

THE STATE OF NEW HAMPSHIRE
SUPREME COURT

In Case No. 2005-0753, Edward J. Burke v. Bunny's Superette, Inc. & a., the court on December 14, 2006, issued the following order:

This appeal involves a transfer of real property and corporate shares from a revocable trust in which the grantor is also the sole trustee and the sole lifetime beneficiary. One issue presented by the appeal is whether, in light of RSA 547:3, I (Supp. 2006), the superior court had subject matter jurisdiction to address whether the transfer could be set aside due to fraud, duress or undue influence. The superior court concluded that it did not.

The court hereby invites any interested person or entity to file a brief or memorandum of law addressing the above issue as an amicus curiae. Any amicus brief or memorandum of law shall be filed on or before February 19, 2007. The parties may file responsive briefs or memoranda of law on or before March 21, 2007.

Copies of the following documents filed in this case are available for review at the Supreme Court and are also available on the judicial branch website at <http://www.courts.state.nh.us/supreme/orders/index.htm>:

- (1) Notice of mandatory appeal filed by Edward J. Burke;
- (2) Hillsborough County Superior Court – Northern District orders dated August 23, 2005, and September 26, 2005, issued in docket number 04-E-251.
- (3) Brief of Edward J. Burke
- (4) Joint brief of Thomas M. Burke, Marie I. Burke and Bernardine P. Donelson
- (5) Appendix to joint brief of Thomas M. Burke, Marie I. Burke and Bernadine P. Donelson.

This order shall be published in the New Hampshire Bar News, and a copy shall be provided to the New Hampshire Bar Association and to the Elder Law, Estate Planning and Probate Law Section of the New Hampshire Bar Association.

This order is entered by a single justice (Dalianis, J.). See Rule 21(7).

**Eileen Fox,
Clerk**