

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
NORTHERN DISTRICT

SUPERIOR COURT

Kerry P. Steckowych

v.

Gerard Beloin

**VERIFIED PETITION FOR PRELIMINARY INJUNCTION PURSUANT TO
SUPERIOR COURT RULES 161 (B)**

NOW COMES, Kerry Steckowych, Esquire, by and through counsel, Shaheen & Gordon, P.A., and respectfully petitions the Court for a preliminary injunction prohibiting Gerard Beloin or his agents or representatives, from publishing, disseminating, disclosing, or otherwise revealing the contents or substance of illegally intercepted communications between Gerard Beloin and John Janigan and states as his reasons the following:

Parties

1. Plaintiff Kerry P. Steckowych, Esquire, resides at 5 Miles Avenue, Goffstown, New Hampshire 03045.
2. Defendant Gerard Beloin resides at 45 Tucker Mill Road, New Boston, New Hampshire 03070.

Jurisdiction and Venue

3. With regard to the Petition, this Court has subject matter jurisdiction over this action under its equitable powers RSA 491:7 and RSA 498:1. This Court has personal jurisdiction over the Defendant as he resides in New Hampshire.

4. Venue is proper in Hillsborough County,(North) under RSA 507: 9 because the parties reside in the towns of Goffstown and New Boston located in Hillsborough County.

Facts

5. Plaintiff is a licensed attorney in the State of New Hampshire, police prosecutor, and member and former chairman of the Goffstown School Board.

6. During the course of Plaintiff's tenure on the board, issues arose concerning the reroofing for the Goffstown Area High School.

7. Defendant is principal owner of BlueStone Inc., a company engaged in the custom design, manufacture, and distribution of performance-oriented roofing systems, and was a bidder on the roofing contractor.

8. Defendant did not obtain the contract.

9. Following his failure to obtain the contract, the Defendant pursued a course of public condemnation of Plaintiff, including the issuance of letters to federal, state, and county agencies, including the Hillsborough County Commissioner, the New Hampshire Attorney General's Office, and the FBI. The allegations made against the Plaintiff by the Defendant included, but were not limited to, racketeering activities, theft, bid-rigging, and extortion and death threats.

10. On information and belief, on or about December 13, 2004, the Defendant secretly recorded an oral communication between himself and John Janigan, his 86-year-old landlord, without Janigan's consent in violation of RSA 570-A:2. See Exhibit 1.

11. The Defendant then downloaded the intercepted communication onto a CD disc. He published selected portions of the illegally intercepted communications to

public officials including members of the New Boston School Board and the Disciplinary Office of the New Hampshire Supreme Court, in a calculated effort to cause Plaintiff harm. See Exhibit 1, attachments A and B.

12. RSA 570-A:4 provides that: “any electronic, mechanical, or other device used, sent, carried, manufactured, assembled, possessed, sold, or advertised in violation of RSA 57-A: 2 or 570-A:3 may be seized and forfeited to the State according to the procedures set forth in RSA 617.”

13. RSA 570:6 provides: “Whenever any telecommunication or oral communication has been intercepted, no part of the contents of such communication and no evidence derived therefrom may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the state, or a political subdivision thereof, if the disclosure of that information would be in violation of this chapter.”

WHEREFORE, Plaintiff prays for the following relief:

A. That this Court preliminarily enjoin the Defendant from publishing, disseminating, disclosing, or otherwise revealing the contents or substance of any illegally intercepted communications between himself and John Janigan.

B. That this Court order the Defendant to provide a listing of all persons to whom he published the illegally recorded recordings by way of CD disc or transcripts.

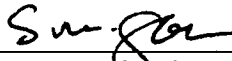
C. That this Court order the Defendant to submit to the Court, any and all recordings and copies of recordings of illegally intercepted communications.

D. That this Court order the Defendant to submit to the Court the device by which he illegally recorded the communication.

E. Grant such other relief as may be just and proper.

Respectfully submitted,
Kerry P. Steckowych
By his attorneys,
SHAHEEN & GORDON, P.A.

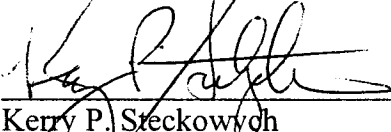
Date: March 29, 2005



Steven M. Gordon
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VERIFICATION

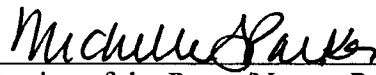
I, Kerry P. Steckowych, verify and affirm under oath that the facts stated in this Verified Petition for Preliminary Injunction Pursuant to Superior Court Rules 161(B) and Request for Statutory Damages Pursuant to RSA 570-A:11 are true to the best of my knowledge and belief.



Kerry P. Steckowych

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

Subscribed and sworn before me this 29th day of March 2005.



Justice of the Peace/Notary Public
My Comm. Expires: 01/15/08

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