

VERMONT SUPERIOR COURT  
Orange Unit  
5 Court Street  
Chelsea VT 05038  
802-685-4610  
www.vermontjudiciary.org



CIVIL DIVISION  
Case No. 24-CV-04754

**H. Paige v. Sarah Copeland-Hanzas et al**

**ENTRY REGARDING MOTION**

Title: Motion to Strike OR OTHERWISE RULE (Motion: 3)  
Filer: H. Brooke Paige  
Filed Date: January 30, 2025

The motion is DENIED.

The Attorney General has corrected the oversights and alleged issues in Plaintiff's Motion to Strike. Whatever initial service problems Plaintiff alleges in the initial filing have been cured. While it may not have been pretty, the process has been completed. The Court finds no benefit accruing to either party or to the administration of justice by belaboring or continuing this undercard fight.

Rule 5(h) is drafted to allow the Court a variety of options to deal preliminary defects in service. V.R.C.P. 5(h) (A)–(C). In this case, the Court has held off ruling on the underling Motion to Dismiss until the proper certificates were filed and the filing was brought into compliance with Defendant's obligations under Rule 5. Now that it has, the Court can take up the Motion to Dismiss consistent with the plain language of Rule 5(h)(B).

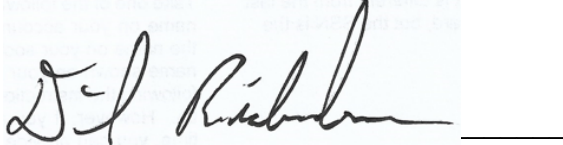
The Court finds neither a legal nor factual basis within this issue to impose the draconian remedy of striking the motion under V.R.C.P. 12(e). There has been no prejudice to Plaintiff. He has the motion, and the service issue has been resolved. The only possible prejudice would be a foreclosure of Plaintiff's window to respond to the Defendants' Motion to Dismiss. To that end, the Court will give Plaintiff 30 days from the date of this Order to file a reply or opposition to the State's Motion to Dismiss.

**ORDER**

Based on the foregoing, Plaintiff's Motion to Strike is **Denied**. Plaintiff has until Monday, April 14, 2025 to file an opposition or reply to the Defendants' Motion to Dismiss. The Court will  
Entry Regarding Motion  
24-CV-04754 H. Paige v. Sarah Copeland-Hanzas et al

then permit the Defendant 15 days, in accordance with Rule 7 to file any reply or response necessary to Plaintiff's filing.

Electronically signed on 3/13/2025 12:15 AM pursuant to V.R.E.F. 9(d)

A handwritten signature in black ink, appearing to read "D. Richardson", is written over a light blue rectangular background. A horizontal line extends from the end of the signature to the right.

Daniel Richardson  
Superior Court Judge