

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

William Hernandez

v.

Civil No. 08-cv-280-JL

Osram Sylvania, Incorporated

ORDER

Re: Document No. 12, Motion for Sanctions

Ruling: Denied. The motion borders on the outrageous. The court recalls the plaintiff from the Preliminary Pretrial Conference. Given that English is the plaintiff's second language and taking into consideration his lack of familiarity with litigation procedure, as well as the fact that he appeared in court on the day in question, his explanation - even as represented in the defendant's motion - seems both plausible and understandable, if unfortunate. While the frustration of the defendant and counsel is certainly understandable, the motion does not exhibit the "traits of civility, courtesy, and perspective" (citation presumably unnecessary) normally exhibited by both senior counsel of record, with whom the court is familiar by both experience and reputation. Thus, the court presumes, hopefully correctly, that the request for costs and fees was demanded by Attorney Vient, who is not a member of the New Hampshire bar. Denied.



Joseph N. Laplante
U.S. District Judge

Date: May 21, 2009

cc: William Hernandez, pro se
Jennifer Parent, Esq.
Charla Stevens, Esq.
Neil Nicholson, Esq.