

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Robert Storace and
the Connecticut Examiner,

Complainants

against

Docket #FIC 2023-0462

Town Clerk, Town of Newington;
and Town of Newington,

Respondents

August 28, 2024

The above-captioned matter was heard as a contested case on February 23, 2024, at which time the complainants and the respondents appeared and presented testimony, exhibits, and argument on the complaint. A continued hearing was held on May 13, 2024. The complainants and the respondents again appeared and presented evidence and argument on the complaint. The Commission notes that between the initial and continued hearing on this matter, the respondents obtained new counsel.

After consideration of the entire record, the following facts are found and conclusions of law are reached.

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that by email dated September 5, 2023, the complainants submitted a request to the respondents seeking any and all complaints and correspondence filed in the last year by town employees and/or town workers against all Department Heads, town employees, and elected officials, including the Town Manager and Town Attorney.
3. It is found that the respondents, upon receiving the September 5 request, acknowledged receipt and informed the complainants that the request had been forwarded to the IT Director and the Town Attorney for review.
4. It is found that on September 5, 2023, the respondent Town Clerk forwarded the complainants' request to the Town Attorney and requested that they process the request.
5. It is found that the Town Attorney responded to the respondent Town Clerk that same day, indicating that the records were exempt as personnel files under §1-210(b)(2), G.S. Thereafter, the respondent Town Clerk replied inquiring whether they were required to inform

the subjects involved, since the records pertained to personnel matters, and to determine if they would allow the release of the requested information.

6. It is found that on September 6, 2023, the Town Attorney responded to the respondent Town Clerk stating, “[i]t is not appropriate to disseminate unsubstantiated allegations no matter who wants the complaints released, it would expose the town to significant damages based on an action in defamation.”

7. It is found that on September 11, 2023, the respondents emailed the complainants informing them that the September 5 request was denied, asserting that the responsive records were “determined to be exempt. . . .”

8. By letter of complaint dated September 12, 2023, the complainants appealed to this Commission alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to disclose the requested records, as described in paragraph 2, above.

9. Section 1-200(5), G.S., provides:

‘[p]ublic records or files’ means any recorded data or information relating to the conduct of the public’s business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract under section 1-218, whether such data or information be handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method.

10. Section 1-210(a), G.S., provides, in relevant part, that:

[e]xcept as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with section 1-212.

11. Section 1-212(a), G.S., provides, in relevant part, that “[a]ny person applying in writing shall receive, promptly upon request, a plain facsimile, electronic or certified copy of any public record.”

12. It is concluded that the records described in paragraph 2, above, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

13. During the hearings in this matter, the respondents maintained that the records sought by the complainants were exempt from disclosure pursuant to §§1-210(b)(2), 1-210(b)(10), 1-82a, and 7-148h, G.S.

14. Pursuant to an order of the Hearing Officer, the respondents produced the subject records for in camera inspection on May 28, 2024. It is found that such records consist of various emails, complaints and investigations, amounting to 116 pages. Such records shall be referred to as ICR 2023-0462-001 through ICR 2023-0462-116 (collectively, “the in camera records”).

I. Records Withheld Pursuant to §§1-82a & 7-148h, G.S.

15. The following records were withheld by the respondents pursuant to §§1-82a and 7-148h, G.S.: ICR 2023-0462-087-092, ICR 2023-0462-093-100, ICR 2023-0462-101-102, and ICR 2023-0462-103-114.

16. Section 1-82a, in relevant part, provides as follows:

(a) Unless a judge trial referee makes a finding of probable cause, a complaint alleging a violation of this part . . . shall be confidential except upon the request of the respondent. An evaluation of a possible violation of this part . . . by the Office of State Ethics prior to the filing of a complaint shall be confidential except upon the request of the subject of the evaluation. . . .

(b) An investigation conducted prior to a probable cause finding shall be confidential except upon the request of the respondent. If the investigation is confidential, the allegations in the complaint and any information supplied to or received from the Office of State Ethics *shall not be disclosed during the investigation* to any third party by a complainant, respondent, witness, designated party, or board or staff member of the Office of State Ethics.

. . .

(d) If a judge trial referee makes a finding of no probable cause, the complaint and the record of the Office of State Ethics' investigation shall remain confidential, except upon the request of the respondent and except that some or all of the record may be used in subsequent proceedings.

17. Moreover, pursuant to §7-148h, G.S., the provisions of §1-82a, G.S., apply to municipal boards established by charter provision or ordinance to investigate allegations of unethical conduct.¹

¹ The Commission takes administrative notice of Town of Newington Ordinance §32-11, establishing the Town's Board of Ethics.

18. In sum, a complaint shall be confidential pursuant to §1-82a, G.S., if: (i) it alleges a violation of the Code of Ethics for Public Officials (i.e., §1-79, G.S., *et seq.*)²; (ii) a judge trial referee has not made a finding of probable cause; and (iii) the respondent(s)³ has/have not requested its release.

19. Per the “Index to Records Submitted for In Camera Inspection” (hereinafter, the “In Camera Index”), the record at ICR 2023-0462-087-092 is the complaint which the respondents claim is exempt pursuant to §1-82a, G.S. Additionally, it is found that ICR-2023-0462-095-100 is a copy of the complaint found at ICR 2023-0462-087-092.

20. Upon careful inspection of ICR 2023-0462-087-092 and ICR 2023-0462-095-100, it is found that: (i) the complaint alleges ethics violations covered under §1-79, G.S., *et seq.*; (ii) there has been no finding of probable cause by a judge trial referee; and (iii) the respondent(s) who is/are the subject of the complaint have not requested its release.

21. Accordingly, pursuant to §1-82a, G.S., the respondents are required to keep ICR 2023-0462-087-092 and ICR 2023-0462-095-100 confidential and, therefore, it is concluded that the respondents properly withheld such records.⁴

22. It is found that ICR 2023-0462-093-094, ICR 2023-0462-101-102, and ICR 2023-0462-103-114, consist of email correspondence between various individuals concerning the complaint referenced in paragraph 21, above. Such records do not constitute complaints pursuant to §1-82a(a), G.S., and may only be kept confidential if they are found to be either: (i) an evaluation of a possible ethics violation by the Board of Ethics⁵ conducted prior to the filing of a complaint; or (ii) an investigation conducted prior to a probable cause finding, and that investigation is ongoing. See §§1-82a(a) and (b), G.S.

23. Upon careful inspection of the in camera records identified in paragraph 22, above, it is found that:

- a. ICR 2023-0462-093-094 and ICR 2023-0462-101-102 consist of communications occurring after the ethics complaint was filed and relate to the investigation of such complaint. However, it is found that the Town’s Board of Ethics dismissed the complaint, and thus, any investigation conducted pursuant to §1-82a(b), G.S.,

² Section 1-82a, G.S., also applies to complaints alleging violation of §§1-101bb or 1-101nn G.S.; however, such statutes are not applicable to this matter.

³ “Respondent” as used in the context of §1-82a, G.S. refers to the individual who allegedly violated one of the statutory provisions cited therein.

⁴ The respondents also claimed that ICR 2023-0462-087-092 and ICR 2023-0462-095-100 were exempt pursuant to §1-210(b)(2), G.S. Since such records were subject to the mandatory exemption in §1-82a G.S., the Commission need not consider whether such records are also exempt pursuant to §1-210(b)(2), G.S.

⁵ Section 1-82a, G.S., refers to evaluations of possible ethics violations by the Office of State Ethics. The municipal analog of the Office of State Ethics under §7-148h, G.S., would be the Town Board of Ethics.

is no longer ongoing. See Respondents' Exhibit 19 (After-Filed).⁶ Accordingly, it is concluded that ICR 2023-0462-093-094 and ICR 2023-0462-101-102 are not exempt from disclosure pursuant to §§1-82a(b) and 7-148h, G.S.

- b. ICR 2023-0462-103-114 consist of communications occurring before the ethics complaint was filed and relate to attempts between the town's then-Mayor and the individual who eventually filed that complaint to resolve the matter without the need to file such a complaint. It is found that such communications do not constitute an evaluation of possible ethics violations by the Board of Ethics within the meaning of §§1-82a and 7-148h, G.S. Accordingly, it is concluded that ICR 2023-0462-103-114 is not exempt pursuant to §§1-82a and 7-148h, G.S.

II. Records Withheld Pursuant to §1-210(b)(2), G.S.

24. The following records were withheld by the respondents pursuant to §1-210(b)(2), G.S.: ICR 2023-0462-003; ICR 2023-0462-004-057; ICR 2023-0462-058-064; ICR 2023-0462-065; ICR 2023-0462-066-067; ICR 2023-0462-068-069; ICR 2023-0462-070-075; ICR 2023-0462-076-086; ICR 2023-0462-093-094; ICR 2023-0462-101-102; ICR 2023-0462-103-114; and ICR 2023-0462-115-116.

25. Section 1-210(b)(2), G.S., provides that nothing in the FOI Act shall be construed to require the disclosure of: “[p]ersonnel or medical files and similar files the disclosure of which would constitute an invasion of personal privacy.”

26. The Supreme Court in Perkins v. Freedom of Info. Comm’n, 228 Conn. 158, 175 (1993) set forth the test for determining the applicability of §1-210(b)(2), G.S. Specifically, under Perkins, the claimant must first establish that the files in question are personnel, medical, or similar files. Second, the claimant must show that disclosure of the records would constitute an invasion of personal privacy. In determining whether disclosure would constitute an invasion of personal privacy, the claimant must establish both of two elements: first, the information sought does not pertain to legitimate matters of public concern, and second, that the disclosure of such information is highly offensive to a reasonable person.

27. With respect to whether a record is a personnel file or similar to a personnel file, the law is well settled:

a ‘personnel file’ has as one of its principal purposes the furnishing of information for making personnel decisions regarding the individual involved. If a document or file contains material, therefore, that under the ordinary circumstances would be pertinent to traditional personnel decisions, it is ‘similar’ to a personnel file.

⁶ Respondents' Exhibit 19 (After-Filed) is an affidavit of the Acting Town Manager for the Town of Newington wherein he attested that on May 18, 2024, a complaint was filed against the Town in Connecticut Superior Court, Judicial District of New Britain, and that based on that filing the Town Board of Ethics dismissed the ethics complaint filed before it.

Thus, a file containing information that would, under ordinary circumstances, be used in deciding whether an individual should, for example, be promoted, demoted, given a raise, transferred, reassigned, dismissed or subject to other such traditional personnel actions, should be considered “similar” to a personnel file for the purposes of [§1-210(b)(2), G.S.]. Connecticut Alcohol & Drug Abuse Commission v. Freedom of Info. Comm’n, 233 Conn. 28, 41 (1995).

28. It is found that the records identified in paragraph 24, above, consist of: (i) complaints made by Town employees against other Town Officials; and (ii) correspondence relating to such complaints. It is found, therefore, that such records constitute “personnel” or “similar files” within the meaning of §1-210(b)(2), G.S.

29. At the May 13, 2024 continued hearing, the respondents stated that they were withholding the records identified in paragraph 24, above, based upon an objection to disclosure from the former Town Manager, Mr. Hutka, pursuant to §1-214, G.S.

30. Section §1-214, G.S., provides, in relevant part, that:

(b)(1) Whenever a public agency receives a request to inspect or copy records contained in any of its employees’ personnel or medical files and similar files, ***and the agency reasonably believes that the disclosure of such records*** would legally constitute an invasion of privacy, ***the agency shall immediately notify in writing . . . each employee concerned. . . .***

(c) A public agency which has provided notice under subdivision (1) of subsection (b) of this section shall disclose the records requested unless it receives a written objection from the employee concerned . . . if any, within seven business days from the receipt by the employee . . . or, if there is no evidence of the receipt of written notice, no later than nine business days from the date the notice is actually mailed, sent, posted or otherwise given. Each objection filed under this subsection shall be on a form prescribed by the public agency, which shall consist of a statement to be signed by the employee. . . under the penalties of false statement, that to the best of his knowledge, information and belief there is good ground to support it and that the objection is not interposed for delay. Upon the filing of an objection as provided in this subsection, the agency shall not disclose the requested records unless ordered to do so by the Freedom of Information Commission.

31. It is found that upon receipt of the complainants’ request, the Town Attorney did not review the records the respondents claim are exempt pursuant to §1-210(b)(2), G.S. Rather, the Town Attorney made a determination that the general *types of records* sought by the

complainants were exempt, and the respondents' denial of the request was predicated solely on the Town Attorney's initial determination.

32. It is found that: (i) at the time of their September 11 denial described in paragraph 7, above, the respondents had not notified (or even identified) employees who were the subjects of the requested records referenced in paragraph 24, above; and (ii) they did not notify any such employee until February 14, 2024, just over one week before the first hearing in this matter, at which time they sent a notice to three individuals, one of whom was Mr. Hutka.

33. It is concluded that the respondents violated §1-214(b), G.S., by: (i) withholding personnel or similar records without first having reviewed such records to determine whether there was a reasonable belief that disclosure would legally constitute an invasion of privacy; and (ii) failing to immediately notify the employees to whom the requested records pertained. See Docket #FIC 2008-223, Naimah Shabazz v. Corp. Counsel, City of Hartford et al. (February 11, 2009).

34. Additionally, it is found that the respondents received an objection to the disclosure of personnel or similar records only from Mr. Hutka. It is concluded, therefore, that the respondents violated §1-214(c), G.S., by failing to disclose records concerning to those individuals who were notified of the complainant's request but did not object to the disclosure of the requested personnel or similar files.

35. It is found that on February 22, 2024, the day before the hearing on this matter, Mr. Hutka emailed the Acting Town Manager, the Town Clerk, and the respondents' original counsel in this matter, indicating that he objected to "the disclosure of personnel records regarding [his] employment by and work for the Town of Newington. This includes written employee complaints and accusations as well as related responses and investigation reports."

36. It is found that Mr. Hutka's objection did not contain a signed statement made under penalty of false statement, that to the best of his knowledge, information and belief there is good ground to support his objection and that his objection was not interposed for delay, as required by §1-214(c), G.S. It is concluded, therefore, that the respondents could not withhold the requested records pursuant to §1-214(c), G.S., under the facts and circumstances of this case.

37. It is further found that the respondents provided no evidence that the disclosure of records identified in paragraph 24, above, were not legitimate matters of public concern and that disclosure of such records would be highly offensive to a reasonable person.

38. Moreover, after careful in camera inspection of the records identified in paragraph 24, above, it is found that such records consist of complaints made against various Town officials and correspondence concerning how the Town handled such complaints. It is also found that there is a legitimate public interest in understanding the nature of such complaints that are filed against Town officials, and how the Town handles such complaints. It is further found that the disclosure of such records would not be highly offensive to a reasonable person.

39. It is concluded, therefore, that the respondents failed to prove that disclosure of the requested records identified in paragraph 24, above, would constitute an invasion of personal privacy within the meaning of §1-210(b)(2), G.S.⁷

III. Records Withheld Pursuant to §1-210(b)(10), G.S.

40. The following records were withheld by the respondents pursuant to §1-210(b)(10), G.S., (i.e., the attorney-client privilege): ICR 2023-0462-001-002; ICR 2023-0462-058-064; ICR 2023-0462-068-069; ICR 2023-0462-101-102; and ICR 2023-0462-115-116.

41. Section 1-210(b)(10), G.S., provides in relevant part that nothing in the FOI Act shall require disclosure of “communications privileged by the attorney-client relationship. . . .”

42. The applicability of the exemption contained in §1-210(b)(10), G.S., is governed by established Connecticut law defining the privilege. That law is well set forth in Maxwell v. FOI Commission, 260 Conn. 143 (2002) (“Maxwell”). In that case, the Supreme Court stated that §52-146r, G.S., which establishes a statutory privilege for communications between public agencies and their attorneys, merely codifies “the common-law attorney-client privilege as this court previously had defined it.” Id., at 149.

43. Section 52-146r, G.S., defines “confidential communications” to mean “all oral and written communications transmitted in confidence between a public official or employee of a public agency acting in the performance of his or her duties or within the scope of his or her employment and a government attorney relating to legal advice sought by the public agency or public official or employee of such public agency from that attorney, and all records prepared by the government attorney in furtherance of the rendition of such legal advice.”

44. Section 52-146r, G.S., prohibits disclosure of confidential communications between a government attorney and a public official or employee of a public agency and provides, in relevant part, that:

[i]n any civil or criminal case or proceeding or in any legislative or administrative proceeding, all confidential communications shall be privileged and a government attorney shall not disclose any such communications unless an authorized representative of the public agency consents to waive the privilege and allow such disclosure.

45. The Supreme Court has also stated that “both the common-law and statutory privilege protect those communications between a public official or employee and an attorney that are confidential, made in the course of the professional relationship that exists between the attorney and [their] public agency client, and relate to the legal advice sought by the agency from the attorney.” Maxwell, at 149.

⁷ As the respondents assert several exemptions for the same records, any found violations of the disclosure provisions of the FOI Act will be set forth in Part IV, *infra*.

46. The Commission recognizes that “[w]here legal advice of any kind is sought from a professional legal adviser in his capacity as such, the communications relating to that purpose, made in confidence by the client, are at this instance permanently protected from disclosure by himself or by the legal adviser, except the protection [may] be waived.” Rienzo v. Santangelo, 160 Conn. 391, 395 (1971).

47. It is found that the respondents did not present any evidence or argument concerning the records claimed to be exempt pursuant to §1-210(b)(10), G.S. Accordingly, the Commission may determine whether the records identified in paragraph 40, above, are on their face, protected by the attorney-client privilege. See Lash v. Freedom of Info. Comm’n, 300 Conn. 511, 519-520 (2011).

48. After careful in camera inspection of the records identified in paragraph 40, above, it is found that ICR 2023-0462-001-002⁸ is a communication between the Town Attorney and the then-Town Manager. Nevertheless, it is not evident from the face of ICR 2023-0462-001-002 that the Town Attorney’s communication related to legal advice. Moreover, the respondents presented no evidence explaining or contextualizing the communications contained in ICR 2023-0462-001-002.

49. Accordingly, it is found that the respondents failed to prove that ICR 2023-0462-001-002 constitutes a communication protected by the attorney-client privilege.

50. It is found that ICR 2023-0462-058-064 is an investigation report concerning the complaint at issue in ICR 2023-0462-003. It is further found that the report was prepared by an attorney retained by the Town to investigate the complaint in ICR 2023-0462-003 and to provide legal analysis and advice as to that complaint.⁹

51. In Shew v. Freedom of Info. Comm’n, 245 Conn. 149 (1998), the Supreme Court concluded that where an attorney is retained by a public agency for the purposes of conducting an investigation, the report of that investigation is protected by the attorney-client privilege if there is evidence that the attorney was acting in a legal capacity.

⁸ The respondents did not identify which portion of ICR 2023-0462-001-002 they claimed is protected by the attorney-client privilege. Nevertheless, ICR 2023-046-001 (lines 23-35) and ICR 2023-0462-002 (entire record) are identical to ICR 2023-0462-057, which the respondents claimed was exempt solely under §1-210(b)(2), G.S. Moreover, at the May 13, 2024 continued hearing respondents’ counsel represented that the records withheld due to Mr. Hutka’s objection would be disclosed upon a finding from the Commission that those records should not have been withheld. Accordingly, the Commission will focus on the remaining portions of ICR 2023-0462-001, specifically line 15.

⁹ The investigation report contained in ICR 2023-0462-058-064 was submitted by an individual who signed the report as “Investigator.” The respondents did not provide any evidence concerning the Investigator, including whether such individual was an attorney. Nevertheless, judicial branch records indicate that the Investigator is a licensed attorney in the state of Connecticut. Accordingly, the Commission takes administrative notice of such fact.

52. It is found that the investigation report identified case law and legal standards relevant to the events under investigation, applied that law to the facts of such events, and based on such application, derived a legal conclusion.

53. It is found, that ICR 2023-0462-058-064 consists of attorney client communications. Moreover, it is found that the respondents have not waived the attorney-client privilege with respect to ICR 2023-0462-058-064 and, therefore, such record may permissively be withheld from disclosure pursuant to §1-210(b)(10), G.S.¹⁰

54. It is found that ICR 2023-0462-068-069 and ICR 2023-0462-115-116 consists of email correspondence between the Town Attorney and the then-Town Manager concerning the complaint at issue in ICR 2023-0462-065. It is found that such correspondence were: (i) between an attorney (i.e., an attorney acting in his capacity as an attorney for the respondents) and a client (i.e., the then-Town Manager on behalf of the Town of Newington); (ii) related to legal advice; and (iii) made in confidence.

55. The Commission notes, however, that “a client’s identity, and information related to where and when a client has conversations with his or her attorney do not fall within the attorney client privilege.” Clerk of Common Council v. Freedom of Info. Comm’n, 215 Conn. App. 404, 420 (2022).

56. It is found that those portions of ICR 2023-0462-068-069 and ICR 2023-0462-115-116 not specifically identified in paragraph 57, below, consist of information related to the client’s identity, where and when the client had conversations with the Town Attorney, or do not relate to legal advice. Accordingly, it is found that such portions of the in camera records are not communications protected by the attorney-client privilege.

57. It is found that ICR 2023-0462-068 (lines 5, 9-12, 24-42), ICR 2023-0462-069 (lines 1-4), ICR 2023-0462-115 (lines 5, 7 (after the first period)-10 (up to the first period), 12 (after the period)-14 (up to the first period), 17-24 (up to the question mark)), and ICR 2023-0462-116 (lines 5, 7 (after the comma)-14 (up to the question mark)) constitute communications protected by the attorney-client privilege. Moreover, it is found that such privilege has not been waived and therefore the records cited herein may be permissibly withheld pursuant to §1-210(b)(10), G.S.

58. It is found that although ICR 2023-0462-101-102 consists of communications between the then-Mayor for the Town and outside counsel retained to investigate the complaint

¹⁰ While not admitted as evidence, the Commission notes that on February 22, 2024, it received communication from Mr. Hutka explaining his objection to the disclosure of his personnel records pursuant to §1-214, G.S. In that communication, Mr. Hutka requested that if the Commission ordered the disclosure of such records that it also direct the respondents to disclose the corresponding responses and investigation reports. While the Commission concluded that ICR 2023-0462-058-064 was exempt pursuant to §1-210 (b)(10), G.S., it reminds the respondents that exemptions claimed under §1-210(b), G.S., are permissive. Therefore, the respondents may wish to voluntarily disclose ICR 2023-0462-058-064, as doing so would provide additional context for the complaint at issue in ICR 2023-0462-003.

included in ICR 2023-0462-087-092, such communications do not relate to legal advice and, therefore, are not protected by the attorney-client privilege.

IV. Records Improperly Withheld by the Respondents

59. As the respondents have asserted multiple exemptions for the same records, it is found that the following records were improperly withheld from disclosure as the respondents failed to prove the applicability of *any* claimed exemptions to such records:

- a. ICR 2023-0462-001-002
- b. ICR 2023-0462-003
- c. ICR 2023-0462-004-057
- d. ICR 2023-0462-065
- e. ICR 2023-0462-066-067
- f. Those portions of ICR 2023-0462-068-069 and ICR 2023-0462-115-116 not specifically identified in paragraph 57, above.
- g. ICR 2023-0462-070-075
- h. ICR 2023-0462-076-086
- i. ICR 2023-0462-093-094
- j. ICR 2023-0462-101-102
- k. ICR 2023-0462-103-114

60. Accordingly, it is concluded that the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S, by failing to disclose those records identified in paragraph 59, above.

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

1. Within seven (7) days of the notice of final decision in this matter, the respondents shall provide the complainants with a copy of those portions of the in camera records identified in paragraph 59 of the findings, above, unredacted and free of charge.

2. Forthwith, the respondents, or their designee, shall arrange for FOI Act training to be conducted by the staff of the Commission. The respondents, or their designee, shall forthwith contact the Commission to schedule such training session.

3. Henceforth, the respondents shall strictly comply with the disclosure provisions of §§ 1-210(a) and 1-212(a), G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of August 28, 2024.



Molly Steffes

Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

ROBERT STORACE, AND THE CONNECTICUT EXAMINER, 90 Lantern Park Lane
South, Southbury, CT 06488

TOWN CLERK, TOWN OF NEWINGTON; AND TOWN OF NEWINGTON, c/o Attorney
Jarad M. Lucan and Attorney Sarah N. Niemiroski, Shipman & Goodwin, LLP, One Constitution
Plaza, Hartford, CT 06103



Molly Steffes

Acting Clerk of the Commission

FIC 2023-0462/FD/MS/August 28, 2024