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ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL



JANE E. YOUNG
DEPUTY ATTORNEY GENERAL

August 16, 2021

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, NH 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

That approval be and hereby is given to the Attorney General to reappoint Seth M. Zoracki, as an Assistant Attorney General, Position #9U599 (Appropriation #02-20-20-201010-2620-013-500132), at a salary level of \$104,000, for a term ending May 18, 2026, effective upon Governor and Executive Council approval or September 10, 2021, whichever is later.

EXPLANATION

Mr. Zoracki is a resident of Concord and a member of the New Hampshire, New York, and United States Supreme Court Bars. He graduated, *cum laude*, in 2003, from Middlebury College in Middlebury, Vermont, where he majored in Computer Science and Mathematics. He earned his Juris Doctor, *magna cum laude*, in 2006, from Albany Law School in Albany, New York. While in law school, he was a Dean Thomas Sponsler Fellow, President of The Federalist Society, and Executive Editor of the *State Constitutional Commentary of the Albany Law Review*. He clerked as an Appellate Court Attorney with the New York State Supreme Court, Appellate Division, from 2006 to 2007, and practiced as an Associate with Millbank, Tweed, Hadley & McCloy LLP in New York, New York, from 2007 to 2015. Mr. Zoracki joined the Department of Justice as a member of the Civil Bureau in 2015, and was commissioned as an Assistant Attorney General in June 2016. I am assigning him to serve as Chief of the Civil Litigation Unit and requesting that his salary increase by \$21,000 from \$83,000 to \$104,000 to reflect the additional duties and responsibilities of his new, supervisory position. A copy of his resume is attached.

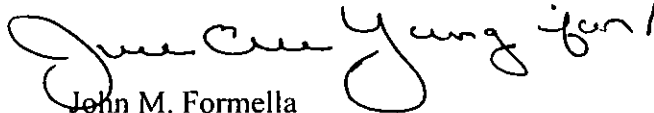
RSA 94:1-a(I)(c)(3) provides that designation of positions, salary levels, and salary increases for attorneys at the Department of Justice shall be determined by the Attorney General,

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subject to approval of the Governor and Council, within appropriations made to the Department of Justice.

I respectfully urge your favorable consideration of this request. Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John M. Formella". The signature is fluid and cursive, with a large initial "J" and "F".

John M. Formella
Attorney General

Enclosure

#3269030

Seth M. Zoracki

Concord, New Hampshire

BAR ADMISSIONS

New Hampshire
New York
Supreme Court of the United States
U.S. Court of Appeals for the First Circuit
U.S. District Court, District of New Hampshire
U.S. District Court, Southern District of New York
U.S. District Court, Eastern District of New York
U.S. Tax Court

EDUCATION

Albany Law School Albany, NY

J.D., May 2006

- *Magna Cum Laude*
- Albany Law Review, Executive Editor for *State Constitutional Commentary*
- Trustee Prize; Dean Thomas Sponsler Fellow
- Publication: *Vermont's Tradition of Education and the Vermont Constitution*, 69 Albany Law Review 581 (2006)

Middlebury College Middlebury, VT

Middlebury College School in France Paris, France

B.A. (with Honors): Computer Science and Mathematics, French Minor, May 2003

- *Cum Laude*
- Student Representative, Middlebury College New Library Planning & Building Committee
- Varsity Basketball; Crew Team

Herndon High School Herndon, VA

- Valedictorian
- National Student-Athlete Day Award; national student representative at Oval Office ceremony

EXPERIENCE

New Hampshire Department of Justice, Concord, NH

Assistant Attorney General, December 2015-present

- Serve as litigation attorney in the Civil Bureau of the Office of the Attorney General. Represent the State and its agencies in civil actions at all levels of state and federal court systems.
- Serve as counsel to multiple agencies, including the New Hampshire Banking Department and Bureau of Securities Regulation, advising on all aspects of their operations, including enforcement, statutory compliance, contracts, policies and procedures, and employment matters.

Milbank, Tweed, Hadley & McCloy LLP (now, Milbank LLP), New York, NY

Associate, October 2007-November 2015

- Represented clients in a wide array of complex corporate litigation matters involving contract disputes, securities, shareholder derivative disputes, partnership disputes, and bankruptcy. Managed cases at all stages of litigation.
- Conducted internal corporate investigations, and represented individuals and companies in civil and criminal government enforcement matters, including those brought by the U.S. Department of Justice and Securities and Exchange Commission.
- Completed intensive leadership, management, and business-oriented training at Harvard Law School Executive Education.

New York State Supreme Court, Appellate Division, Albany, NY

Appellate Court Attorney (Clerkship), August 2006-August 2007

- Researched and analyzed complex legal issues in civil, criminal, and family law appellate cases; drafted bench memoranda and assisted in drafting the opinions of the Court.

U.S. Air Force Judge Advocate General's Corps, Bedford, MA and Rosslyn, VA

Law Clerk, June-August 2004 and June-August 2005

- Served as law clerk in JAG Corps internship program at Hanscom Air Force Base in Bedford, MA and at JAG Corps headquarters at the Pentagon.

SKILLS AND INTERESTS

Languages: Proficiency in French.

Hobbies: Reading; music; playing harmonica and piano; basketball; swimming; gardening.

Personal: Moved to Concord from New York City in 2015 in order to join the Attorney General's Office, and continue my family's tradition of public service in New Hampshire. My ancestors first arrived in New Hampshire almost 350 years ago, and my family has lived here ever since.