## STATE OF NEW HAMPSHIRE DEPARTMENT OF STATE

| IN THE MATTER OF:  | )<br>)                 |
|--|------------------------|
| Local Government Center, Inc.; Local Government Center Real Estate, Inc.; Local Government Center Health Trust, LLC; | )<br>)<br>)            |
| Local Government Center Property-Liability Trust,<br>LLC;<br>Health Trust, Inc.;                                     | )<br>)                 |
| New Hampshire Municipal Association Property-Liability Trust, Inc.;  | ) Case No: C2011000036 |
| LGC – HT, LLC;<br>Local Government Center Workers' Compensation  | )<br>)                 |
| Trust, LLC; And the following individuals: Maura Carroll; Keith R. Burke; Stephen A. Moltenbrey;                     | )<br>)<br>)            |
| Paul G. Beecher; Robert A. Berry; Roderick MacDonald; Peter J. Curro; April D. Whittaker; Timothy J. Ruehr;          | )<br>)                 |
| Julia A. Griffin; and John Andrews   | )<br>)                 |
| RESPONDENTS  | )<br>)                 |

## MOTION FOR VOLUNTARY NONSUIT AS TO RESPONDENT ROBERT A. BERRY ONLY

**NOW COMES** the Petitioner in the above-referenced matter, the Bureau of Securities Regulation, by and through its attorneys, Bernstein, Shur, Sawyer, & Nelson, P.A., and moves to dismiss the action against Robert A. Berry only by entering a Voluntary NonSuit against him alone, stating as follows:

1. Based on representations that the Respondent Robert A. Berry is suffering from serious medical issues, the Bureau has agreed to dismiss the action against Mr. Berry only. As part of said agreement, each party is releasing any claims that it may have for fees and/or costs in this matter against the other.

- 2. Accordingly, the Bureau moves that the Hearings Officer enter a Voluntary NonSuit as to the allegations made against Mr. Perry in this matter.
- 3. The Bureau otherwise maintains all claims that it has against all other parties to this enforcement action, including claims for fees, costs and other relief.

WHEREFORE, the Petitioner prays that the Hearings Officer:

- A. Grant this Motion for Voluntary NonSuit as to the individual Respondent, Robert A. Berry only.
  - B. For such other and further relief as may be just.

Respectfully submitted,

Bureau of Securities Regulation By and Through Their Attorneys, Bernstein, Shur, Sawyer & Nelson, PA

January 6, 2012

January 6, 2012

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By

## **CERTIFICATION OF SERVICE**

I, Roy W. Tilsley, Jr., hereby certify that a copy of the Motion for Voluntary Nonsuit as to Respondent Robert A. Berry Only, was this date, forwarded to Jeffrey D. Spill, Esq., Earle F. Wingate, III, Esq., Kevin B. Moquin, Esq., Eric Forcier, Esq. Adrian S. Larochelle, Esq., William C. Saturley, Esq., Brian M. Quirk, Esq., David I. Frydman, Esq., Michael D. Ramsdell, Esq., Joshua M. Pantesco, Esq., Mark E. Howard, Esq., and Jaye L. Rancourt, Esq..

Roy W. Tilsley, Jr., Esq.