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The State of New Hampshire
Rockingham Superior Court- Civil Equities

ROCKINGHAM
SUPERIOR COURT

Rockingham County

Case #: 04-E-384 P 2:40

Acciard v. Consentino

Petition for Contempt

Mark R. Acciard
6 Christine dr.
Atkinson, NH. 03811
v.
Philip v. Consentino
140 Main st.
Atkinson, NH. 03811

This case was a petition seeking injunctive relief.

On May 10, 2005; The Court ordered, "Philip Consentino, in his capacity as selectman, while holding the position of chief of police of the town of Atkinson, *shall* recuse himself from the Atkinson Board of Selectmen and *shall not participate* as a selectman in discussions of and shall not deliberate or vote on any Police Department or Elderly Affairs Department matters."

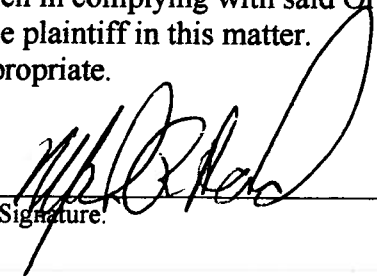
The above mentioned order has been repeatedly violated by Mr. Consentino both in selectmen's meetings, and in meetings and telephone discussions with the other two selectmen, Mr. Childs and Mr. Sapia, outside of public selectmens meetings.

Mr. Consentino has also petitioned the Board of Selectmen as Police Chief for Police matters while sitting in the selectmans chair, clearly violating the spirit as well as/if not the actual letter of the order.

By Filing this petition the Plaintiff respectfully requests that the Court;

- A.) Hold the defendant in Contempt of the Court's Order
- B.) Order the defendant to immediately obey the above-mentioned Order, by *physically removing* himself from the Board of Selectmen in complying with said Order.
- C.) Consider the award of attorney fees to the plaintiff in this matter.
- D.) Grant any other orders which may be appropriate.

7/27/05
Date:


Signature: