

JUDICIAL NOMINATING COMMISSION

Open Session/Public Comment Hearing

November 17, 2009

Minutes

A meeting of the Judicial Nominating Commission was held on November 17, 2009, in open session at 5:15 p.m., at the Department of Health, Three Capitol Hill, Lower Level Auditorium, 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: Herbert J. Brennan, D.O., Chairperson, Robert M. Silva, Mirlen A. Martinez Mal, Norman L. Landroche, Jr., D. Faye Sanders, Solomon A. Solomon, C. June Tow and Dennis M. Coleman.

Commissioner(s) absent: Jeffrey M. Grybowski.

Also present: Eneida Diaz, Legal Assistant to the Commission.

Dr. Brennan presided over the meeting and Ms. Diaz acted as recording secretary.

Dr. Brennan welcomed the audience, introduced the commissioners and Ms. Diaz and gave a brief explanation of the manner in which the meeting would be conducted and introduced each of the six 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:

Robert G. Flanders, Jr., former Supreme Court Associate Justice, Lucia Gil Case, Associate Justice Debra E. DiSegna, Associate Justice Susan E. McGuirl, Kevin A. McKenna, Municipal Court Judge, Frederic Reamer, John Shey, Aricle Yaffee, Louis J. Saccoccio, Esq., Michael A. St. Pierre, Esq., Peter A. DiBiase, Esq., John A. Tarantino, Esq., Teresa Giusti, Esq. and Mary Ryan.

Dr. Brennan then explained the voting process. The Commission members conducted the voting on written ballots. After one round of voting, the following six candidates received the following number of votes:

Laureen D'Ambra	4 votes
Gilbert V. Indeglia	7 votes
Sandra A. Lanni	5 votes
John A. MacFadyen	7 votes
Judith C. Savage	8 votes

Samuel D. Zurier

5 votes

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

There being a candidate with four votes, a second round of voting was announced by Dr. Brennan citing voting process rule number 4, which reads as follows, "A second round of voting shall be required if after the first round, there are three, four or five applicants with five (5) or more votes and one or more with four (4) votes....."

A motion was made and seconded to enter into executive session at 7:17 p.m. during which the voting rules were clarified, there being no further business in executive session, a motion was made and seconded to return to open session at 7:30 p.m.

Dr. Brennan explained the voting rules and the necessity for a second round of voting and the Commission members conducted the voting on written ballots. After a 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:

Gilbert V. Indeglia	7 votes
Sandra A. Lanni	5 votes
John A. MacFadyen	8 votes
Judith C. Savage	8 votes
Samuel D. Zurier	6 votes

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

Dr. Brennan then announced the retirement of Commissioner Solomon A. Solomon and recognized his years of service to the Commission.

There being no further business in open session, upon motion made and seconded, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

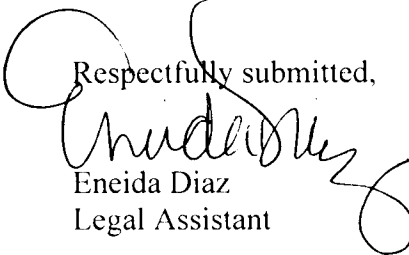

Eneida Diaz
Legal Assistant

Exhibit A

COMPLETE TALLY ROUND 1

ROUND 1

JUDICIAL NOMINATING COMMISSION VOTING TALLY
 SUPREME COURT - ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D'Ambr	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal						
Sanders						
Silva						
Solomon						
Tow						
TOTAL	4	7	5	7	8	5

Handwritten notes:
 Zurier 5
 Indeglia 7
 MacFadyen 7
 Savage 8
 D'Ambr 4

ROUND 1

JUDICIAL NOMINATING COMMISSION VOTING TALLY
SUPREME COURT – ASSOCIATE JUSTICE SUTTELL’S SEAT

November 17, 2009

Name	Laureen D’Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche		1		1	1	
Mal						
Sanders						
Silva						
Solomon						
Tow						
TOTAL						

ROUND I

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D' Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal						
Sanders						
Silva		X		X	X	
Solomon						
Tow						
TOTAL						

ROUND 1

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL’S SEAT

November 17, 2009

Name	Laureen D’Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal						
Sanders						
Silva						
Solomon						
Tow	✓	✓	✓	✓	✓	
TOTAL						

ROUND 1

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D'Ambr	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal						
Sanders						
Silva						
Solomon	✓	✓	✓		✓	✓
Tow						
TOTAL						

ROUND 1

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D' Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman		✓	✓	✓	✓	✓
Grybowski						
Landroche						
Mal						
Sanders						
Silva						
Solomon						
Tow						
TOTAL						

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D'Ambr	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal						
Sanders	✓	✓		✓	✓	✓
Silva						
Solomon						
Tow						
TOTAL						

ROUND 1

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D'Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal		✓	✓	✓	✓	✓
Sanders						
Silva						
Solomon						
Tow						
TOTAL						

ROUND 1

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL’S SEAT

November 17, 2009

Name	Laureen D’Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan	✓		✓	✓	✓	✓
Coleman						
Grybowski						
Landroche						
Mal						
Sanders						
Silva						
Solomon						
Tow						
TOTAL						

Exhibit B

COMPLETE TALLY ROUND 2

ROUND 2

JUDICIAL NOMINATING COMMISSION VOTING TALLY
 SUPREME COURT - ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Savage 8
 McFadyen 8
 Indeglia 7
 Zurier 6
 Lanni 5
 D'Ambr - 2

Name	Laureen D'Ambr	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal						
Sanders						
Silva						
Solomon						
Tow						
TOTAL	2	7	5	8	8	6

ROUND 2

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D' Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal						
Sanders						
Silva						
Solomon		✓	✓	✓	✓	✓
Tow						
TOTAL						

ROUND 2

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D' Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal						
Sanders						
Silva						
Solomon						
Tow	✓	✓	✓	✓	✓	
TOTAL						

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D'Ambr	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal						
Sanders						
Silva		X		X	X	X
Solomon						
Tow						
TOTAL						

ROUND 2ND

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D' Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche		1		1	1	
Mal						
Sanders						
Silva						
Solomon						
Tow						
TOTAL						

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D' Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman		✓	✓	✓	✓	✓
Grybowski						
Landroche						
Mal						
Sanders						
Silva						
Solomon						
Tow						
TOTAL						

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D'Ambra	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal						
Sanders		✓		✓	✓	✓
Silva						
Solomon						
Tow						
TOTAL						

ROUND 2

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D'Amبرا	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan						
Coleman						
Grybowski						
Landroche						
Mal		✓	✓	✓	✓	✓
Sanders						
Silva						
Solomon						
Tow						
TOTAL						

ROUND 2

JUDICIAL NOMINATING COMMISSION VOTING TALLY

SUPREME COURT – ASSOCIATE JUSTICE SUTTELL'S SEAT

November 17, 2009

Name	Laureen D'Amبرا	Gilbert V. Indeglia	Sandra A. Lanni	John A. MacFadyen	Judith C. Savage	Samuel D. Zurier
Brennan	✓		✓	✓	✓	✓
Coleman						
Grybowski						
Landroche						
Mal						
Sanders						
Silva						
Solomon						
Tow						
TOTAL						