

STATE OF VERMONT
PROFESSIONAL RESPONSIBILITY BOARD

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

ORDER

On July 30, 2021, Respondent filed an emergency motion to continue and reschedule the merits hearing in the above matter that is presently scheduled for August 17 and August 20, 2021. The asserted grounds for the motion are that Respondent's lead counsel needs to undergo "major surgery" on August 5 and that his doctors have advised him he will not be able to return to work before the end of September. Respondent also requests that the deadline to file motions in limine be extended to a date fifteen days prior to the rescheduled merits hearing.

The Hearing Panel hereby GRANTS the motion to reschedule the hearing, subject to the following conditions:


1. No later than **August 12, 2021**, the parties shall **jointly** submit, a list of at least two (2) groupings of days selected from the following dates when the parties, their counsel, and witnesses are available to commence and complete a remote merits hearing by video conferencing: **October 15, 18, 19, 22, 26, and 29**. The parties may express a preference for certain of those hearing dates. Upon review of the parties' proposed dates, the Panel will issue a notice of hearing. The parties are advised that if they are unable to reach agreement on available dates for the hearing, the Panel will proceed to schedule the merits hearing to commence and continue over multiple dates during the specified period until completion. The Panel notes that although Respondent's lead counsel may not at this time be able to work on ascertaining the schedules of Respondent and witnesses, he has co-counsel in this case and other law firm resources available that can reasonably be expected to complete this requirement within the time frame provided.

2. Respondent is hereby advised that due to the extended length of time that this matter has been pending and in light of the public interest in resolving disciplinary charges promptly, the Hearing Panel is not likely to grant any further request for a continuance in this matter based on the status of lead counsel's medical needs or for any other reason. Respondent should be prepared to proceed with the hearing on the scheduled dates in October 2021 with representation by either co-counsel or by substitute counsel in the event that his lead counsel is not able to provide representation for the merits hearing.


Respondent's request to enlarge the deadline to file motions in limine is DENIED. A deadline for such filings was set forth in the prehearing scheduling order and previously expired. The Panel notes that Respondent has already filed a motion in limine and that the Panel issued an order deferring ruling on those issues to the time of trial.

Dated: August 4, 2021.

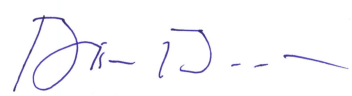
Hearing Panel No. 2

By: 

James A. Valente, Esq., Chair



Amelia W.L. Darrow, Esq.



Brian Bannon, Public Member