

APPENDIX

MANDATE

Certified and Issued as Mandate Under NH Sup. Ct. R. 24

Timothy A. Gudas

Clerk/Deputy Clerk

4-29-2021
Date

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

**In Case No. 2020-0297, Baboucar Taal v. St. Mary's Bank;
Baboucar Taal v. Niederman, Stanzel and Lindsey & a., the court
on April 29, 2021, issued the following order:**

Supreme Court Rule 22(2) provides that a party filing a motion for rehearing or reconsideration shall state with particularity the points of law or fact that he claims the court has overlooked or misapprehended.

We have reviewed the claims made in the motion for clarification and reconsideration, and we conclude that no points of law or fact were overlooked or misapprehended in our decision. Accordingly, upon reconsideration, we affirm our April 1, 2021 decision and deny the relief requested in the motion.

Relief requested in motion for
clarification and
reconsideration denied.

Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

**Timothy A. Gudas,
Clerk**

Distribution:

Hillsborough County Superior Court North,
216-2011-CV-00741; 00742

Honorable N. William Delker

Mr. Baboucar Taal

Emile R. Bussiere, Jr., Esq.

Brittany Stacey, Esq.

Gregory T. Uliasz, Esq.

Lin Willis, Supreme Court

File

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THE STATE OF NEW HAMPSHIRE

SUPREME COURT

**In Case No. 2020-0297, Baboucar Taal v. St. Mary's Bank,
Baboucar Taal v. Niederman, Stanzel and Lindsey & a., the court
on April 1, 2021, issued the following order:**

On June 22, 2020, the plaintiff, Baboucar Taal, filed a notice of appeal listing two superior court cases: Baboucar Taal v. St. Mary's Bank, No. 216-2011-CV-00741, and Baboucar Taal v. Niederman Stanzel & Lindsey, PLLC & a., No. 216-2011-CV-00742. On June 29, 2020, and again on September 2, 2020, the plaintiff was ordered to "file a copy of the decision below, the clerk's written notice of the decision below, any order disposing of a timely-filed post-trial motion, and the clerk's written notice of any order disposing of a timely-filed post-trial motion." See Rule 7(6). The plaintiff only partially complied with this order, however. Because the plaintiff has failed to file with this court a copy of the trial court decision in Baboucar Taal v. Niederman Stanzel & Lindsey, PLLC & a., No. 216-2011-CV-00742 that he intends to appeal, his appeal as it relates to that case is hereby dismissed.

As to Baboucar Taal v. St. Mary's Bank, No. 216-2011-CV-00741, having considered the briefs and record submitted on appeal, the court concludes that oral argument is unnecessary in this case, see Sup. Ct. R. 18(1), and that the appealing party, the plaintiff, has not established reversible error, see Sup. Ct. R. 25(8); see also Gallo v. Traina, 166 N.H. 737, 740 (2014).

Affirmed in part and
dismissed in part.

Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

**Timothy A. Gudas,
Clerk**

Distribution:

Hillsborough County Superior Court North,
216-2011-CV-00741; 00742

Honorable N. William Delker

Honorable Tina L. Nadeau

Mr. Baboucar Taal

Emile R. Bussiere, Jr., Esq.

Brittany Stacey, Esq.

Gregory T. Uliasz, Esq.

Carolyn A. Koegler, Supreme Court

Lin Willis, Supreme Court

File

THE STATE OF NEW HAMPSHIRE
SUPREME COURT

**In Case No. 2020-0297, Baboucar Taal v. St. Mary's Bank;
Baboucar Taal v. Niederman, Stanzel and Lindsey & a., the clerk
of court on September 2, 2020, issued the following order:**

Baboucar Taal has only partially complied with the June 29, 2020 order.

On or before September 17, 2020, Baboucar Taal shall file a copy of the decision below, the clerk's written notice of the decision below, any order disposing of a timely filed post-decision motion, and the clerk's written notice of any order disposing of a timely filed post-decision motion. See Rule 7(6). Failure to comply with this order may result in dismissal of the appeal.

This order is entered pursuant to Rule 21(8).

**Timothy A. Gudas,
Clerk**

Distribution:

Mr. Baboucar Taal
Emile R. Bussiere, Jr., Esq.
Brittany Stacey, Esq.
Gregory T. Uliasz, Esq.
File

The State of New Hampshire
Superior Court

Hillsborough - North

BABOUCAR TAAL

v.

ST. MARY'S BANK

No. 216-2011-CV-0741

ORDER

The plaintiff has filed a motion to reopen this case, a motion to remove the defendant's law firm, and attempted to subpoena at least one witness. The defendant has objected to all of the motions and filed a motion to dismiss. The defendant's pleadings set forth in detail the procedural history of the plaintiff's litigation campaign. This Court need not expend more judicial resources by reciting the background. Based on the procedural history of this case and the related federal litigation, the Court finds that the plaintiff's motion to reopen is frivolous and designed to harass the defendant. See RSA 507:15. The plaintiff's motions to reopen the case and disqualify the defendant's law firm are DENIED. The motion to quash the subpoena of Ovide Lamontagne is GRANTED. The defendant's motion to dismiss this action is therefore MOOT.

A review of this case, the New Hampshire Supreme Court orders, and orders from the New Hampshire and Vermont federal district courts and the First Circuit Court of Appeals, establishes clear and convincing evidence that the plaintiff has pursued at least three cases that are frivolous. As a result, the defendant is a vexatious litigant.

See RSA 507:15-a. The plaintiff shall not be allowed to file any pleadings in this case or initiate new litigation against St. Mary's Bank, Feniger & Ulasz, LLP, any lawyers associated with that law firm, or Gillian Abramson without being represented by a lawyer who is a member of the New Hampshire bar in good standing. RSA 507:15-a, II(a).

SO ORDERED.

May 20, 2020

Date


Judge N. William Delker