

**STATE OF VERMONT
PROFESSIONAL RESPONSIBILITY PROGRAM**

In Re THOMAS MELONE

PRB File No. 120-2025

RESPONDENT'S MOTION TO EXTEND DEADLINES

Respondent Thomas Melone respectfully moves this Hearing Panel for an order setting case deadlines as outlined below. As this Panel knows, there are various motions, subpoenas, and deadlines pending in this case, some of which have been stayed and some of which remain in effect. Respondent proposes both enlarged deadlines as well as new, interim deadlines in order to streamline case management through final disposition of this matter. Respondent recently retained new counsel who have familiarized themselves with the extensive record developed to date and believe these deadlines will provide both structure and clarity to the Parties' efforts as they work to complete discovery and summary judgment this summer and prepare for any potential hearing this fall. The proposed scheduling order also permits the Panel sufficient time to review and rule upon the motions pending and to be filed.

As grounds for this Motion, Respondent further states:

1. Between October 2025 and February 2026, Respondent served a number of subpoenas for deposition testimony and subpoenas *duces tecum*. Certain individuals and entities subsequently filed motions to quash their subpoenas.
2. On March 17, 2026, this Panel entered a Scheduling Order, as detailed in the chart below.
3. On March 25, 2026, this Panel extended the deadlines in that Scheduling Order by 60 days, provided that Attorney Lisa Shelkrot enter an appearance on behalf of Respondent within 5 business days, which she did.

4. On April 6, 2026, this Panel entered an Entry Order staying all depositions until further order of the Panel.
5. On May 19, 2026, this Panel entered an Entry Order lifting any stays of depositions and of subpoenas *duces tecum* “as each motion to quash is decided by the Chair.”
6. Accordingly, all depositions and subpoenas *duces tecum* in this matter were stayed for a minimum of six weeks. Several subpoenas, subject to motions to quash or motions for reconsideration currently pending before the Panel, remain stayed as of the date of this filing.
7. In part because Ms. Shelkrot understood that she would be occupied with a federal criminal trial in June, Respondent also engaged attorneys at Hogan Lovells US LLP to represent him in this matter alongside Ms. Shelkrot. *Pro hac vice* motions for counsel from Hogan Lovells were granted by the Panel on May 29, 2026.
8. Counsel for Respondent now propose a reasonable extension of certain deadlines, as well as the addition of certain other interim deadlines, with a final hearing date just six weeks beyond Conflict Disciplinary Counsel’s stated goal of a September 2026 hearing. To ensure the Parties are prepared to resolve this matter by the fall and avoid further enlargement of dates, Counsel for Respondent include deadlines for summary judgment briefing and pre-trial matters.
9. The proposed schedule accounts for witness schedules (some of whom already indicated extensive blackout dates due to vacation) over summer months, resetting depositions that have been stayed or whose status remains pending, and affording time for disposition of Respondent’s Partial Motion for Summary Judgment on the Pleadings and Respondent’s Motion to Dismiss for Structural Error.¹ Counsel seeks to resolve this matter expeditiously,

¹ Conflict Disciplinary Counsel has filed a notice stating that he intends to file a response to each of these potentially dispositive motions and may do so as late as within the thirty days permitted by V.R.C.P. 7(b)(4).

with limited further discovery intervention from the Panel, and will continue apace with discovery while these dispositive motions remain pending.

10. Attorneys for Respondent conferred with Conflict Disciplinary Counsel in an effort to reach agreement on a proposed schedule prior to filing this Motion. Conflict Disciplinary Counsel indicated that he opposes Respondent's proposed schedule and did not provide a counterproposal.

11. The Proposed Deadline column contains the proposed schedule set forth by Respondent:

Event	March 17, 2026 Scheduling Order	Revised Scheduling Order	Proposed Deadline
Requests by a party for nonprivileged documents and evidence	March 26, 2026	May 25, 2026	July 24, 2026
Close of Fact Discovery	April 21, 2026	June 22, 2026	August 7, 2026
Petitioner to identify expert witnesses	April 6, 2026	June 5, 2026	August 7, 2026
Respondent to identify expert witnesses	April 6, 2026	N/A	August 14, 2026
Close of Expert Discovery	N/A	N/A	August 28, 2026
Motions for Summary Judgment	N/A	N/A	September 11, 2026
Summary Judgment Oppositions	N/A	N/A	September 25, 2026
Summary Judgment Replies	N/A	N/A	October 2, 2026
Exchange names and addresses of all persons having knowledge of relevant facts and/or of witnesses, including substance of anticipated testimony of witness	April 6, 2026	June 5, 2026	October 16, 2026
Pre-trial Conference	May 11, 2026	July 10, 2026	Date convenient for Panel
Petitioner identifies and marks all documents he intends to offer for admission into evidence	N/A	N/A	October 16, 2026
Respondent identifies and marks all documents he	N/A	N/A	October 23, 2026

intends to offer for admission into evidence			
Motions in Limine	May 11, 2026	July 10, 2026	October 30, 2026
Oppositions to Motions in Limine	N/A	N/A	November 6, 2026
Any proposed exhibit not objected to shall be admitted into evidence	N/A	N/A	November 6, 2026
Hearing	N/A	N/A	November 10, 2026 or later, on date convenient for Panel

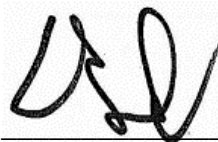
The proposed schedule will enable the Parties, through counsel, to narrow the issues for hearing, organize and streamline the presentation of exhibits and witnesses, and make the most efficient use of the Panel’s time.

Accordingly, Respondent respectfully requests that the Panel adopt the Proposed Deadlines set forth above, including by replacing all deadlines set forth in the March 25 scheduling order with those proposed herein.

Dated: June 2, 2026

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "A Fuller", with a horizontal line underneath.

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