

## Richard Gamester

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**From:** Duncan MacCallum [madbarrister@aol.com]  
**Sent:** Monday, September 21, 2020 2:52 PM  
**To:** jay@nadeaulawoffice.com; johnktabor@gmail.com; rpsullivan@cityofportsmouth.com; amwjcw@comcast.net; commissionerhart@gmail.com; rgamester@comcast.net; votenancy.pearson@gmail.com; edinan@seacoastonline.com; esthersmarina@gmail.com  
**Cc:** sravell@cityofportsmouth.com  
**Subject:** Re: Complaint Against Esther Kennedy

My thanks to Mr. Nadeau for his insightful comments, but this proceeding is a matter of considerable public interest, and Beth Dinan has specifically made a standing request to me that I send her copies of whatever I file with the panel.

Inasmuch as Mr. Tabor and Bob Sullivan have both made clear that anything that gets filed with the Ethics Committee immediately becomes a matter of public record, she would be entitled to obtain copies of it under the Right to Know Law, anyway. Therefore, it would seem to make little sense to deny her request and to force her to make a needless trip to City Hall in order to get a copy, every time I file something, thereby wasting her time and making it more difficult for her to do her job. I do not plan to do that, and I will be continuing to send her copies of whatever I file.

Duncan MacCallum

-----Original Message-----

**From:** jay@nadeaulawoffice.com  
**To:** Duncan MacCallum <madbarrister@aol.com>; johnktabor@gmail.com <johnktabor@gmail.com>; rpsullivan@cityofportsmouth.com <rpsullivan@cityofportsmouth.com>; amwjcw@comcast.net <amwjcw@comcast.net>; commissionerhart@gmail.com <commissionerhart@gmail.com>; rgamester@comcast.net <rgamester@comcast.net>; votenancy.pearson@gmail.com <votenancy.pearson@gmail.com>; kathleencavalario@gmail.com <kathleencavalario@gmail.com>  
**Cc:** sravell@cityofportsmouth.com <sravell@cityofportsmouth.com>  
**Sent:** Mon, Sep 21, 2020 1:31 pm  
**Subject:** RE: Complaint Against Esther Kennedy

Dear Chairman Tabor and Committee Members:

As I stated below, Mrs. Cavalario's Affidavit is being submitted to correct what she believes are inaccurate and misleading statements Counselor Kennedy made in reference to her, as well as, negative inferences that may be drawn therefrom.

Mrs. Cavalario is employed by the Seacoast Repertory Theatre, a valued and integral part of the Portsmouth Community and Mrs. Cavalario regards it as her obligation to bring before the Committee the facts set out in her Affidavit.

Please note, I did not copy SeacoastOnline as Attorney McCallum did, as I consider that highly inappropriate given the serious nature of what your Committee is considering.

Very truly yours,

Jay Nadeau

**Jay Nadeau, Esq.**  
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----- Original Message -----

Subject: Re: Complaint Against Esther Kennedy  
From: Duncan MacCallum <[madbarrister@aol.com](mailto:madbarrister@aol.com)>  
Date: Mon, September 21, 2020 12:07 pm  
To: "[jay@nadeaulawoffice.com](mailto:jay@nadeaulawoffice.com)" <[jay@nadeaulawoffice.com](mailto:jay@nadeaulawoffice.com)>, "[johnktabor@gmail.com](mailto:johnktabor@gmail.com)" <[johnktabor@gmail.com](mailto:johnktabor@gmail.com)>, "[rpsullivan@cityofportsmouth.com](mailto:rpsullivan@cityofportsmouth.com)" <[rpsullivan@cityofportsmouth.com](mailto:rpsullivan@cityofportsmouth.com)>, "[amwjcw@comcast.net](mailto:amwjcw@comcast.net)" <[amwjcw@comcast.net](mailto:amwjcw@comcast.net)>, "[commissionerhart@gmail.com](mailto:commissionerhart@gmail.com)" <[commissionerhart@gmail.com](mailto:commissionerhart@gmail.com)>, "[rgamester@comcast.net](mailto:rgamester@comcast.net)" <[rgamester@comcast.net](mailto:rgamester@comcast.net)>, "[votenancy.pearson@gmail.com](mailto:votenancy.pearson@gmail.com)" <[votenancy.pearson@gmail.com](mailto:votenancy.pearson@gmail.com)>, "[kathleencavalaro@gmail.com](mailto:kathleencavalaro@gmail.com)" <[kathleencavalaro@gmail.com](mailto:kathleencavalaro@gmail.com)>  
Cc: "[sravell@cityofportsmouth.com](mailto:sravell@cityofportsmouth.com)" <[sravell@cityofportsmouth.com](mailto:sravell@cityofportsmouth.com)>, "[edinan@seacoastononline.com](mailto:edinan@seacoastononline.com)" <[edinan@seacoastononline.com](mailto:edinan@seacoastononline.com)>

If Ms. Cavalaro and Mr. Nadeau can't attend this evening's meeting, where I can cross-examine her, then as far as I'm concerned the affidavit cannot be considered.

If Mr. Nadeau and Ms. Cavalaro merely want the affidavit to "be made a part of the record," that's fine; but I object to its being admitted into evidence, absent the opportunity for cross-examination.

Duncan MacCallum

-----Original Message-----

From: [jay@nadeaulawoffice.com](mailto:jay@nadeaulawoffice.com)  
To: [johnktabor@gmail.com](mailto:johnktabor@gmail.com) <[johnktabor@gmail.com](mailto:johnktabor@gmail.com)>; [rpsullivan@cityofportsmouth.com](mailto:rpsullivan@cityofportsmouth.com) <[rpsullivan@cityofportsmouth.com](mailto:rpsullivan@cityofportsmouth.com)>; [amwjcw@comcast.net](mailto:amwjcw@comcast.net) <[amwjcw@comcast.net](mailto:amwjcw@comcast.net)>; [commissionerhart@gmail.com](mailto:commissionerhart@gmail.com) <[commissionerhart@gmail.com](mailto:commissionerhart@gmail.com)>; [rgamester@comcast.net](mailto:rgamester@comcast.net) <[rgamester@comcast.net](mailto:rgamester@comcast.net)>; [votenancy.pearson@gmail.com](mailto:votenancy.pearson@gmail.com) <[votenancy.pearson@gmail.com](mailto:votenancy.pearson@gmail.com)>; Kathleen Cavalaro <[kathleencavalaro@gmail.com](mailto:kathleencavalaro@gmail.com)>; [madbarrister@aol.com](mailto:madbarrister@aol.com) <[madbarrister@aol.com](mailto:madbarrister@aol.com)>  
Cc: Synthia Ravell <[sravell@cityofportsmouth.com](mailto:sravell@cityofportsmouth.com)>  
Sent: Mon, Sep 21, 2020 11:45 am  
Subject: Complaint Against Esther Kennedy

Dear Chairman Tabor, Committee Members, Attorney Sullivan, Mrs. Pearson and Attorney McCallum:

Attached hereto please find the Affidavit of Mrs. Kathleen Cavalaro for filing relative to the Ethics Complaint against Counselor Esther Kennedy. This Affidavit specifically addresses statements in the Time Line submitted by Counselor Kennedy that reference Mrs. Cavalaro and which Mrs. Cavalaro considers inaccurate and misleading.

Mrs. Cavalaro's Affidavit is being submitted merely to correct those inaccurate and misleading statements Counselor Kennedy made in reference to her and also to address the wrongful inferences Mrs. Cavalaro believes may result from those inaccurate statement.

Neither Mrs. Cavalaro, nor I, will be attending this evening Meeting, however, we request that this Affidavit be made a part of the record.

Thank you for your attention in this regard.

Very truly yours,

Jay Nadeau

**Jay Nadeau, Esq.**  
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