

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

No. 2012-0398

APPEAL OF
NORTHERN NEW ENGLAND TELEPHONE OPERATIONS, LLC
D/B/A FAIRPOINT COMMUNICATIONS-NNE

VERIFIED APPLICATION OF GREGORY M. KENNAN

TO APPEAR *PRO HAC VICE*

Pursuant to Supreme Court Procedural Rule 33, the undersigned requests permission to appear *pro hac vice* and participate in this appeal on behalf of Choice One of New Hampshire Inc., Conversent Communications of New Hampshire, LLC, CTC Communications Corp., and Lightship Telecom, LLC, all of which do business as “EarthLink Business” (“EarthLink”), petitioners in the original matter and appellees here. In support of this request, the undersigned counsel affirms under pains and penalties of perjury as follows:

1. I reside at 129 Hollis St., Sherborn, MA 01770.
2. Through my professional corporation, Kennan Law P.C., I am of counsel to Fagelbaum & Heller LLP, with an office at 20 N. Main St., P.O. Box 230, Sherborn, MA 01770.
3. I seek to represent EarthLink, the address of which is 5 Wall Street, Burlington, MA 01803.
4. The contact person for EarthLink is Paula W. Foley, Esq., 781-362-5713.
5. I am a member in good standing of the Massachusetts Bar and have been so continuously since my admission in 1979. I have also been admitted to practice law in the U.S.

District Court for the District of Massachusetts and the U.S. Court of Appeals, First Circuit, since 1980 and the United States Supreme Court since 1984.

6. I have not been denied admission *pro hac vice* in New Hampshire. I have not had admission *pro hac vice* revoked from me in New Hampshire. I have not otherwise been formally disciplined or sanctioned by any court in New Hampshire.

7. There has not been a formal, written disciplinary proceeding brought against me by any disciplinary authority in any other jurisdiction within the last five years.

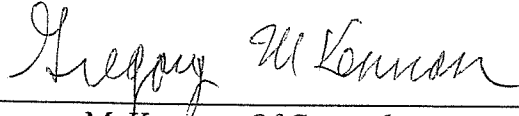
8. I have not been held in contempt or otherwise sanctioned by any court in a written order in the last five years for disobedience of its rules or orders.

9. I have not applied to appear *pro hac vice* in New Hampshire within the preceding two years.

10. Should this appeal require oral argument, Amy Manzelli, Esq. is available to accompany me. Ms. Manzelli is an active member in good standing of the New Hampshire Bar (Attorney No. 17128), has a business address of Baldwin & Callen, PLLC, 3 Maple Street, Concord, NH 03301, and has a business telephone number of 603-225-2585.

For the foregoing reasons, the undersigned counsel requests that the Supreme Court of the State of New Hampshire approve this application to appear *pro hac vice* as counsel for EarthLink.

Respectfully submitted,

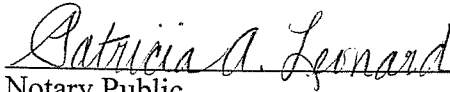


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COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

On this 22nd day of June 2012, before me, the undersigned notary public, personally appeared Gregory M. Kennan, proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Notary Public

My commission expires:

PATRICIA A. LEONARD

Notary Public

My Commission Expires

September 20, 2013