

JUDICIAL NOMINATING COMMISSION

Open Session/Public Comment Hearing

July 1, 2008

Minutes

A meeting of the Judicial Nominating Commission was held on July 1, 2008 in open session at 5:15 p.m., at the Department of Administration, Second Floor, Conference Room A, Providence, Rhode Island, pursuant to the notice of the meeting to all Commissioners and to the public, as required by **RIGL §42-46-6**.

The following Commissioners, constituting a quorum, were present and participated throughout the meeting: Stephen J. Carlotti, Chairman, William Rampone, Herbert J. Brennan, Solomon Solomon, Valentino Lombardi, Faye Sanders, Mirlen A. Martinez Mal and C. June Tow.

Commissioner(s) absent: Dennis Coleman.

Also present: Heather Correia, Legal Assistant to the Commission.

Mr. Carlotti presided over the meeting and Ms. Correia acted as recording secretary.

Mr. Carlotti welcomed the audience and explained that the legislation which authorized the Governor to nominate a person for a court vacancy where that person had previously been recommended for a vacancy on the same Court on and after July 1, 2002 has been amended. Under the new legislation, the Governor may nominate any person to a vacancy on a court where that person has been recommended for that court within five years of the date of the Governor's nomination and this new provision will expire on June 30, 2009. Given that the legislation had been amended, Sandra Lanni, Kristen Rodgers and Carol Zangari respectively withdrew their names from the list of candidates. Mr. Carlotti thanked Ms. Lanni, Rodgers and Zangari for their consideration.

Mr. Carlotti said that he would prepare letters to the seven District Court candidates who have been previously recommended to a court vacancy advising them of the amended legislation and leaving it up to their own judgment whether or not they want to remain on the list. Mr. Lombardi stated that the Commission would be in a predicament if all seven individuals decided to withdraw because that would leave only two candidates remaining and the Commission is required to submit three to five names to the Governor.

Mr. Carlotti proceeded with the public hearing. He gave a brief explanation of the manner in which the meeting would be conducted and introduced each of the seven candidates. He then opened the floor for public comment and requested that everyone keep their remarks to five (5) minutes. The following persons were recognized and heard:

Judge Albert DeRobbio and Jack McMahon spoke on behalf of George Muksian; Michael Abbruzzi and Anthony DeSisto spoke on behalf of Fausto Anguilla; Angela Zimberlain and Angel Taveras spoke on behalf of Michael Fontaine; Judge Madeline Quirk and James Lynch spoke on behalf of James Murray; Susan Fabrizio spoke on behalf of Stephen Isherwood, Mark Mandell and Lucille Dessler spoke on behalf of Henry Monti; and Edmond Culhane and Marc DeSisto spoke on behalf of Brian Van Couyghen.

Following the testimonies Mr. Carlotti explained that the Commission would convene for a short time in Executive Session to review materials contained in the background investigations. A motion to retire to the JNC office at 6:42 p.m. for this purpose was made, seconded and voted on unanimously.

The executive portion of this meeting shall be closed to the public in accordance with RIGL § 42-46-4 in order to discuss matters allowed to be exempt from discussion at open meetings under subdivision (1) of §42-46-5(a), namely, the “job performance, character, or physical or mental health of a person or persons.”

The Commission reconvened in open session at 6:52 p.m. in Conference Room A. Upon motion made and seconded, members voted unanimously to seal the minutes of the preceding executive session.

Pursuant to RIGL §§42-46-4 and 42-46-5, as permitted under §42-46-7(c) the minutes of the preceding Executive Session shall be kept closed and sealed.

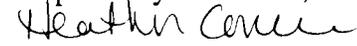
Mr. Carlotti then explained the voting process. The Commission members conducted the voting on written ballots. After the second round of voting, the following five candidates received the required number of votes and their names will be forwarded to Governor Carcieri, in alphabetical order, for his consideration, along with copies of their applications, financial information, background investigative reports and letters of recommendation:

Fausto C. Anguilla	7 votes
Stephen M. Isherwood	6 votes
Henry S. Monti	6 votes
George M. Muksian	7 votes
James V. Murray	8 votes

(Copies of the voting records are attached hereto as Exhibit A)

There being no further business in open session, upon motion made and seconded, the meeting was adjourned at 7:02 p.m.

Respectfully submitted,



Heather Correia

Legal Assistant

JUDICIAL NOMINATING COMMISSION VOTING TALLY
 SUPERIOR COURT - RAGOSTA'S SEAT

July 1, 2008

Name	Anguilla	Fontaine	Isherwood	Lanni	Monti	Muksian	Murray	Rodgers	Van Couyghen	Zangari
Carlotti	✓		✓		✓	✓	✓			
Brennan	✓		✓		✓	✓	✓			
Coleman										
Lombardi	✓	✓			✓	✓	✓			
Mal		✓	✓		✓		✓		✓	
Rampone			✓		✓	✓	✓		✓	
Sanders	✓	✓					✓		✓	
Solomon	✓		✓		✓	✓	✓			
Tow	✓		✓			✓	✓		✓	
TOTAL	6	3	6		6	6	8		4	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Stephen J. Carlotti, Chairman

ROUND: 1

Name	Yes (✓)
Fausto Anguilla ,	✓
Michaël Fontaine	
Stephen Isherwood .	✓
Sandra Lanza	
Henry Monti	✓
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Herbert Brennan

ROUND: ①

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	
Stephen Isherwood	✓
Sandra Lanni	
Henry Monti	✓
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT
July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Valentino Lombardi

ROUND: 1

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	✓
Stephen Isherwood	
Sandra Lanni	
Henry Monti	✓
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Mirlen A. Martinez Mal

ROUND: 1

Name	Yes (✓)
Fausto Anguilla	
Michael Fontaine	✓
Stephen Isherwood	✓
Samuel Lanni	
Henry Monti	✓
George M. Muksian	
James V. Murray	✓
Kyle Rodgers	
Brian Van Couyghen	✓
David Wagner	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT
July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: William Rampone

ROUND: 1

Name	Yes (✓)
Fausto Anguilla	
Michael Fontaine	
Stephen Isherwood	✓
Samuel Rodriguez	
Henry Monti	✓
George M. Muksian	✓
James V. Murray	✓
Kristin Rodriguez	
Brian Van Couyghen	✓
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Faye Sanders

ROUND: 1

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	✓
Stephen Isherwood	
Stanley B. ...	
Henry Monti	
George M. Muksian	
James V. Murray	✓
William ...	
Brian Van Couyghen	✓
...	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Solomon Solomon

ROUND: ONE

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	
Stephen Isherwood	✓
Sandra Lanni	
Henry Monti	✓
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: June ~~C~~ Tow

ROUND: ONE

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	
Stephen Isherwood	✓
(Sandra Lanni)	
Henry Monti	
George M. Muksian	✓
James V. Murray	✓
(Kristen Rodgers)	
Brian Van Couyghen	✓
(Carol Zangari)	

ROUND 2

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPERIOR COURT - RAGOSTA'S SEAT

July 1, 2008

Name	Anguilla	Fontaine	Isherwood	Lanni	Monti	Muksian	Murray	Rodgers	Van Couyghen	Zangari
Carlotti	✓		✓		✓	✓	✓			
Brennan	✓		✓		✓	✓	✓			
Coleman										
Lombardi	✓				✓	✓	✓		✓	
Mal	✓		✓		✓		✓		✓	
Rampone			✓		✓	✓	✓		✓	
Sanders	✓					✓	✓		✓	
Solomon			✓		✓	✓	✓			
Tow	✓		✓			✓	✓		✓	
TOTAL	7		6		6	7	8		5	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Stephen J. Carlotti, Chairman

ROUND: 2

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	
Stephen Isherwood	✓
Sandra Lanni	
Henry Monti	✓
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Herbert Brennan

ROUND: 2

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	
Stephen Isherwood	✓
Sandra Lanni	
Henry Monti	✓
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT
July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Valentino Lombardi

ROUND: 2

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	
Stephen Isherwood	
Sandra Lanni	
Henry Monti	✓
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	✓
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Mirlen A. Martinez Mal

ROUND: 2

Name	Yes (✓)
- Fausto Anguilla	✓
Michael Fontaine	
Stephen Isherwood	✓
Sally Lami	
Henry Monti	✓
George M. Muksian	
James V. Murray	✓
Kristen Rogers	
Brian Van Couyghen	✓
John Zingari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: William Rampone

ROUND: 2

Name	Yes (✓)
Fausto Anguilla	
Michael Fontaine	
Stephen Isherwood	✓
Sandra Lanni	
Henry Monti	✓
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	✓
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT
July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Solomon Solomon

ROUND: TWO

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	
Stephen Isherwood	✓
Sandra Lanni	
Henry Monti	✓
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Faye Sanders

ROUND: 2

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	
Stephen Isherwood	
Sandra Lanni	
Henry Monti	
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	✓
Carol Zangari	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

SUPERIOR COURT – RAGOSTA’S SEAT

July 1, 2008

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: June ~~H~~ Tow

ROUND: 2

Name	Yes (✓)
Fausto Anguilla	✓
Michael Fontaine	
Stephen Isherwood	✓
Sandra Lanni	
Henry Monti	
George M. Muksian	✓
James V. Murray	✓
Kristen Rodgers	
Brian Van Couyghen	✓
Carol Zangari	