

STATE OF VERMONT
PROFESSIONAL RESPONSIBILITY PROGRAM

In Re: Daniel W. Ewald
PRB File No. 013-2023

**DISCIPLINARY COUNSEL'S STIPULATED MOTION
TO EXTEND MERITS HEARING**

NOW COMES Petitioner Office of Disciplinary Counsel and respectfully moves to continue the remote Merits Hearing in this matter, scheduled by the Hearing Panel's January 3, 2024 Notice of Hearing for August 5-6, 2024, to a time on or after August 15, 2024. In support hereof, Disciplinary Counsel states as follows:

1. At the forthcoming Merits Hearing in this matter, Disciplinary Counsel anticipates calling Audie and Lisa Bellimer, Respondent Ewald's former clients, as witnesses in support of many of the factual allegations in the Petition of Misconduct.
2. Disciplinary Counsel recently learned that, between August 1-12, 2024, Mr. and Mrs. Bellimer will be in Maine on a long-scheduled vacation at a location where high speed internet access is intermittent and unreliable, thereby impeding their practical ability to testify at the remote Merits Hearing to be held August 5-6.
3. Therefore, in order to make it possible for Mr. and Mrs. Bellimer to testify, Disciplinary Counsel respectfully requests that the remote Merits Hearing be rescheduled for on or after August 15, 2024 when they have returned home to Vermont from their vacation and once again have reliable high-speed internet access.
4. In addition, Disciplinary Counsel is informed today by Respondent Ewald's counsel that he intends to move the Hearing Panel to conduct the Merits Hearing in-person, rather than remotely as currently ordered.
5. If this request is granted, Mr. and Mrs. Bellimer will not be able to testify at an in-person

Merits Hearing on August 5-6 since they will be in Maine on these dates.

6. Therefore, Disciplinary Counsel respectfully seeks continuance of the Merits Hearing in the event of such an in-person Merits Hearing.
7. Disciplinary Counsel is authorized to state that Respondent Ewald's counsel does not object to continuing the Merits Hearing for the reasons stated above.

WHEREFORE, Petitioner Office of Disciplinary Counsel respectfully moves to continue the remote Merits Hearing in this matter until a time on or after August 15, 2024.

Dated at Burlington, Vermont this 26th day of February 2024.

OFFICE OF DISCIPLINARY COUNSEL

/s/ Jon T. Alexander

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CERTIFICATE OF SERVICE

I certify that on February 26, 2024, Respondent Daniel W. Ewald, Esq. was served with Disciplinary Counsel's Stipulated Motion to Extend Merits Hearing via email to his attorney John J. Boylan, III, Esq. at jboylan@boylanlaw.com in accordance with A.O. 9, Rule 18(B) and Vermont Rule of Civil Procedure 5.

Dated at Burlington, Vermont this 26th day of February 2024.

OFFICE OF DISCIPLINARY COUNSEL

/s/ Jon T. Alexander

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