

STATE OF VERMONT  
PROFESSIONAL RESPONSIBILITY PROGRAM

In Re: C. Robert Manby Jr.  
PRB File No. 2019-089

**Disciplinary Counsel's Witness List**

In accordance with the scheduling order, paragraph 10, I provide the following information to the panel regarding witnesses who may be called (set out below in alphabetical order), brief summary of anticipated testimony, and estimated time required for direct examination.

1. Walter Decker. Walter Decker is an investigator for the State of Vermont, Adult Protective Services. He met with EM in her home on May 2, 2016 in connection with an investigation into her son, JJM. Decker is expected to testify to his investigation and findings and direct observations of EM on the date he met her. Anticipated time for direct: 30 minutes.
2. Peter Gunther, MD. Dr. Gunther was EM's primary care physician from approximately 2000 until her death in 2017. In 2015 and 2016, Dr. Gunther saw EM for regular monthly appointments. He is expected to testify to his personal knowledge, observations and medical opinions of his patient. Anticipated time for direct: 25 minutes.
3. Kurt Hughes. Kurt is a lawyer who represented EM's daughters Patricia and Gail in a guardianship proceeding for EM. He is expected to testify to the timeline and occurrences for the probate court matter resulting in Patricia and Gail being appointed as EM's guardians. Anticipated time for direct: 20 minutes.
4. C. Robert Manby, Jr.. Mr. Manby is the respondent. He is expected to testify

- regarding his representation of EM and his own memory of his actions and observations. Anticipated time for direct: 1 hour.
5. John McDonald. John McDonald (JJM) is EM's son. He is expected to testify to his memory of EM's interactions with Respondent and his own interactions with Respondent during the time Respondent represented EM. Anticipated time for direct: 20 minutes.
  6. William Nash, PhD. Dr. Nash was appointed by the probate court to evaluate EM in connection with the guardianship proceeding over EM in 2016. He is expected to testify to his observations of EM when he met with her in May 2016 and the substance of his evaluation. Anticipated time for direct: 15 minutes.
  7. Patricia Sundberg. Patricia is EM's daughter. She is expected to testify to her own observations of EM during the time Respondent represented EM, the process of undoing the estate-related documents Respondent assisted EM with, and to the impact Respondent's conduct had upon her family. Anticipated time for direct: 20 minutes.
  8. Carolyn Thompson. Carolyn is an attorney with a solo practice in Vergennes who practices in areas similar to Respondent. She is expected to testify to what her own processes and ethical considerations entail when performing estate-related work for an elderly client. Anticipated time for direct: 20 minutes.

Dated: May 3, 2021



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Sarah Katz

Disciplinary Counsel