

STATE OF VERMONT  
PROFESSIONAL RESPONSIBILITY BOARD

In re: Norman Watts, Esq.  
PRB File Nos. 2019-102 & 2020-011

**RULING ON RESPONDENT'S MOTION FOR EXTENSION OF TIME  
AND SCHEDULING ORDER**

Respondent, Norman Watts, Esq., has requested an extension of time file an answer to the petition of misconduct in this disciplinary proceeding. Disciplinary Counsel has filed a partial opposition to the motion.

The petition was served on Respondent by certified mail on April 2, 2021.<sup>1</sup> Under Administrative Order (A.O.) 9, Rule 11(D)(3), an answer to a petition of misconduct is due 20 after service of the petition. Accordingly, absent an extension of time, Respondent's answer would be due no later than April 23, 2021.<sup>2</sup>

Respondent is seeking an extension of approximately 5 weeks – until May 28, 2021. He seeks additional time based on an asserted need to review a large number of client communications, the press of other matters on his work calendar, and a previously planned 8-day vacation. Disciplinary Counsel has consented to a two-week extension of time – to May 6, 2021 – but opposes any further extension of time. Disciplinary Counsel maintains that Respondent has not justified the length of extension requested.

The Hearing Panel has considered the respective arguments of the parties in the above-captioned matter as well as the need to move this matter forward. Accordingly, the Panel has decided to address Respondent's request for an extension in the context of a comprehensive

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<sup>1</sup> It appears that the petition was mailed to Respondent on March 18, 2021 (the date on which the petition is dated) but, for unknown reasons, it was not actually delivered to Respondent for approximately two weeks.

<sup>2</sup> Disciplinary Counsel represents that she sent a courtesy copy of the petition by email to Respondent on March 18, 2021; however, she acknowledges that the requisite service by certified mail is the triggering event for determining the date by which an answer must be filed.

Scheduling Order. The Panel hereby grants Respondent a partial extension of time to file his answer – until May 21, 2021 – and issues the following Scheduling Order:

1. Respondent shall file his answer to the petition of misconduct by May 21, 2021.
2. Requests for production of document shall be served by May 28, 2021 and responses shall be served by June 25, 2021.
3. The parties shall exchange the names and addresses of all persons having knowledge of relevant facts and/or of witnesses by June 4, 2021.<sup>3</sup>
4. The parties shall disclose any expert witnesses by June 4, 2021.
5. The parties shall disclose any rebuttal expert witnesses by July 2, 2021.
6. All depositions shall be completed by July 30, 2021.
7. All discovery, including all discovery relating to the issue of sanctions, shall be completed by July 30, 2021.
8. Any motion to amend the petition of misconduct shall be filed by August 6, 2021, together with a memorandum setting forth the grounds for the motion.
9. Any and all other pre-hearing motions and supporting memoranda, including any motions in limine, shall be filed by August 20, 2021.
10. Any objection by a party to the hearing panel conducting the merits hearing in this matter remotely by video conferencing, together with a legal memorandum setting forth the grounds for the objection, shall be filed by July 2, 2021.
11. On or before August 20, 2021 each party shall file: (a) a witness list identifying each witness the party anticipates calling to testify during the merits hearing, along with an brief


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<sup>3</sup> A.O. 9, Rule 15(B)(1) specifies deadlines running from the filing of the answer for parties to exchange their respective witness lists and to comply with requests for production of documents. However, those deadlines are intended for a typical case where an answer has been filed within 20 days of service of the petition. In light of the delay that will be occasioned by the 4-week extension of time to answer which has been requested by and granted to Respondent, the Panel is adjusting those deadlines consistent with the additional time allowed Respondent to work on this matter and the need to advance the serious charges set forth in the petition to a prompt resolution.


summary of the witness's anticipated testimony, and an estimate of the amount of time that will be needed for direct examination; and (b) a list identifying each exhibit the party anticipates presenting at the merits hearing, together with a representation as to whether or not the opposing party stipulates to either authenticity or admissibility of the exhibit or both; and (c) for purposes of scheduling the merits hearing in this matter, a list of three jointly proposed dates in October 2021 when both parties, their respective counsel, and their witnesses are all available to participate in the merits hearing.

Dated: April 14, 2021

**Hearing Panel No. 9**

By:   
Karl C. Anderson, Esq., Chair

By:   
Eric A. Johnson, Esq.

By:   
Thomas J. Sabotka, Public Member