STATE OF VERMONT
PROFESSIONAL RESPONSIBILITY BOARD

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In Re: Glenn Robinson, Esq.
PRP File No. 2013- 172

Disciplinary Counsel's Witness List

Disciplinary Counsel intends to call the following witnesses at the merits hearing in this matter:

1. Cynthia Mead, Jay, Vermont – Ms. Mead is the original complainant in this matter. She has been deposed by Respondent's attorney.

2. Diane Binette, Beebe Plain, Vermont – Ms. Binette is the mother of Pamela Binette, a complainant in this case. She will testify about her daughter's mental and physical condition and her efforts to help her daughter during the time Pamela worked for Respondent (January 2012 – January 2013). She will also testify as to what she saw and heard after Respondent's investigator appeared at her home around 5:30 p.m. on August 30, 2017.

3. Chris Binette, Beebe Plain, Vermont- Mr. Binette's is Pamela Binette's father. He will testify[1] about his daughter's mental and physical condition and his efforts to help his daughter during the time Pamela worked for Respondent (January 2012 – January 2013).

4. Andrea Poutre, Irasburg, Vermont - Ms. Poutre is a complainant in this case. She has been deposed by Respondent's attorney.

5. Gail Poutre, Irasburg, Vermont – Ms. Poutre is Andrea Poutre's mother. She will testify about what she has observed of her daughter's relationship with Respondent.

6. 16-year-old daughter of Andrea Poutre - * This child does not live with Andrea Poutre. It is disciplinary counsel's understanding that she lives with her father. I have asked the child's grandmother to find out whether she will agree to testify. I will advise Ms. Laferriere and Respondent's counsel by email once I know whether she will testify.

7. Detective Lieutenant Lance Burnham of the Vermont State Police - Lt. Burnham interviewed the Respondent in July 2013. Lt. Burnham will testify about what Respondent told him when Lt. Burnham asked him to give his story in response to complaints from Ms. Binette and Ms. Poutre.

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[1] Ms. Binette's parents' testimony will be based, in part, on what their daughter told them at the time. On, or before, October 1. 2017 Disciplinary counsel will file a motion in limine and supporting memorandum requesting an order permitting Diane and Chris Binette to testify as to what their daughter told them that caused them to be concerned for their daughter's mental condition. In Disciplinary Counsel's experience, this has been common practice in Vermont's criminal courts in domestic assault cases - cases in which the alleged victim has been unwilling or unable to testify at trial. It saves time and expense to have the issue decided before trial.

Respondent's counsel has the summary of Lt. Burnham 's report. I have advised Lt. Burnham that Respondent's counsel intends to depose him.

8. Dr. Elliott Kaufman[2], c/o Atty. James Lillicrap, Northeast Kingdom Human Services, Newport, Vermont – It will be a hardship[3] for Dr. Kaufman to testify.
   Disciplinary counsel will arrange for a videotaped deposition in lieu of trial testimony, as provided for in Vermont Rules of Civil Procedure 32 (a) (1) in Newport, Vermont at a time and place that is convenient for Dr. Kaufman and Respondent. (e.g. Respondent's law office)
   Disciplinary counsel requests Atty. McGee conduct pre-deposition discovery through interrogatories unless Dr. Kaufman agrees to a "pre-deposition, deposition."
   At this point, Dr. Kaufman will testify only as to what he observed of Pamela Binette's mental and physical condition during the relevant time period – Fall 2011- Fall 2013. If Dr. Kaufman is prepared to give expert[4] opinion testimony as provided in Vermont Rules of Evidence(VRE)702, the opinions will be limited to the three opinions set out in the letter which was provided to Attorney McGee on September 12, 2017 (Exhibits U and V-1)

9. Atty. Josh Diamond - Attorney Josh Diamond is Respondent's brother. It is disciplinary counsel's understanding that he wrote the contract which Ms. Pamela Binette signed agreeing to waive her right to sue Respondent for sexual harassment. Disciplinary Counsel is scheduled to depose Atty. Josh Diamond at his attorney's office in Barre at 10 a.m. on October 2, 2017.

10. Attorney M. Jerome ("Jerry") Diamond [5] - Atty. Jerry Diamond is Respondent's father. Atty. McGee has informed Disciplinary Counsel that he intends to call both Josh and Jerry Diamond at the merits hearing. It is Disciplinary Counsel's understanding from review of documents found in prior disciplinary counsel file, that Jerry Diamond played some role in securing Ms. Binette's waiver and has observed his son's (Respondent) interaction with Andrea Poutre.
    Disciplinary counsel will work with Atty. McGee to arrange a time and place for Atty. Jerry Diamond's deposition.

11. Dan Troidl, private investigator – Disciplinary counsel began working with Mr. Troidl on September 14, 2017. At this point, disciplinary counsel intends to call Mr. Troidl to authenticate photographs and summaries (VRE 1006) of financial records.

Dated at Burlington, Vermont on September 18, 2017.

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Robert V. Simpson, Jr.
Disciplinary Counsel

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[2] When disciplinary counsel visited Pamela Binette and her parents on August 31, 2017, Pamela told disciplinary counsel that she has great admiration and respect for Dr. Kaufman. She specifically asked me to contact Dr. Kaufman about testifying in this matter. She is grateful for the help he has given over the many years he has been treating her. She told me that he had experience in giving testimony.

[3] It is disciplinary counsel's understanding that Dr. Kaufman splits his time between serving patients in Maine and the Newport, Vermont area. He will be 82-years-old on November 15, 2017. He has informed disciplinary counsel that he has suffered significant hearing loss and relies on two hearing aids.

[4] Dr. Kaufman has offered to provide me with his resume. I will forward it to Atty. McGee as soon as I get it.

[5] Atty. McGee has informed Disciplinary Counsel that he intends to call both Josh and Jerry Diamond at the merits hearing.