

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
C.J. Mozzochi,

FINAL DECISION

Complainant

against

Docket #FIC 85-248

William Rogers, Harvey Katz
and Homer Scoville,

Respondents

May 28, 1986

The above captioned matter was heard as a contested case on May 7, 1986, at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record the following facts are found:

1. By letter dated November 1, 1985 the complainant made a request of the respondents to be allowed to inspect and/or copy all files pertaining to the Town of Glastonbury upon which any of the named respondents worked in their capacity as town counsel. The complainant's request also included access to all in-house billing records and time files pertaining to the Town of Glastonbury.

2. It is found that the respondents themselves do not constitute public agencies within the meaning of §1-18a(a), G.S., and are therefore not required to produce the documents set forth in paragraph 1, above.

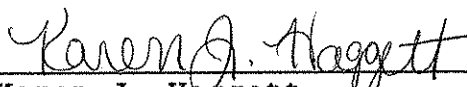
3. It is also found that documents in the hands of a custodian who is not a public agency within the meaning of §1-18a(a), G.S., as in this case, does not deprive the public of access thereto. However, requests for such documents should be made to the public agency.

4. It is therefore concluded that the Commission lacks jurisdiction to determine the complaint.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The complaint is hereby dismissed.

Approved by order of the Freedom of Information Commission at its regular meeting of May 28, 1986.


Karen J. Haggett
Clerk of the Commission