

**APPLICATION AND QUESTIONNAIRE FOR NEW HAMPSHIRE JUDICIAL CANDIDATES**  
(Revised 2017)

Please answer each of the following questions as instructed unless otherwise directed by the Chairman. Type your answers beneath each question. Save or scan your completed application as a PDF file. Please also save or scan Appendix A, Appendix B, Appendix C, and any requested attachments as a separate PDF file. Email and mail your completed application, including Appendix A, Appendix B, Appendix C, and any requested attachments to Charles G. Douglas, 14 South Street, Concord, NH 03301 by the designated deadline.

This application and examination will be kept confidential and will be examined only by members of the Judicial Selection Commission and the Governor, unless you are nominated by the Governor, at which time it will be made public, with the exception of Appendices A, B and C.

The Governor's Executive Order creating the Judicial Selection Commission provides that "The names of persons considered by the Commission shall remain confidential except to the extent necessary for the Commission to carry out its responsibility to evaluate candidates." The Judicial Selection Commission will email you a letter acknowledging receipt of your Application and examination, and may also contact you to appear for an interview. The Judicial Selection Commission will not otherwise contact you regarding the status of your application until after the Governor announces his nominee.

**INTRODUCTION**

1. Please state the judicial appointment(s) in which you are interested.  
New Hampshire Supreme Court Associate Justice
2. Full name.  
Gordon J. MacDonald
3. Present occupation.  
New Hampshire Attorney General
4. A. Office address, town of residence, office and home telephone and fax numbers and office email address.  
Office:  
33 Capitol Street  
Concord, NH 03301  
gordon.macdonald@doj.nh.gov  
(603) 271-1201 (office)  
(603) 321-0711 (personal)  
  
Town of Residence:  
Deering, NH

B. Identify the phone number which the Judicial Selection Commission should use to communicate with you about your application.

(603) 321-0711

C. Identify the email address which the Judicial Selection Commission should use to communicate with you about your application.

gmacdonald@tds.net

## EDUCATION AND PROFESSIONAL INFORMATION

5. List each college, graduate school and law school you attended, including dates of attendance, whether you served on your law school's law review, the degrees awarded by each institution, and their dates. If you left any institution without receiving a degree, state the reason for leaving.

Dartmouth College

A.B., *cum laude*, with High Honors in major field of study (Government)

September 1979 – May 1983

Cornell Law School

J.D., *magna cum laude*

Order of the Coif

Article Editor, *Cornell Law Review*

August 1991 – May 1994

6. List any articles, books, or other publications that you have authored. Include copies of any speeches or manuscripts on constitutional issues, court organization or the role of judges which you would like the Commission to consider.

Book:

Gordon J. MacDonald, *Wiebusch on New Hampshire Civil Practice and Procedure* (Matthew Bender & Co., 4<sup>th</sup> ed. 2014).

Articles:

Gordon J. MacDonald, *Stray Katz: Is Shredded Trash Private?*, 79 CORNELL LAW REVIEW 452 (1994).

I co-authored a series of articles appearing in the New Hampshire Bar News regarding professionalism and legal ethics. A partial listing follows:

William C. Saturley and Gordon J. MacDonald, *Lawyer Liability Rules About to Change*, New Hampshire Bar News, February 19, 1997.

William C. Saturley and Gordon J. MacDonald, *Malpractice Survey: Old Problems and New Trends*, New Hampshire Bar News, March 19, 1997.

William C. Saturley and Gordon J. MacDonald, *Engagement, Non-Engagement and Disengagement Letters*, New Hampshire Bar News, April 16, 1997.

William C. Saturley and Gordon J. MacDonald, *Speaking in Confidence is Not Enough – Supreme Court*, New Hampshire Bar News, May 7, 1997.

William C. Saturley and Gordon J. MacDonald, *Vicarious Liability of Local Counsel*, New Hampshire Bar News, June 4, 1997.

William C. Saturley and Gordon J. MacDonald, *Who Owns a Lawyer's Files: The Lawyer or the Client*, New Hampshire Bar News, May 6, 1998.

William C. Saturley and Gordon J. MacDonald, *Jurisdiction.com: Personal Jurisdiction in Cyberspace*, NEW HAMPSHIRE BAR JOURNAL, June 1997.

7. With respect to the last 10 years, list all bar associations, judicial associations, and professional societies of which you are, or have been, a member and give titles and dates of any offices which you have held in such groups. List chairpersonships and memberships of any committees in bar or judicial associations or professional societies which you believe to be of particular significance. Please list any honors, prizes or awards you have received.

National Association of Attorneys General  
Member, 2017-present  
Committees: Charities, Consumer Protection, NAGTRI Training

New Hampshire Supreme Court Character and Fitness Committee  
Member, 2018-present

New Hampshire Supreme Court Board of Bar Examiners  
Chair, 2010-2017, and Member, 2004-2010

New Hampshire Supreme Court Commission on the New Hampshire Bar in the 21<sup>st</sup> Century  
Chair, 2016-2017

New Hampshire Supreme Court Access to Justice Commission  
Member, 2012-2017

New Hampshire Bar Association  
Member, 1995-present

Distinguished Service to the Public Award, New Hampshire Bar Association, 2014

John E. Tobin, Jr., Justice Award, Campaign for Legal Services, 2017

## GENERAL

8. Why are you seeking a judicial appointment?

The New Hampshire Supreme Court is a critically important institution. Its decisions serve as the final word in hundreds of cases every year. Those decisions may implicate our fundamental liberties, the rights of the criminally accused, or the scope of the government's power. Every case resolves legal disputes of great importance to the parties involved. The institution represents the transcendent importance of the rule of law to the protection of our rights, to our democracy,

and to our economic system. The Court's work must be well-reasoned, learned, diligent and fair and impartial.

I am applying for this position because of the opportunity it presents to uphold and advance these ideals and to serve this institution and our citizens. As described in detail in this application, I have the knowledge, experience and skills necessary to serve. I would bring to the Court very strong academic credentials, a record of significant and ongoing scholarship regarding New Hampshire practice, a highly successful career as a private civil litigator, and a long history of leadership in service to the Court, to the profession and to the public. For the last two years, I have served as Attorney General, a position of great scope and responsibility. I will also bring personal qualities that will benefit the Court. I hold myself to the highest standards of professionalism and ethics, I work hard, and I have tried to approach public service with humility and respect.

9. What are the three or four attributes or accomplishments you believe should be given the greatest weight in assessing judicial candidates and how do you assess yourself in that regard.

An appellate judge should have the knowledge, experience and skills necessary to produce clear, well-written and well-reasoned opinions. My knowledge of the law is reflected in strong academic credentials (Cornell Law School, *magna cum laude*, Law Review and Order of the Coif) and my ongoing commitment to scholarship. I am the author of a significant book on New Hampshire law: *Wiebusch on New Hampshire Civil Practice and Procedure*. This is a three-volume treatise on civil practice and procedure in New Hampshire state courts. It is widely consulted by both practitioners and judges. The preparation of annual updates requires a careful review of every New Hampshire Supreme Court decision involving civil law as well as statutory and rules changes.

The experience I would bring to the Court began even prior to law school. I spent more than seven years working as a legislative assistant, legislative director and, ultimately, chief of staff to U.S. Senator Gordon J. Humphrey. During those years, I gained a first-hand appreciation for and understanding of the lawmaking process. Following law school, I clerked for Norman H. Stahl of the U.S. Court of Appeals. That experience taught me the essence of the judicial function and the limits of the judicial power. Following my clerkship, I practiced in both small-firm and large-firm settings. Most of my career in private practice was spent as a partner at a large, national law firm, Nixon Peabody, which has an office in Manchester. As described below, I developed a sophisticated and successful commercial litigation practice. In addition, I spent hundreds of hours on *pro bono* matters, including as a volunteer attorney with the Bar Association's Domestic Violence Emergency project. In 2017, I left private practice for the opportunity to serve as Attorney General. As also described below, the experience I have gained reflects the extensive responsibilities of the office, which touches virtually all aspects of our justice system.

Beyond these professional credentials, I would also bring to the Court extensive experience in serving the Court and the legal profession, including in significant leadership positions. For approximately seven years, I served as Chair of the Board of Bar Examiners, an entity of the Supreme Court. In that role, I worked closely with the Court to implement the Daniel Webster Legal Scholars Program at the University of New Hampshire School of Law. I also led the effort as New Hampshire transitioned successfully to the Uniform Bar Examination, which produces bar exam results that are portable to other jurisdictions. This role led to my appointment as a member of the Board of Trustees of the National Conference of Bar Examiners. This organization supports the bar admissions process nationally and produces bar examination materials used in every state. I currently serve on the Court's Committee on Character and

Fitness, which assesses the qualifications for candidates for admission to the New Hampshire Bar.

In 2016, the Court also appointed me to chair the Commission on the New Hampshire Bar in the 21<sup>st</sup> Century, which was charged with examining the New Hampshire Bar Association. I also devoted extensive efforts to increasing access to justice. In addition to my own *pro bono* work, I was the Chair of the Leadership Council of the Campaign for Legal Services, which raises funds for New Hampshire Legal Assistance and the Legal Advice and Referral Center. The Supreme Court appointed me to its Access to Justice Commission.

I would bring very strong skills to this position. As a law clerk, I learned first-hand the appellate process. I know the importance of carefully reviewing the parties' briefs and the cases and authorities cited therein and I observed how valuable a well-prepared bench during oral arguments. The most important part of the clerkship was my role in preparing draft court opinions for review and approval by Judge Stahl and circulation to other members of the panel. They needed to be well-written, well-reasoned and the product of flawless research.

In my subsequent career as a practicing lawyer, I have further developed these skills. My practice, including my current position, has involved complicated cases with complex legal issues requiring careful legal research and analysis. My written work product has always been strong. I have greatly benefitted from practicing in settings where collegiality and collaboration have not only been part of the culture but have materially improved our efforts.

A judge must be fair and impartial. This is a principle enshrined in our Constitution and which is essential to the integrity of the judicial function. I learned that as a law clerk and have since come to practice it when I have subsequently served in adjudicatory capacities, such as, for example, as chair of the Board of Bar Examiners.

I believe that those who serve the public should strive to do so with humility and respect for all those they serve. That is particularly important for judges. They are entrusted with tremendous powers to exert in the name of the State, including the extraordinary authority to rule on an individual's liberty. This is never to be taken lightly. Like all of us, judges can make mistakes. Therefore, they must always be open to persuasion and reason. That is especially important as one member of a five-person court.

The role of a judge is necessarily isolating. While the cases an appellate court hears involve important and often complex legal issues, it is critical to remember that at the center of every case are real parties who are involved in a dispute of consequence to them. Among other considerations, it is very important that appeals courts work diligently to hear and decide cases as efficiently as possible, without forsaking the quality of the reasoning or the opinion. I would bring to the Court a very strong work ethic and a commitment to that kind of diligence.

Finally, I believe that it is essential to the integrity of the judicial process that all of those involved, including parties, lawyers and court personnel, be treated with respect. I believe that is a hallmark of professionalism, and I have tried to conduct myself that way. I have If I have the honor of being entrusted with judicial authority, I will do my best to discharge it with dignity and courtesy to all who would come before me.

10. List the names, addresses, telephone and email addresses of two lawyers and two lay people who know you well and who could act as a reference concerning your fitness to serve in a judicial office.

Hon. John T. Broderick, Jr.  
Former Chief Justice  
New Hampshire Supreme Court  
johnbroderickjr@gmail.com  
(603) 496-3378

Hon. Norman H. Stahl  
Senior Judge  
United States Court of Appeals for the First Circuit  
1 Courthouse Way  
Boston, MA 02210  
Honorable\_Norman\_Stahl@ca1.uscourts.gov  
(617) 748-4596

Hon. Gordon J. Humphrey  
Former United States Senator  
Chichester, NH  
gjhumphrey@comcast.net  
(603) 540-7309

Erica Moeser  
Former President and CEO  
National Conference of Bar Examiners  
Madison, WI  
norway46@aol.com  
(608) 770-1576

11. Have you previously completed a similar questionnaire for a judicial office? If so, please state when and where the questionnaire was submitted.

No.

12. Please identify any facts or circumstances, which you believe, might preclude one or more Commission members from fairly assessing your application for judicial appointment.

None.

#### **LAW PRACTICE/JUDICIAL EXPERIENCE**

13. List all courts in which you have been admitted to practice, with year of admission. Give the same information for any administrative bodies which require special admission to practice.

New Hampshire, 1995  
Massachusetts, 1995  
United States Court of Appeals for the First Circuit, 1995  
United States District Court for the District of Massachusetts, 1995

United States District Court for the District of New Hampshire, 1995

14. Describe your law practice and legal experience since your graduation from law school, including whether you served as clerk to a judge, and if so, the name of the judge, the court, and the dates of the period you were a clerk; whether you practiced alone, and if so, the addresses and the dates; the dates, names and addresses of law firms or law offices, companies or governmental agencies by whom you have been employed or with which you have been connected, and the nature of your connection with each; and any other relevant particulars, such as law teaching experience, mediation, arbitration and the like. If you are currently or have been a judge or clerk of court, give the position(s) and dates of service and please respond to any questions in this section about "law practice" with reference to your law practice prior to becoming a judge or clerk. For example, for those questions which request information regarding "the last 10 years" of law practice, please respond with reference to the 10 years preceding your becoming a judge or clerk.

1994-1995  
Judicial Law Clerk  
Hon. Norman H. Stahl  
United States Court of Appeals for the First Circuit  
Concord, NH 03301

1995-1997  
Associate, Litigation Department  
Hale and Dorr LLP (now, Wilmer Cutler Pickering Hale and Dorr LLP)  
60 State Street  
Boston, MA 02109

1997-1999  
Associate  
Nelson, Kinder, Mosseau & Gordon, PC  
99 Middle Street  
Manchester, NH 03101

2001-2017  
Associate, 2001-2005, and Partner, 2005-2017, Litigation Department  
Nixon Peabody LLP  
900 Elm Street  
Manchester, NH 03101

2017-present  
Attorney General  
State of New Hampshire  
Department of Justice  
33 Capitol Street  
Concord, NH 03301

15. What is the general nature of your current practice? Describe any practice areas in which you have specialized. If currently serving as a judge or clerk, please describe the nature of your duties.

The New Hampshire Attorney General is a constitutional officer with extensive common law powers as well as responsibilities and authority assigned by statutes. The office has five basic

functions: first, to serve as chief law enforcement officer; second, to prosecute crimes; third, to serve as legal counsel for all executive branch agencies, boards and commissions and to defend all three branches of government when sued; fourth, to protect the public including the exercise of authority under numerous statutes involving matters such as environmental and consumer protection and the registration and regulation of charities; and, fifth, to serve as the equivalent of a commissioner with respect to the Department of Justice, an agency with approximately 141 employees, including 61 attorneys. Invariably, my daily activities involve some combination of these five functions.

The breadth of these duties and the volume of work in the office precludes my personal involvement in every case. However, I have been personally and substantially involved with line attorneys in many matters across the jurisdiction of the office, including criminal prosecutions, civil cases, contract negotiations, client counseling and various regulatory issues.

16. To the extent that your law practice (or if a judge or clerk, your prior law practice) has involved litigation (including administrative proceedings), please describe the type of litigation in which you have been involved. If your practice has involved trial work, state, with respect to the last 10 years, the approximate number of cases tried, including a description of the nature and length of the cases you have tried to conclusion or in substantial part, stating whether you were lead counsel. State what percentage of these trials was jury, non-jury, civil or criminal. If your practice involved administrative litigation, state, with respect to the last 10 years, the approximate number of adjudicative hearings tried, including a description of the nature and the length of each hearing and whether you were lead counsel.

My career in private practice focused on complex commercial litigation. A principal focus of my practice was representing hospitals, healthcare systems, and trade associations in disputes involving reimbursement rates and taxation. These disputes involved litigation before federal and state administrative agencies and state and federal courts. The nature of this practice was not trial-focused; rather, the disputes I handled usually involved contested preliminary evidentiary hearings, typically followed by resolution on summary judgment.

17. Approximately what percentage of your law practice over the years has been devoted to:

Family Law	5	%
Corporate	0	%
Trial Work	75	%
Appellate Work	20	%
Probate	0	%
Other (please list)		%

18. Approximately what percentage of your law practice in the last 10 years was in:

Federal Courts	50	%
State Supreme Courts	5	%
State Superior Court	40	%
State District or Circuit Court	5	%
State Probate or Circuit Court		%
Other Courts (please list)		%
Administrative hearings		%

Other (please list) \_\_\_\_\_ %

19. Identify two of the most significant cases, transactions, administrative hearings and/or other legal matters specific to your practice area in which you have been involved as counsel during your legal career. List case or matter names, dates, courts or other tribunals, judges or administrative hearing officers and opposing counsel for these matters and state the nature of your involvement, including whether you were lead counsel. Please include the business telephone numbers of opposing counsel in these matters.

While serving as a private lawyer, I had an opportunity to litigate many large matters presenting complex legal issues and considerable financial consequences for the parties involved. Two such matters each involved different aspects of the state's Medicaid program. These two matters proceeded in several different forums and millions of dollars were at stake in each. They eventually converged into one very significant settlement agreement with the State, which was finalized in 2014.

In 2011, hospitals and healthcare systems brought litigation in U.S. District Court challenging the legality of reimbursement rates under the State's Medicaid program. *Dartmouth-Hitchcock Clinic, et al. v. Toumpas*, Docket No. 1:11-cv-00358-SM (U.S. District Court, District of New Hampshire) (McAuliffe, J.). I served as co-lead counsel. Following a multi-day evidentiary hearing, the court granted the plaintiffs' motion for preliminary injunction. That lawsuit eventually gave rise to two subsequent cases, *Frisbie Memorial Hospital, et al. v. State of New Hampshire*, Docket No. 219-2013-CV-00403 (Strafford County Superior Court) (Tucker, J.) and *Frisbie Memorial Hospital, et al. v. Sebelius*, Docket No. 1:13-CV-451-LM (U.S. District Court, District of New Hampshire) (McCafferty, J.).

The Medicaid Enhancement Tax is a tax imposed by the State on certain inpatient and outpatient services performed by hospitals. I served as lead counsel representing hospitals in a dispute with the State of New Hampshire regarding the constitutionality and scope of this tax. The matter involved litigation in Superior Court and the Supreme Court, *Northeast Rehabilitation Hospital v. New Hampshire Department of Revenue Administration* (Docket No. 2014-0211) (New Hampshire Supreme Court). It also involved extensive administrative practice before the Department of Revenue Administration.

While the appeal in the *Northeast Rehabilitation* case was pending, the parties commenced settlement discussions. I served as lead counsel. Following weeks of negotiations, twenty-seven hospitals entered into an omnibus agreement with the State of New Hampshire that resolved all of the then-pending Medicaid rate and tax matters. The settlement required implementing legislation, which was approved by the Legislature and signed by Governor Hassan. Mary Ann Dempsey, then a Senior Assistant Attorney General, represented the State and was the lead opposing counsel. Her current business telephone number is: (603) 271-2521.

As with many other cases I have handled, these were undeniably significant in terms of their complexity and the financial consequences. However, some of the most memorable and satisfying cases that I handled as a private lawyer arose from my work as a volunteer for the New Hampshire Bar Domestic Violence Emergency referral program and other *pro bono* work. For those clients who feared their abusers and faced an intimidating court system to seek a measure of security, there was nothing more significant to them in that moment than securing a protective order.

20. If currently a judge, list at least three significant cases over which you have presided, the dates of the cases and, if they resulted in a written opinion by you, attach copies of those opinions. Please list the counsel of record in those cases and provide their current business telephone numbers.

Not applicable.

21. If your practice involved trial work, list the case names, judges, opposing counsel and dates of the three most recent cases you have either tried to conclusion or in substantial part before a court and state whether you were lead counsel. Please include the business telephone numbers of all opposing counsel in those cases. If currently a judge, list the three most recent cases over which you presided (which are now concluded) and if they resulted in a written opinion by you, attach copies of those opinions. Please list the counsel of record in these cases and provide their current business telephone numbers. If your practice involved administrative litigation, list case names, administrative hearing officers, opposing counsel and dates of the most recent adjudicative hearings you have either litigated to conclusion or in substantial part before a federal or state administrative agency, and state whether you were lead counsel. Please include the business telephone numbers of all opposing counsel in those cases. If your practice involved corporate or probate work, identify, if possible, the most recent matters, including business transactions or matters specific to your practice area, that you have concluded or substantially concluded, opposing counsel, dates of any such matters and whether you were lead counsel. Please include the business telephone numbers of all opposing counsel in those matters.

*Georgia Tuttle, M.D., et al. v. New Hampshire Medical Malpractice Joint Underwriting Ass'n*, Docket No. 217-2010-CV (Merrimack County Superior Court). 2010-2017. Judge Richard McNamara. Co-lead counsel along with Kevin M. Fitzgerald and W. Scott O'Connell of Nixon Peabody LLP. Opposing counsel: J. David Leslie, Esq. and Eric A. Smith, Esq., Rackemann, Sawyer & Brewster, (617) 951-1131; J. Christopher Marshall, Esq., New Hampshire Department of Justice, (603) 271-3658.

*Mary Hitchcock Memorial Hospital v. Vermont Agency of Human Services*, Docket No. 1.15-cv-00453-LM, 2015-2017. Judge Landya B. McCafferty. I was lead counsel. Opposing counsel: Jon T. Alexander, Esq., Office of the Vermont Attorney General, (802) 828-1299.

*New Hampshire Hospital Ass'n, et al. v. U.S. Department of Health and Human Services, et al.*, Docket No. 1.15-cv-00460-LM, 2015-2017. Judge Landya B. McCafferty. I was lead counsel. Opposing counsel: James C. Luh, Esq., U.S. Department of Justice, (202) 514-4938.

22. Attach any legal memoranda, trial court opinions or Supreme Court briefs that you personally wrote (three if you are applying to be a judge on the Supreme Court; two if you are applying to be a judge in any other court). If you did not author any of these materials in the last year, be sure to include copies of your most recent memorandum or brief. If you are a judge, attach copies of three opinions that you wrote on challenging tort or constitutional questions (you may, but need not, provide such opinions if you have attached at least three written opinions in response to question 16 above.)

Please find attached three New Hampshire Supreme Court briefs of which I was the principal author:

*Tessier v. Rockefeller, et al.*, No. 2010-0120, Brief of Defendants/Appellees.

*ACG Credit Company, LLC v. Gill, et al.* No. 2004-0525, Brief of Petition/Appellee.

## EMPLOYMENT HISTORY

23. Since graduation from law school, have you ever been engaged in any occupation, business, or professional pursuits other than the practice of law? If so, give details, including dates, and state whether you were a principal, director, officer, or had a controlling interest in any business during this time.

From 1999 to 2000, I was employed by two political campaigns, Gordon Humphrey for Governor, 1999-2000, and Dan Quayle for President, 1999.

24. Since becoming a member of a bar, have you ever been discharged from employment for any reason or have you ever resigned after being informed that your employer intended to discharge you?

No.

## CIVIC AND COMMUNITY INVOLVEMENT

25. List all organizations other than bar, judicial, and professional associations to which you have devoted substantial time as a member or volunteer, including civic, charitable, educational, social and fraternal organizations. State whether you were an officer or director of these organizations.

National Conference of Bar Examiners  
Madison, WI  
Member, Board of Trustees, 2014-2017

New Hampshire Campaign for Legal Services Leadership Council  
Chair, 2012-2015; Member, 2010-2012, 2015-2017

Josiah Bartlett Center  
Member, Board of Directors, 2010-2017

Eleanor Campbell Charitable Fund, formerly The Deering Foundation  
Member, Board of Trustees, 2014-2017

26. Have you ever held appointive or elective public office other than judicial office? If so, give details, including the office involved, whether elected or appointed, and the length of your service, giving dates. If you have ever been a successful candidate for elective public office, please identify the office(s) and the date(s).

New Hampshire Attorney General, appointed (Governor and Executive Council), April 13, 2017-present.

27. Have you served in the military? If so, give dates, branch of service, rank, present status and type of discharge.

No.

**PERSONAL**

28. Date and place of birth.

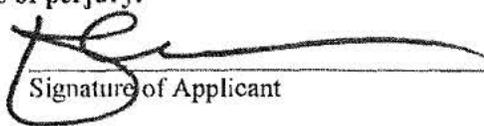
November 27, 1961  
Los Angeles, California

29. Please provide the name(s) and occupation(s) of your spouse or former spouse(s). Please note that if the Commission interviews you, you will be asked to address and family, medical, or other personal issues which could adversely affect your fitness to serve on the court. You may also be asked about other matters which could adversely affect, or could appear to others to adversely affect, your fitness for judicial appointment and be asked to provide information regarding the same.

Jennifer Eber  
Attorney  
Orr and Reno, P.A., Concord, New Hampshire

Sworn under the pains and penalties of perjury.

2/15/12  
Date

  
Signature of Applicant

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK

Personally appeared the above-named Gordon MacDonald, and made oath that the within statements subscribed to by him/her are true to the best of his/her knowledge and belief.

  
Notary Public/Justice of the Peace  
1/27/2012