

5. The jury returned a verdict on May 9, 2014. (**Exhibit 2**; Special Verdict Form.) The jury's advisory finding on the CPA claim cannot be supported by the evidence and fails as a matter of law for the reasons set out in the Defendant's Motion for Directed Verdict.
6. Specifically, Wright-Pierce's professional services do not fall within one of the enumerated protected classes of conduct in RSA 358-A:2. Wright-Pierce's conduct did not "attain a level of rascality that would raise an eyebrow of someone inured to the rough and tumble of the world of commerce." *Milford Lumber Co. v. RCB Realty, Inc.*, 147 N.H. 15, 17 (2001).
7. The Defendant plans to file post trial motions addressing various issues in the trial, making it more practicable to address the hearing and decision on the CPA claim after the post trial motions are heard and decided upon. This will serve judicial economy and allow for a streamlined post trial procedure because various post trial motions will deal squarely with the CPA claim, which may help expedite and/or streamline any decision on the CPA claim.
8. Pursuant to Local Rule 7.1(a)(2), the Defendant has not filed a separate Memorandum of Law because the issues raised in this motion are only a few pages in length.

WHEREFORE, the Defendant, Wright-Pierce, respectfully requests this Honorable Court to grant the following relief:

- A. Stay its Hearing and Decision on the Plaintiff's Consumer Protection claim until after the Court has decided upon all of the post trial motions; and,
- B. Grant such relief as this Court finds just and equitable.

RULE 7.1(C) CERTIFICATION

The undersigned attorney hereby certifies, pursuant to Local Rule 7.1(c), that he conferred in good faith with counsel for the Plaintiff but could not obtain its concurrence.

Respectfully submitted,

WRIGHT-PIERCE

By its attorneys,

/s/ John W. Dennehy

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Dated: May 12, 2014

CERTIFICATE OF SERVICE

In accordance with Local Rule 5.4(b), I hereby certify that this document filed through the ECF system on May 12, 2014 will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants.

/s/ John W. Dennehy