

**STATE OF VERMONT
PROFESSIONAL RESPONSIBILITY PROGRAM**

**In re Thomas Melone
PRB File No. 120-2025**

**ENTRY ORDER
RESPONDENT'S MOTION TO RECUSE PANEL**


Respondent has filed a motion which requests that the remaining members of the Hearing Panel recuse themselves and that a mistrial be declared. For the reasons set forth herein, the motion is *denied*.

On February 12, 2026, the former chair of the Hearing Panel, Mimi Brill, Esq., recused herself upon motion of Conflict Disciplinary Counsel (CDC). Ms. Brill had exchanged emails with the Chair of the Professional Responsibility Board in connection with this proceeding. CDC asserted, and Ms. Brill agreed, that the exchange constituted an *ex parte* communication which required recusal.

In his motion, Respondent makes two allegations for which there are no basis in fact or law: first, that Ms. Brill violated the Code of Judicial Conduct and second, that Ms. Brill's communication with the Board Chair is somehow attributable to the other members of the panel.

Ms. Brill recused herself because of her own *ex parte* communications. The remaining panel members, Mr. Shriver and Mr. Bannon did not engage in those communications. Indeed, Respondent does not allege that they did. In short, there is no factual basis for the recusal of the remaining panel members. Accordingly, Respondent's motion to recuse Mr. Shriver and Mr. Bannon is *denied*.

Dated this 11th day of March 2026



Chair¹

¹ As provided in A.O. 9, Rule 14 D, "The chair of the hearing panel rules on any motion to disqualify."