

STATE OF VERMONT
PROFESSIONAL RESPONSIBILITY PROGRAM

In Re: Norman Watts
PRB File Nos. 2019-102 and 2020-011

MOTION FOR PERMISSION TO FILE A SURREPLY

Navah C. Spero, Esq., Specially Assigned Disciplinary Counsel (“Special Disciplinary Counsel”) in this matter, moves this Hearing Panel to permit her to file a surreply in opposition to Respondent’s Motion for Continuance of Merits Hearing (“Motion for Continuance”) as follows:

Argument

Special Disciplinary Counsel moves the Hearing Panel for permission to file a surreply in opposition to the Motion for Continuance to address new arguments, raised for the first time in Respondent’s Reply in Support of Motion for Continuance (“Reply”). It is settled Vermont law that when a party raises an argument for the first time in a reply brief, the opposing party is entitled to a surreply. *In re Champlain Parkway Wetland Cu Determination Time Extension Cud No. 2010-125*, Docket No. 123-10-16 Vtec, 2017 Vt. Super. LEXIS 37, *5 (Vt. Env. Ct. April 14, 2017) (“However, when new issues are raised in a reply, the opposing party may be entitled to file a sur-reply.”) (citing *Meulrath v. Fisher*, No. 3-1-07 Wmcv, n.3 (Vt. Super. Ct. Jul. 16, 2008)). Special Disciplinary Counsel seeks permission to file a surreply to respond to these new arguments.

Conclusion

Based on the foregoing, Special Disciplinary Counsel asks the Hearing Panel to consider the attached surreply.

Dated: May 18, 2023

/s/ Navah C. Spero

Navah C. Spero, Esq.

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Special Disciplinary Counsel

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CERTIFICATE OF SERVICE

I, Navah C. Spero, Esq., certify that, on May 18, 2023, I caused to be served my Motion
for Permission to File a Surreply as follows:

Via E-mail

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Dated: May 18, 2023

/s/ Navah C. Spero

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