

THE STATE OF NEW HAMPSHIRE  
SUPREME COURT



**In Case No. 2009-0931, Appeal of AFSCME Council 93, Local 1386 Portsmouth City Employees, the court on February 3, 2010, issued the following order:**

Appeal from administrative agency is declined. See Rule 10(1).

Under Supreme Court Rule 10, the supreme court has discretion to decline an appeal from an administrative agency. No appeal, however, is declined except by unanimous vote of the court with at least three justices participating.

This matter was considered by each justice whose name appears below. If any justice who reviewed this case believed the appeal should have been accepted, this case would have been accepted and scheduled for briefing.

Declined.

Broderick, C.J., and Dalianis, Duggan, Hicks and Conboy, JJ., concurred.

**Eileen Fox,  
Clerk**

Distribution:  
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