

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2012-0338, City of Manchester & a. v. Secretary of State; City of Concord v. Secretary of State; Mary Jane Wallner & a. v. Secretary of State; Town of Gilford & a. v. Secretary of State; Marshall Quandt & a. v. Secretary of State, the court on May 14, 2012, issued the following order:

The following questions are accepted for review:

A. Whether the petitioners lack standing, thereby depriving the court of subject matter jurisdiction to decide the constitutionality of RSA 662:5?

B. Whether RSA 662:5 is unconstitutional under the Federal or State Constitutions?

C. If part of RSA 662:5 is determined to be unconstitutional, whether that part is severable from the remaining parts of the statute?

On question A, briefs of parties contending that the court lacks jurisdiction to address the constitutionality of the statute must be filed on or before Thursday, May 17, 2012. Opposing briefs on this question must be filed on or before Monday, May 21, 2012. No reply briefs shall be filed.

The parties shall simultaneously file opening briefs addressing questions B and C on or before Wednesday, May 23, 2012. Parties may file responses to the opening briefs on or before Tuesday, May 29, 2012. No further briefs shall be filed.

An original and eight copies of any brief shall be filed with the court. In addition, an electronic copy of the brief shall be provided on CD. Any party filing a brief must serve a copy of the brief on all other parties on the day of filing, either by hand-delivering copies to the other parties or by sending copies to the other parties by e-mail.

Oral argument is scheduled for Wednesday, June 6, at 9:00 a.m. A further order will be issued relating to the oral argument.

On or before Tuesday, June 5, 2012, the Attorney General shall advise the court of the status of review of RSA 662:5 by the U. S. Department of Justice.

Dalianis, C.J., and Hicks, Conboy and Lynn, JJ., concurred.

**Eileen Fox,
Clerk**

Distribution:

Hillsborough County Superior Court North, 216-2012-CV-00366; 217-2012-CV-00273; 216-2012-CV-00380; 211-2012-CV-00139; 216-2012-CV-00412

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