORTING YEAR:<sup>1</sup>** \$ 14,654.82

**RECOVERIES ACCRUED IN REPORTING YEAR:** \$ 155.71

**TOTAL AMOUNT OF NEW CLAIMS FILED IN REPORTING YEAR:<sup>2</sup>** \$ 87,156.71

**TOTAL AMOUNT OF CLAIMS APPROVED IN REPORTING YEAR:** \$ 267,764.04

**TOTAL OF CLAIMS PAID IN REPORTING YEAR:**

\$ 141,080.16

**Note 1:** Income Earned is from deposits in New Hampshire banks and from Certificates of Deposit of \$250,000 or less from other U.S. banks invested through a CD purchase program administered by Bank of New Hampshire Financial Services.

**Note 2:** Total New Claims Filed are reported at maximum exposure.

**EXPENSES INCURRED IN REPORTING YEAR:**

\$ 2,565.64

for the goods and services detailed below:

Fund Share of NH Bar Association Costs: \$2,228.65

Staff Liaison	\$ 1,781.52
Systems Administrator	\$ 0.00
Staff Accountant	\$ 215.88
Accounting Clerk	\$ 0.00
Summer Help	\$ 0.00
Invoices -	
Postage & Printing	\$ 0.00
Annual Audit	\$ 231.25

Direct Costs of Committee: \$ 336.99

Client Protection Forum	\$ 0.00
Postage - other	\$ 62.46
Copies	\$ 0.00
Stationery & Office Supplies	\$ 269.53
General Expenses	\$ 5.00

**FUND BALANCE AT THIS YEAR END:**

\$2,235,712.08

Respectfully submitted,

NEW HAMPSHIRE BAR ASSOCIATION  
PUBLIC PROTECTION FUND

By:

DATED: 9/7/18



Thomas Quarles, Jr., Chair