

STATE OF MAINE
KENNEBEC, SS.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. KENSC-CV-22-54

ANDREW ROBBINS, ET AL.,

Plaintiffs,

v.

MAINE COMMISSION ON INDIGENT LEGAL
SERVICES, ET AL.,

Defendants.

**SUPPLEMENTAL JOINT MOTION TO CONDUCT PRELIMINARY REVIEW OF
AMENDED CLASS ACTION SETTLEMENT, DIRECT NOTICE TO CLASS
MEMBERS OF AMENDED PROPOSED SETTLEMENT, AND MAKE FURTHER
ORDERS AS PART OF THE SETTLEMENT APPROVAL PROCESS**

Following this Court’s September 13, 2023 Order denying the Parties’ August 21, 2023 Joint Motion for Preliminary Settlement Review (“September 13 Order”), the Parties returned to settlement negotiations with the assistance of a Judicial Settlement Officer (Billings, J.) and reached agreement on additional commitments in a good-faith effort to address the Court’s concerns. Under M. R. Civ. P. 23(e), the Parties jointly file this supplemental motion requesting this Court to conduct a preliminary review of their amended proposed class settlement (“Amended Proposed Settlement”), direct notice of the Amended Proposed Settlement to Class Members, and set a fairness hearing date for final approval of the Settlement. *See* Amended Proposed Settlement, attached as **Exhibit 1**.¹

I. Procedural History.

¹ This Motion incorporates by reference the definitions of the capitalized terms in the Amended Settlement Agreement, attached as **Exhibit 1**.

In March 2022, Plaintiffs—five indigent Mainers represented in criminal proceedings by appointed counsel—filed this Action against Defendants Maine Commission on Indigent Legal Services, its Executive Director, and its Commissioners, alleging that Defendants’ failure to appropriately screen, train, evaluate, and support the defense attorneys it is statutorily charged with overseeing resulted in an unconstitutional risk of denial of effective assistance of counsel. The Parties litigated Defendants’ motion to dismiss and Plaintiffs’ motion for class certification and engaged in written and oral discovery, including the depositions of the named Plaintiffs located in Maine and production of tens of thousands of pages of documents. On August 21, 2023, the Parties filed a joint motion seeking the Court’s preliminary approval of the original proposed settlement agreement (“August 21 Joint Motion”), following active settlement negotiations over nine months including four in-person Judicial Settlement Conference sessions. As detailed in the August 21 Joint Motion, the original settlement proposed a series of systemic reforms addressing Plaintiffs’ allegations regarding Defendants’ oversight of indigent defense services in Maine, including: (1) the Defendants’ commitment to promulgate rules governing key aspects of the delivery of indigent legal services, including training, supervision, and performance standards; (2) imposition of measurable, increasingly rigorous enforcement metrics; and (3) joint advocacy for specific current and future legislative action to facilitate additional fully staffed public defender offices across the state.

The Court’s September 13 Order denied the Parties’ Joint Motion and outlined the Court’s areas of concern. On September 29, the Parties jointly requested additional time to negotiate to address the Court’s concerns, with the assistance of a Judicial Settlement Officer. The Court agreed to permit the Parties an additional month to negotiate before the stay of litigation would be lifted. The Parties participated in two in-person settlement conferences under

the supervision of Justice Billings, in addition to direct negotiations. The Parties reached agreement on revised and additional settlement provisions: provisions addressing the concerns raised in the Court’s September 13 Order. On November 27, 2023, the Commission voted to approve the Amended Proposed Settlement, attached hereto as **Exhibit A**.

II. Amendments to the Proposed Settlement to Address the Court’s Four Key Areas of Concern.

The Court’s September 13 Order identified four key issues to be addressed before the Court could preliminarily approve the proposed settlement agreement under M. R. Civ. P. 23: (1) clarification of the limitation on future claims during the stay of this Action; (2) creation of a path for unrepresented indigent defendants to seek emergency relief; (3) collection and monitoring of information identifying unrepresented indigent criminal defendants; and (4) detailed timelines and specifics concerning Defendants’ existing and future efforts to open “brick and mortar” public defender offices across the State. The Parties have engaged in extensive negotiations to address each of these four issues,² and have reached agreement on the following amended settlement provisions in an effort to address the Court’s concerns.

1. Clarification of the limitation on future claims during the stay of this Action.

² The September 13 Order also expressed concerns about the Commission’s new enforceable caseload standards going into effect in January 2023. The Parties did not amend the settlement provisions regarding caseload standards, for two primary reasons. First, Plaintiffs do not believe that further delaying implementation of already long-delayed caseload standards is in the best interests of the Class. Enforceable caseload standards are critical to addressing one of Plaintiffs’ primary concerns that prompted them to bring this Action: many rostered attorneys are so overburdened and under-supported that it creates an unconstitutional risk of ineffective assistance of counsel. Second, MCILS has enacted caseload standards via rulemaking, pursuant to its undisputed statutory authority and independent of the settlement process. 4 M.R.S.A. § 1804(3)(G) (“The Commission shall . . . [e]stablish a method for accurately tracking, monitoring and enforcing case load standards for assigned counsel, contract counsel and public defenders.”).

The September 13 Order expressed concern about the breadth and lack of clarity of the limitations on future claims during the stay of this Action, as set forth in Section II of the original proposed settlement. *See* Order, 17-20.

The Parties intended the limitations on future claims to apply only to claims asserted against the Defendants expressly named in this case—MCILS, its Executive Director, and its Commissioners.³ However, the September 13 Order expressed concerns that the language in Section II.D and II.F could bar Class Members from asserting future claims not only against MCILS, but against any subdivision of the State of Maine. *Id.* at 18. The Court referenced statements made in the context of discussions regarding 5 M.R.S.A. §191(3)⁴ that the “party in interest” in this litigation is the State of Maine. In addition, the September 13 Order expressed concerns that the language limiting future claims alleging “systemic failures” was so broad as to touch upon virtually any claim for Sixth Amendment violations. *Id.* at 19. The Order required that the language in II.F “at a minimum, needs to be clarified so that a Class Member could understand what they would be up against if they brought a separate claim in a different Court alleging non-representation or any other grounds for emergency relief.” *Id.*

³ The original proposed settlement agreement provided, “Plaintiffs . . . will not reassert or revive the Remaining Claims or substantially similar claims for systemic relief against Defendants,” Original Settlement Agreement, §II.D., defining “Defendants” as “the named Defendants in . . . *Robbins, et al. v. Maine Commission on Indigent Legal Services, et al.* (‘MCILS’), originally filed in March 2022 in Kennebec County Superior Court, Dkt. No. KENSC-CV-22-54.” *Id.* at §§ I.A. and I.D.

⁴ “The Attorney General or a deputy, assistant or staff attorney shall appear for the State, the head of any state department, the head of any state institution and agencies of the State *in all civil actions and proceedings in which the State is a party or interested, or in which the official acts and doings of the officers are called into question*, in all the courts of the State and in those actions and proceedings before any other tribunal when requested by the Governor or by the Legislature or either House of the Legislature. All such actions and proceedings must be prosecuted or defended by the Attorney General or under the Attorney General's direction.” 5 M.R.S.A. §191(3) (emphasis added).

To address the Court’s concerns, the Parties substantially revised Section I.D. (defining “Defendants”) and Sections II.D and II.F (describing the scope of limitation on future claims), to clarify and narrow the limitation on future claims during the stay of this Action. **First**, the definition in Section I.D clarifies that the term “Defendants” as used in the Agreement means *only* the MCILS defendants expressly named in this Action, and does not include “the State of Maine” or any other government actors or entities:

Defendants are the expressly named Defendants in this Action: the Maine Commission on Indigent Legal Services, the Commissioners of the Maine Commission on Indigent Legal Services, in their official capacities, and the Executive Director of the Maine Commission on Indigent Legal Services, in his/her official capacity. “Defendants” includes the successors in office of the commissioners and Executive Director. “Defendants” as used in this Agreement does not include the State of Maine or any governmental entity or officeholder other than those expressly named as Defendants in this Action.

Second, Section II.D eliminates the broad language limiting future claims related to “systemic” deficiencies and instead defines the scope of any limitation on future claims specifically and narrowly:

Except as provided in Section II.E and II.F below, Plaintiffs will not reassert or revive the Remaining Claims (i.e., Plaintiffs’ claims of constructive denial of counsel against State officials tasked with identifying, training, supervising, and evaluating counsel available for appointment by the District or Superior Court pursuant to 15 M.R.S.A. §810 and M. R. U. Crim. P. 44) against Defendants for four (4) years after the Effective Date.

Third, the original language in Section II.F, including the reference to “systemic failures,” has been deleted entirely. Instead, to provide clarity for Class Members, Section II.F now provides examples of claims Class Members retain the right to assert, including claims based on non-representation:

Nothing in this Agreement prevents Settlement Class Members from asserting claims other than those expressly included within the limitations of Section II.D above. By way of example, as long as the claims are supported by the law and the facts, Settlement Class Members retain the right to assert claims including but not limited to the following:

1. Claims against any entities or individuals other than the Defendants expressly named in this Action, including claims against the State of Maine or against any government agencies or officeholders other than the Defendants expressly named as Defendants in this Action (see “Definitions” above);
2. Claims regarding ineffective assistance of counsel in connection with Settlement Class Members’ individual cases, including claims for habeas relief;
3. Claims regarding actual denial of counsel or non-representation (*e.g.*, failure to appoint counsel for an indigent criminal defendant), whether those claims seek individual or class-based relief.

The Amended Proposed Settlement makes clear that it does nothing to close the courthouse doors to Class Members seeking to pursue claims other than the specific claims Plaintiffs asserted in this lawsuit against the Defendants expressly named in this lawsuit. The unaffected claims include claims for emergency relief based on actual denial of counsel. Indeed, a habeas petition for emergency relief on behalf of several Class Members not appointed counsel is currently pending before a single Justice of the Law Court. An evidentiary hearing was held on November 14, 2023 and a decision is forthcoming. *Peterson v. Johnson et al.*, SJC-23-2.

2. Creation of a path for unrepresented indigent defendants to seek emergency relief.

The September 13 Order expressed concerns about the absence of “any path within [the Proposed Settlement Agreement’s] terms” for unrepresented indigent defendants to seek emergency relief. *See* Order, 14. The September 13 Order asserted that Maine’s indigent defense system has deteriorated since commencement of this suit, and that delays in appointment of counsel “significantly disadvantage indigent defendants.” *Id.* at 16. The September 13 Order further stated that the Court would not approve the settlement unless it provided “a clear path permitting individual Class Members during a stay—of any length—to seek emergency relief if evidence supports the claim.” *Id.* at 20.

In an effort to address this concern, the Parties agreed to a new Section III of the Amended Proposed Settlement Agreement outlining four provisions to facilitate a clear path for Class Members to seek meaningful emergency relief in the courts. First, consistent with advocacy by MCILS Executive Director Billings, the Unified Criminal Docket issued a Standing Order, effective November 3, on Initial Assignment of Counsel to the Unified Criminal Docket (“Standing Order”), establishing the procedure to bring all unrepresented indigent criminal defendants before the Court presiding over their criminal matters. Amended Proposed Settlement Agreement, § III.A & Exhibit A. Second, under the Amended Proposed Settlement Agreement, Defendants will authorize compensation for Counsel to attend the court appearances established by the Standing Order on behalf of the unrepresented indigent defendants. Amended Proposed Settlement Agreement, § III.B. Third, Defendants will issue substantive guidance “addressing expectations that Counsel representing Settlement Class Members at the court appearances identified in the Standing Order assert all reasonable claims for emergency relief for denial of counsel on behalf of Class Members, including but not limited to: motions for bail review; habeas corpus relief; 4 M.R.S.A. §7; and/or dismissal of charges.” *Id.* at § III.C. Defendants will “support and monitor Counsel to facilitate their compliance with the Guidance.” *Id.* at § III.C. And fourth, Defendants will initiate rulemaking to guide the performance of Counsel appearing on behalf of unrepresented defendants at the court appearances established by the Standing Order. *Id.* at § III.D.

To enable the Parties to monitor the newly created procedure for unrepresented defendants and gauge whether it is serving as a meaningful path for relief, the Amended Proposed Settlement requires Defendants to collect, review, and share data on the outcomes of these appearances (as made available by the Judicial Branch), including the outcomes of those

appearances (*i.e.* bail modifications, release, dismissal of charges, etc.). *Id.* at §§ X.A.2 and XIII.B.3.b.

Key features of Maine’s indigent defense system are within the control of actors who are not party to this suit. The Parties in this case do not have the authority to create new public defender offices and hire additional public defenders: that authority is constitutionally vested in the legislature. The Parties do not have authority over the initiation of criminal prosecutions against indigent defendants: that authority is constitutionally vested in prosecutors. The Parties do not have the authority, in settlement or otherwise, to mandate judicial action in criminal prosecutions: that authority is constitutionally vested in individual judges. The Defendants in this case are responsible for screening, evaluating, training, supervising, and supporting rostered and employed defense attorneys. This Amended Proposed Settlement represents commitments within the Parties’ authority and responsibility: as civil plaintiffs pursuing claims asserted in their Complaint and as a statutorily created body with oversight of rostered and employed defense attorneys. The Amended Proposed Settlement facilitates the judicially created process for unrepresented criminal defendants to appear before the court—assisted by Counsel overseen, supported, and paid by the Commission—and assert claims for emergency relief, including but not limited to motions for bail review, habeas corpus relief, or dismissal of charges. And the Amended Proposed Settlement does not close the courthouse doors to indigent criminal defendants seeking emergency relief for actual denial of counsel.

3. Improved collection and monitoring of information identifying unrepresented indigent criminal defendants.

The September 13 Order expressed concern that neither Class Counsel nor the Court “know with any certainty how many Class Members are currently without counsel, and for how long.” *See* September 13 Order, 20. This lack of “monitoring” concerning “ongoing instability”

left both counsel and the Court unable to respond in changes in the status of Maine’s indigent defense system *See Id.* at 15-16 (“[N]o one in this case really knows how bad the problem is.”).

Over the past two months, the collection and sharing of information about unrepresented indigent defendants has improved substantially. On or about October 13, 2023, the Judicial Branch began publishing data from courts across the State identifying indigent criminal defendants awaiting appointment of counsel and sharing those reports with MCILS three times per week. The Parties have added provisions to the Amended Proposed Settlement’s Data Collection and Reporting obligations to ensure that MCILS will provide these reports from the Judicial Branch to Plaintiffs:

B. In order to permit Plaintiffs to assess compliance with the provisions of this Agreement, Defendants will:

1. To the extent available from the Judicial Branch, Defendants will provide reports to Plaintiffs regarding Settlement Class Members awaiting appointment of counsel, including: the name of each affected Class Member, the docket number, the charges pending, the court in which charges are pending, whether the Class Member is in custody, where they are in custody, their last court date, and their next court date.

Amended Proposed Settlement Agreement, § XIII.B.1.

This newly available information, along with the additional data Defendants will compile and share under the Amended Proposed Settlement (*id.* at § XIII.B), will be subject to ongoing analysis by a data consultant to facilitate identifying and addressing systemic issues system-wide on a sound evidentiary basis (*id.* at § XIII.A). Thorough, accurate data collection and analysis regarding Maine’s indigent defense system will be a novel and continuing benefit of the Amended Proposed Settlement.

4. Detailed timelines and specifics concerning Defendants’ existing and future efforts to open “brick and mortar” public defender offices across the State.

Finally, the September 13 Order expressed concerns that the original proposed settlement lacked specific recitations of Defendants’ current and future efforts to open regional public

defenders' offices across the State. The September 13 Order expressed concern that, while "the Agreement talks about one 'brick and mortar' public defender office opening somewhere sometime in the next four years," it did not set out a timeline for the opening of that office. *See* September 13 Order, 16. The September 13 Order further expressed concern that although the agreement "refers to the goal of obtaining approval and financing to open other [public defender offices]" in future legislative sessions, it lacked specifics. *Id.*

The Amended Proposed Settlement Agreement supplies updated information about Defendants' progress and its future efforts to open regional brick-and-mortar public defenders' offices across the State. The Capital Region Public Defenders' Office, primarily serving Kennebec County, is open: office space in Augusta has been secured; the District Defender and two line-defenders have been hired; and hiring is underway for the three additional line-defender positions. Amended Proposed Settlement Agreement § V.A.

Defendants' efforts to open regional public defenders' offices across the State have also progressed significantly. As detailed in the Amended Proposed Settlement Agreement, Defendants voted on October 11, 2023 to submit a Supplemental Budget Request in fall 2023 seeking \$3.2 million in supplemental funding in FY '24 to create two (2) new public defender offices (Aroostook and Penobscot/Piscataquis Counties); hire a paralegal and an investigator for the Rural Defender Unit; hire an investigator for the Kennebec Public Defender Office; and create positions for 4 new public defender offices (Washington/Hancock, Androscoggin/Franklin/Oxford, Midcoast, and Cumberland/York) to be staffed in FY' 25. *Id.* at

§ V.B.⁵ The Parties have agreed to jointly use their best efforts to advocate for these appropriations. *Id.* at §§ IV.C and VI.A.

III. The Court should direct notice to the Class because the Court will likely be able to approve the Settlement as fair, reasonable, and adequate.

The changes outlined above to the Amended Proposed Settlement Agreement are each in direct response to the concerns the Court identified as preventing preliminary approval in the October 13 Order. The Court should direct notice to the Class based on a finding that it will likely be able to approve the settlement as fair, reasonable, and adequate. *Pike Indus., Inc. v. City of Westbrook*, 2012 ME 78, ¶ 25; *see also* Fed. R. Civ. P. 23(e)(2); *Miller v. Carrington Mortg. Servs., LLC*, 2020 WL 2898837 (D. Me. Jun. 3, 2020).

The Amended Proposed Settlement is not a panacea. Important aspects of Maine’s indigent defense system are within the control of actors who are not party to this suit, as detailed above. Because the Defendants in this Action are MCILS and its Director and Commissioners, the Amended Proposed Settlement Agreement continues to focus on meaningful reforms to aspects of Maine’s indigent defense system that Defendants have the authority and responsibility to address: (1) promulgating and enforcing rules governing the caseloads, qualifications, training, and evaluation of Counsel; (2) facilitating a meaningful path by which unrepresented indigent defendants—assisted by Counsel overseen, supported, and paid by the Commission—can appear before the court and assert all reasonable claims for emergency relief (including motions for bail review, habeas corpus relief, and dismissal of charges); (3) advocating for legislative reform and budget appropriations; and (4) engaging in comprehensive data collection and monitoring of the

⁵ For additional details on the staff-recommended Supplemental Budget request, which was approved by the Commission on October 11, see Executive Director Billings’ Memorandum to the Commission, at pp. 88-91, https://www.maine.gov/mcils/sites/maine.gov/mcils/files/inline-files/commission_packet.20231011.pdf.

system as a whole. In addition, the Amended Proposed Settlement Agreement expressly leaves the door open to Class Members to assert a range of potential Sixth Amendment claims, represented by Class Counsel or by other counsel.

If this case is not resolved now, the Parties continue to believe that the costs, risks, and delays of proceeding with litigation are considerable. The Parties share the Court's desire to litigate this case as efficiently as possible, but bringing this state-wide class action through discovery, motion-practice, and trial cannot happen in two months. Moreover, the high likelihood of an appeal will mean additional delays before any final outcome. Plaintiffs have prevailed on the motion to dismiss their constructive denial of counsel claim and obtained class certification. But there is significant litigation ahead if the case cannot be resolved. Absent settlement, the Parties will resume time-intensive discovery, including a possible amended complaint, additional written discovery and likely motions to compel concerning document production and assertions of privilege; over a dozen depositions; and the designation and depositions of experts. At the close of discovery, recognizing the absence of Maine precedent on the availability and evidentiary burden applicable to a constructive denial of counsel claim, one or both Parties may seek summary judgment, requiring substantial time from the Parties and the Court. Given the complexity of issues and the number of potential witnesses, trial of this matter would likely take at least three weeks. There will almost certainly be an appeal of any final decision—raising the likelihood of additional delay. Continued litigation will impose significant burdens on MCILS, a small office with limited staff, and those burdens will consume time and resources that could otherwise be devoted to fulfilling MCILS's core roles of overseeing and supporting defense counsel and setting up new public defender offices across the state.

Moreover, both Parties recognize risks and uncertainty on their legal claims and defenses going forward, particularly given the lack of clarity surrounding the applicable legal standards. Almost all systemic legal challenges to indigent defense systems across the country have been resolved by settlement. There is no clear body of law on the standard for civil enforcement of the Sixth Amendment for prospective injunctive relief. Each Party believes they could prevail under either standard, but the lack of direction from the Law Court imposes substantial risks and uncertainty. Even if Plaintiffs prevail at trial, Maine’s “much more rigorous” separation of powers jurisprudence renders the scope of attainable relief highly uncertain. *See Bates v. Dep’t of Behavioral & Developmental Servs.*, 2004 ME 154, ¶ 84. Moreover, even if Plaintiffs ultimately prevail, the Court will be limited in imposing remedies against the Defendants before it.

Based on its terms and with the benefit of this context, the Court should conclude under Rule 23 that it will likely be able to approve the Amended Proposed Settlement as fair, reasonable, and adequate.

With respect to Class Notice, for the reasons detailed in the August 21 Joint Motion, the Court should approve the proposed Notice to the Class because it is reasonably calculated to inform Class Members of the Amended Proposed Settlement Agreement and their opportunity to object. The Parties have prepared an amended Notice, which is in plain language understandable to the Class and provides: (i) the case name and case number; (ii) a description of the case and the legal claims; (iii) the class definition approved by the Court; (iv) a summary of the terms of Settlement; (v) a clear description of the options available to Class Members such as the manner of filing objections and the 60-day deadline applicable to objections; (vi) information about Plaintiffs’ counsel; (viii) the time and location of the Fairness Hearing to consider final approval of the Settlement, and; (ix) an explanation of how to make inquiries and obtain further

information about the Settlement, including a website providing a copy of the complete Amended Proposed Settlement Agreement. *See* Amended Proposed Notice, attached as **Exhibit**

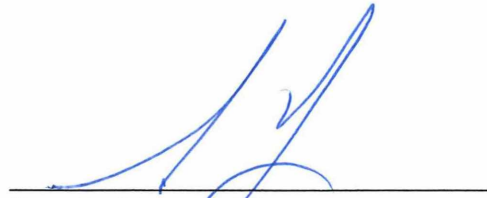
2.

IV. Conclusion.

For all these reasons, the Parties respectfully ask the Court to grant their Supplemental Joint Motion, direct Notice of the Amended Proposed Settlement to the Class, schedule a Final Fairness Hearing for 90 days from the date of the order directing notice to the Class Members or as soon as practicable after that date, and grant all such other and further relief as this Court deems just.

November 28, 2023

MAINE COMMISSION ON INDIGENT
LEGAL SERVICES, et. al.



Sean D. Magenis, Esq.
Maine Bar No. 9495
Assistant Attorney General
Office of the Attorney General
6 State House Station
Augusta, ME 04333-0006
Tel. (207) 626-8800
sean.d.magenis@maine.gov
Attorneys for Defendants

Respectfully submitted,

ANDREW ROBBINS, BRANDY GROVER,
RAY MACK, MALCOLM PEIRCE, and
LANH DANH HUYNH

By their attorneys:

Zachary L. Heiden (Bar No. 9476)
Carol Garvan (Bar No. 4448)
Anahita Sotoohi (Bar No. 10120)
ACLU OF MAINE FOUNDATION
PO Box 7860
Portland, Maine 04112
(207) 619-6224
zheiden@aclumaine.org
cgarvan@aclumaine.org
asotoohi@aclumaine.org
Attorneys for Plaintiffs

Kevin P. Martin (admitted pro hac vice)
Gerard J. Cedrone (admitted pro hac vice)
Jordan Bock (admitted pro hac vice)
GOODWIN PROCTER LLP
100 Northern Avenue
Boston, Massachusetts 02210
(617) 570-1000
kmartin@goodwinlaw.com
gcedrone@goodwinlaw.com
jbock@goodwinlaw.com

Matt Warner (Bar No. 4823)
PRETI, FLAHERTY,
BELIVEAU & PACHIOS, LLP
1 City Center
Portland, Maine 04101
(207) 791-3000
mwarner@preti.com

Anne Sedlack (Bar No. 6551)
PRETI, FLAHERTY,
BELIVEAU & PACHIOS, LLP

November 28, 2023

MAINE COMMISSION ON INDIGENT
LEGAL SERVICES, et. al.

Sean D. Magenis, Esq.
Maine Bar No. 9495
Assistant Attorney General
Office of the Attorney General
6 State House Station
Augusta, ME 04333-0006
Tel. (207) 626-8800
sean.d.magenis@maine.gov
Attorneys for Defendants

Respectfully submitted,

ANDREW ROBBINS, BRANDY GROVER,
RAY MACK, MALCOLM PEIRCE, and
LANH DANH HUYNH

By their attorneys:



Zachary L. Heiden (Bar No. 9476)
Carol Garvan (Bar No. 4448)
Anahita Sotoohi (Bar No. 10120)
ACLU OF MAINE FOUNDATION
PO Box 7860
Portland, Maine 04112
(207) 619-6224
zheiden@aclumaine.org
cgarvan@aclumaine.org
asotoohi@aclumaine.org
Attorneys for Plaintiffs

Kevin P. Martin (admitted pro hac vice)
Gerard J. Cedrone (admitted pro hac vice)
Jordan Bock (admitted pro hac vice)
GOODWIN PROCTER LLP
100 Northern Avenue
Boston, Massachusetts 02210
(617) 570-1000
kmartin@goodwinlaw.com
gcedrone@goodwinlaw.com
jbock@goodwinlaw.com

Matt Warner (Bar No. 4823)
PRETI, FLAHERTY,
BELIVEAU & PACHIOS, LLP
1 City Center
Portland, Maine 04101
(207) 791-3000
mwarner@preti.com

Anne Sedlack (Bar No. 6551)
PRETI, FLAHERTY,
BELIVEAU & PACHIOS, LLP

45 Memorial Circle #401
Augusta, Maine 04330
(207) 623-5300
asedlack@preti.com