

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Shipman & Goodwin LLP,

Complainant

against

Docket #FIC 2025-0035

Commissioner, State of Connecticut,
Department of Social Services; and
State of Connecticut, Department of
Social Services,

Respondents

December 17, 2025

The above-captioned matter was heard as a contested case on June 13, 2025 and September 26, 2025, at which times the complainant and respondents appeared and presented testimony, exhibits and argument on the complaint.

Pursuant to multiple orders of the undersigned Hearing Officer, the respondents submitted two affidavits, which shall be marked in evidence as follows:

Respondents' Exhibit 2: Affidavit of Christina Mink, dated June 30, 2025.

Respondents' Exhibit 3 (after-filed): Affidavit of Adam Prizio, dated November 25, 2025.

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 on October 11, 2024, an attorney for the complainant (hereinafter, the “complainant firm”)¹ requested the following records from the respondents:

Documents and communications concerning Wheeler Clinic, Inc.'s change in scope rate adjustment request dated on or about March 31, 2023.

¹ The complainant, Shipman & Goodwin, LLP, is a law firm.

The documents and communications should include the Department of Social Services' consideration of the change in scope rate adjustment request internally or in communications with OPM.

However, the documents and communications should exclude any documents or communications with Wheeler Clinic, Inc. itself.

We understand that there are 41 emails (not counting attachments) dated 8/1/2023-10/17/2023 that are responsive to this request.²

(Emphasis in original).

3. It is found that in addition to the request described in paragraph 2, above, the complainant firm had submitted 11 other similar requests to the respondents at or around the same time.

4. It is found that the respondents acknowledged the complainant firm's request described in paragraph 2, above, on October 15, 2024.

5. It is found that an attorney for the complainant firm emailed the respondents on November 22, 2024, requesting a status update regarding the request described in paragraph 2, above. It is further found that by December 10, 2024, the complainant firm had withdrawn five of the requests previously submitted to the respondents.

6. It is found that having not received an update as to the October 11 request, the complainant firm again emailed the respondents for an update on the matter on December 10, 2024. The respondents replied on December 11, 2024, indicating that they were processing the requests but "started new searches after the withdrawal of the others [i.e., the other requests]."

7. It is found that on December 16, 2024, the respondents clarified that they had begun processing another one of the complainant firm's requests that had since been withdrawn. Moreover, the respondents indicated that they had submitted "database searches" for records which returned approximately 3,000 records that would require their review.

8. It is found that the respondents informed the complainant firm that they were processing the "hardship requests"³ first and then would begin processing the 3,000 records

² The complainant firm's understanding that 41 records were responsive to the request described in paragraph 2, above, appeared to be based on a privilege logs provided to them by the respondents during discovery for a Medicaid Rate Rehearing concerning Wheeler, Inc. (the "Wheeler Rate Rehearing"). The privilege logs in the Wheeler Rate Rehearing identified records withheld from discovery pursuant to the attorney-client privilege. The complainant firm was apparently under the impression that such records were coextensive with the records responsive to the request described in paragraph 2, above. It is found, however, that the request described in paragraph 2, above, sought all records concerning Wheeler's change in scope rate adjustment request, not just those that were previously identified by the respondents as being protected by the attorney-client privilege (i.e., those identified on the privilege log).

³ The "hardship requests" presumably refer to another request(s) submitted by the complainant firm regarding two Federally Qualified Health Centers ("FQHC").

described in paragraph 7, above. The respondents also informed the complainant that the approximately 3,000 records “may, ultimately, be responsive to several requests.”

9. It is found that on January 3, 2025, the respondents informed the complainant firm that they were beginning their final review of the records in connection with the “hardship requests” and had begun reviewing the other 3,000 records described in paragraph 7, above.

10. By complaint dated January 13, 2025, the complainant firm appealed to this Commission alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide records responsive to the request described in paragraph 2, above.

11. 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.

12. 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.

13. 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.”

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

15. Pursuant to an order of the undersigned Hearing Officer, the respondents, on November 13, 2025, submitted to the Commission unredacted copies of the records that are responsive to the complainant firm’s request described in paragraph 2, above. Such records consist of emails and attachments totaling 305 pages and shall be referred to as IC-2025-0035-001 through IC-2025-0035-305 (the “in camera records”).

16. It is found that on November 21, 2025, the respondents sent the complainant firm the partially redacted copies of the in camera records.

17. The respondents assert that all portions of the in camera records identified on the in camera index are exempt from disclosure pursuant to the attorney-client privilege (i.e., §1-210(b)(10), G.S.)⁴ with some portions also withheld as preliminary drafts or notes (i.e., §1-210(b)(1), G.S.).⁵

18. Section 1-210(b)(10), G.S., provides in relevant part, that public agencies are not required to disclose “communications privileged by the attorney-client relationship ... or any other privilege established by the common law or the general statutes”

19. Section 52-146r(b), G.S., provides 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 disclosure.”

20. Section 52-146r(a)(2), 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 a 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.

21. In Maxwell v. Freedom of Info. Comm'n, 260 Conn. 143, 149 (2002), the Connecticut Supreme Court held that §52-146r, G.S., “merely codif[ies] the common law

⁴ At the June 13, 2025 hearing, the complainant firm alleged that the respondents did not assert their claim that records responsive to the request described in paragraph 2, above, were privileged attorney-client communications within a reasonable time after receiving the request and, therefore, are barred from asserting the privilege at the hearing. This argument is unavailing. With respect to access to public records, the FOI Act only requires public agencies to produce records. The Act does not mandate that the public agency responding to requests specify why certain records were completely or partially withheld (i.e., redacted). See Kimberly Albright-Lazzari et al v. Colleen Murphy, Connecticut Freedom of Information Commission et al, CV105014984S, 2011 WL 1886878, at *3 (Conn. Super. Ct. April 21, 2011) (noting that public agency has no duty to create documents it does not already maintain or to answer questions under the Freedom of Information Act.). While it is true that a public agency has the burden to prove any such exemptions, such burden is applicable to evidentiary hearings before this Commission. The respondents have identified specific exemptions (including the attorney-client privilege) during the hearings in this matter and on the in camera index. Whether the respondents have met their burden to prove the applicability of such exemptions is set forth in paragraphs 29 through 32, below.

⁵ The following in camera records contained no redacted portions, and therefore, are not separately listed in either Appendices A or B to this decision: IC-2025-0035-007; IC-2025-0035-011; IC-2025-0035-15 through IC-2025-0035-20; IC-2025-0035-22 through IC-2025-0035-25; IC-2025-0035-29 through IC-2025-0035-34; IC-2025-0035-42; IC-2025-0035-67 through IC-2025-0035-69; IC-2025-0035-121 through IC-2025-0035-123; IC-2025-0035-144; IC-2025-0035-181; IC-2025-0035-204 through IC-2025-0035-206; IC-2025-0035-219 through IC-2025-0035-211; IC-2025-0035-223 through IC-2025-0035-225; IC-2025-0035-229 through IC-2025-0035-231; and IC-2025-0035-251 through IC-2025-0035-256.

attorney-client privilege as [the] court previously defined it.” The Court further stated that “both the common-law and statutory privileges 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 his or her public agency client and relate to legal advice sought by the agency from the attorney.” Id.

22. The Supreme Court has adopted a four part test to determine whether communications are subject to the attorney-client privilege: “(1) the attorney must be acting in a professional capacity for the agency; (2) the communications must be made to the attorney by current employees or officials of the agency; (3) the communications must relate to the legal advice sought by the agency from the attorney; and (4) the communications must be made in confidence.” Shew v. Freedom of Info. Comm'n, 245 Conn. 149, 159 (1998). “If it is clear from the face of the records, extrinsic evidence is not required to prove the existence of the attorney-client privilege.” Lash v. Freedom of Info. Comm'n, 300 Conn. 511, 516-17 (2011).

23. Moreover, in Connecticut, the attorney-client privilege protects both the confidential giving of professional advice by an attorney acting in the capacity of a legal advisor to those who can act on it, as well as the giving of information to the lawyer to enable counsel to give sound and informed advice.” PSE Consulting, Inc. v. Frank Mercede & Sons, Inc., 267 Conn. 279, 329 - 30 (2004).

24. The Supreme Court, however, has also recognized that “[n]ot every communication between attorney and client falls within the [attorney-client] privilege.” Harrington v. Freedom of Info. Comm'n, 323 Conn. 1, 14 (2016) (“Harrington”). In Harrington, the court made clear that:

[t]he burden of establishing the applicability of the privilege rests with the party invoking it. . . . Any privilege there may be is not a blanket one. The limitation, in connection with this communication, frames the special relationship that must be found for each document separately considered. . . . Because the application of the attorney-client privilege tends to prevent the full disclosure of information and the true state of affairs, it is both narrowly applied and strictly construed.

Harrington, 323 Conn. at 12

25. The Court in Harrington further noted that in order for the privilege to apply the communication must be made by the client to the attorney acting as an attorney. . . . In sum, attorneys do not act as lawyers when not primarily engaged in legal activities. . . . [Moreover], it would seem obvious that business communications cannot be [protected under the privilege] by virtue of the mention of an attorney’s name, or their being directed to an attorney.

...

[I]f the non-legal aspects of the consultation are integral to the legal assistance given and the legal assistance is the *primary purpose* of the consultation, both the client's communication and the lawyer's advice and assistance that reveals the substance of those communications will be afforded the protection of the privilege.

...

When the legal aspects of the communication are incidental or subject to separation, the proponent of the privilege may be entitled to redact those portions of the communications.

(Citations omitted; emphasis in original; internal quotation marks omitted). Id., at 17-18.

26. Additionally, in Berlin Public Schools v. FOI Commission, Superior Court, judicial district of New Britain, CV-15-6029080-S, 2016 WL 785578, *4 (February 2, 2016) (hereinafter, “Berlin Public Schools”), the court concluded that where disclosure of communications protected by attorney-client privilege occurs in an *extrajudicial setting* – i.e., outside of the context of an adversarial proceeding – waiver applies only to “the particular matters actually disclosed.”

27. The court in Berlin Public Schools noted that the process of determining what was “actually disclosed” is fact specific. Id., at *6. The purpose of this inquiry is to “identify what portion of the attorney-client communication confirms what was actually disclosed.” Id. Additionally, the “actually disclosed” standard “focuses on the substance rather than the exact wording of the disclosure.” Id., *5.

28. In practical terms, the “actually disclosed” standard requires the Commission to compare the alleged public disclosure against the substance of the in camera records for which the attorney-client privilege is asserted. See Id., *6 (“The commission in the first instance should compare the disclosure with the sealed report, and under the standards discussed here and employing the procedures it deems appropriate, determine what portion of the report the minutes ‘actually disclosed’”).

29. Upon careful in camera inspection it is found that the in camera records, or portions thereof, identified in Appendix A to this decision are communications “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,” which “relate to legal advice” sought by the public agency client from the attorney, which were “transmitted in confidence,” or “records prepared by the government attorney in furtherance of the rendition of such legal advice,” within the meaning of §52-146r, G.S.

30. It is found that the in camera records identified in Appendix A to this decision constitute communications or records protected by the attorney-client privilege, within the meaning of §§1-210(b)(10) and 52-146r, G.S. It is also found that the attorney-client privilege

has not been waived with respect to such records. Accordingly, it is concluded that such records, or portions thereof, are exempt from disclosure pursuant to §§1-210(b)(10) and 52-146r, G.S.

31. It is further concluded that the in camera records, or portions thereof, identified in Appendix B to this decision are not exempt from disclosure pursuant to §§1-210(b)(10) or 52-146r, G.S., for one or more of the following reasons: (i) the respondents failed to prove one or more criteria for the attorney-client privilege; (ii) the in camera record, on its face, is not protected by the attorney-client privilege; or (iii) the privilege did apply, but the substance of the record had been actually disclosed by the respondents, thereby waiving the privilege.

32. In light of the foregoing, it is concluded that the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S., by failing to disclose to the complainant those portions of the in camera records identified in Appendix B to this decision.⁶

33. The complainant also alleges that the respondents failed to promptly provide the requested records pursuant to §§1-210(a) and 1-212(a), G.S.

34. The Commission has held that the meaning of the word “promptly” is a particularly fact-based question. In Advisory Opinion #51, In the Matter of a Request for Declaratory Ruling, Third Taxing District of the City of Norwalk, Applicant (January 11, 1982), the Commission advised that the word “promptly,” as used in §1-210(a), G.S., means “quickly and without undue delay, taking into account all factors presented by a particular request.”

35. The advisory opinion goes on to describe some of the factors that should be considered in weighing a request for records against other priorities: the volume of records requested; the time and personnel required to comply with a request; the time by which the person requesting records needs them; the time constraints under which the agency must complete its other work; the importance of the records to the requestor, if ascertainable; and the importance to the public of completing other agency business without the loss of personnel time involved in complying with the request. In addition, common sense and goodwill ought to be the guiding principles.

36. The complainant firm alleges that the respondents had already identified and compiled the records responsive to the October 11 request during the discovery phase of the Wheeler Rate Rehearing described in footnote 2, above.

37. As noted in footnote 2, above, however, the complainant firm had mistaken the records identified on the privilege logs as being coextensive with their October 11 request for records described in paragraph 2, above.

38. It is found that the respondents interpreted the October 11 request described in paragraph 2, above, as broader than just those records identified in the Wheeler Rate Rehearing privilege logs. As found in footnote 2, above, such interpretation was reasonable as the records identified on the Wheeler Rate Rehearing privilege logs encompassed only those records for

⁶ As all of the records claimed exempt as preliminary notes or drafts were properly withheld pursuant to the attorney-client privilege, the Commission need not consider such claim of exemption.

which the respondents asserted the attorney-client privilege for the purposes of discovery. No such limitation was placed on the October 11 request described in paragraph 2, above.⁷

39. Accordingly, it is found that while the records identified on the Wheeler Rate Rehearing privilege logs may have overlapped with the records identified in the complainant firm's request described in paragraph 2, above, they were not coextensive and did not obviate the need for the respondents to search for and review records responsive to such request.

40. As found in paragraph 16, above, the respondents provided the complainant firm with records responsive to the request described in paragraph 2, above, on November 21, 2025, over 13 months after such request was filed.

41. Nevertheless, it is found that the complainant firm submitted 11 other similar requests to the respondents at the same time as the request at issue in this matter. As found in paragraph 6, above, the respondents: (i) had begun to work on several of the other requests which were withdrawn shortly thereafter; (ii) resubmitted their search for records after such requests were withdrawn; and (iii) started processing other requests from the complainant firm as of December 16, 2024.

42. It is found that the respondents were required to process a voluminous number of records in response to the complainant firm's various requests. It is found that after working with the complainant firm to narrow the request described in paragraph 2, above, the respondents identified 257 potentially responsive records that would have to be reviewed.⁸

43. It is also found that at the same time as the respondents were processing the complainant firm's records requests, they were also processing a number of large discovery requests (with overlapping issues and parties). The respondents were also continuing to provide the complainant firm with records responsive to such requests during the same time period.

44. It is further found that the respondents and the complainant firm remained in contact about the records requests (and other related matters) and the respondents kept the complainant firm apprised of their progress on the various requests.

45. It is found that there is no evidence that the respondents acted in bad faith or intentionally delayed the production of records in this matter.

46. Accordingly, it is found that the respondents acted quickly and without undue delay considering the totality of the circumstances in this case. It is concluded, therefore, that the respondents did not violate the promptness provisions of §§1-210(a) and 1-212(a), G.S.

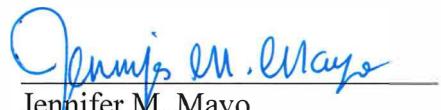
⁷ It does not appear that the complainant firm limited their discovery requests for the Wheeler Rate Rehearing to only those communications covered by the attorney-client privilege. Whether and to what extent additional records should have been identified during the discovery process of the Wheeler Rate Rehearing far exceeds this Commission's jurisdiction. Such process is only relevant to the extent the respondents had already identified and compiled records responsive to the October 11 request.

⁸ The respondents on June 30, 2025 submitted to the Commission an Affidavit of Christina Mink detailing the status of their search for records in this matter. Such affidavit is marked as Respondents' Exhibit 2.

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

1. Within fourteen (14) days of the Notice of Final Decision in this matter, the respondents shall provide the complainant, free of charge, copies of the in camera records identified in Appendix B of this decision unredacted.
2. 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 December 17, 2025.



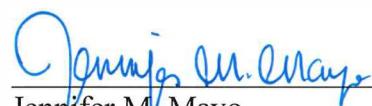
Jennifer M. Mayo
Acting Clerk of the Commission

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:

SHIPMAN & GOODWIN LLP, c/o Attorney Christopher J. Cahill, One Constitution Plaza, Hartford, CT 06103

COMMISSIONER, STATE OF CONNECTICUT, DEPARTMENT OF SOCIAL SERVICES; AND STATE OF CONNECTICUT, DEPARTMENT OF SOCIAL SERVICES, c/o Attorney Adam Prizio, Department of Social Services, 55 Farmington Ave., Hartford, CT 06105



Jennifer M. Mayo
Acting Clerk of the Commission

APPENDIX A

As noted in paragraph 30, above, of the decision in Docket #FIC 2025-0035, the following in camera records, or portions thereof, are exempt pursuant to §1-210(b)(10), G.S., as they constitute communications protected by the attorney-client privilege⁹:

IC-2025-0035-001 (lines 3 – 6 and the first full sentence of line 8)	the first full sentence of line 2, and lines 3 – 4 up to the “.”)
IC-2025-0035-003 (the first full sentence of line 2)	IC-2025-0035-043 through IC-2025-0035-051
IC-2025-0035-004 through IC-2025-0035-006	IC-2025-0035-052 (excluding lines 1 – 2 up to the “.”)
IC-2025-0035-008 (lines 3 – 4 up to the “.”)	IC-2025-0035-053 through IC-2025-0035-061
IC-2025-0035-009 (the first full sentence of line 4)	IC-2025-0035-062 (the first full sentence of line 4)
IC-2025-0035-010	IC-2025-0035-063 through IC-2025-0035-066
IC-2025-0035-012 through IC-2025-0035-014	IC-2025-0035-70 (excluding the first sentence of line 1)
IC-2025-0035-021	IC-2025-0035-071 through IC-2025-0035-086
IC-2025-0035-026 through IC-2025-0035-028	IC-2025-0035-087 (excluding the first and third sentence of line 1)
IC-2025-0035-035 through IC-2025-0035-037	IC-2025-0035-088 through IC-2025-0035-103
IC-2025-0035-039 (excluding the first and second sentence of line 1, the first full sentence of line 2, and lines 3 – 4 up to the “.”)	IC-2025-0035-104 (excluding lines 3 and 4)
IC-2025-0035-040	IC-2025-0035-105 (excluding the first and second sentence of line 1, the first full sentence of line 2, and lines 3 – 4 up to the “.”)
IC-2025-0035-041 (excluding the first and second sentence of line 1,	

⁹ Pursuant to the undersigned Hearing Officer’s In Camera Order, the respondents highlighted the specific portions of the in camera records claimed to be exempt. Thus, unless otherwise noted, reference to an in camera record is a reference to all highlighted sections.

IC-2025-0035-106 through IC-2025-0035-118	IC-2025-0035-222
IC-2025-0035-119 (excluding line 1)	IC-2025-0035-226
IC-2025-0035-120	IC-2025-0035-227 (excluding line 3)
IC-2025-0035-124 (lines 1 – 4 and the first full sentence of line 6)	IC-2025-0035-228
IC-2025-0035-125 (excluding line 1 up to the word “attached”)	IC-2025-0035-232 through IC-2025-0035-235
IC-2025-0035-126 through IC-2025-0035-143	IC-2025-0035-237 (excluding the first and second sentence of line 1, the first full sentence of line 2, and lines 3 – 4 up to the “.”)
IC-2025-0035-145 through IC-2025-0035-161	IC-2025-0035-238 through IC-2025-0035-249
IC-2025-0035-162 (lines 2 after the first “.” – 5)	IC-2025-0035-250
IC-2025-0035-163 through IC-2025-0035-178	IC-2025-0035-257 (excluding line 2 up to the word “attached”)
IC-2025-0035-179 (excluding line 5)	IC-2025-0035-258 through IC-2025-0035-275
IC-2025-0035-180 (excluding the first and second sentence of line 1, the first full sentence of line 2, and lines 3 – 4 up to the “.”)	IC-2025-0035-276 (excluding line 4)
IC-2025-0035-182 through IC-2025-0035-199	IC-2025-0035-277 (excluding the first sentence of line 1)
IC-2025-0035-200 (excluding the first the sentence of line 1)	IC-2025-0035-278 through IC-2025-0035-295
IC-2025-0035-201	IC-2025-0035-296 (excluding the first and second sentence of line 1, the first full sentence of line 2, and lines 3 – 4 up to the “.”)
IC-2025-0035-202 (excluding line 3)	IC-2025-0035-297 through IC-2025-0035-305
IC-2025-0035-203	
IC-2025-0035-207 through IC-2025-0035-218	

APPENDIX B

As noted in paragraph 31, above, of the decision in Docket #FIC 2025-0035, the following in camera records, or portions thereof, are not exempt from disclosure as privileged attorney-client communications pursuant to §§1-210(b)(10) and 52-146r, G.S.:

IC-2025-0035-001 (excluding lines 3 – 6 and the first full sentence of line 8) ¹⁰	IC-2025-0035-70 (the first sentence of line 1) ¹¹
IC-2025-0035-002	IC-2025-0035-087 (the first and third sentence of line 1)
IC-2025-0035-003 (excluding the first full sentence of line 2)	IC-2025-0035-104 (lines 3 and 4) ¹²
IC-2025-0035-008 (lines 3 – 4 up to the “.”)	IC-2025-0035-105 (the first and second sentence of line 1, the first full sentence of line 2, and lines 3 – 4 up to the “.”)
IC-2025-0035-009 (excluding the first full sentence of line 4)	IC-2025-0035-119 (line 1)
IC-2025-0035-038	IC-2025-0035-124 (excluding lines 1 – 4 and the first full sentence of line 6)
IC-2025-0035-039 (the first and second sentence of line 1, the first full sentence of line 2, and lines 3 – 4 up to the “.”)	IC-2025-0035-125 (line 1 up to the word “attached”)
IC-2025-0035-041 (the first and second sentence of line 1, the first full sentence of line 2, and lines 3 – 4 up to the “.”)	IC-2025-0035-162 (excluding lines 2 after the first “.” – 5)
IC-2025-0035-052 (lines 1 – 2 up to the “.”)	IC-2025-0035-179 (line 5)
IC-2025-0035-062 (excluding the first full sentence of line 4)	IC-2025-0035-180 (the first and second sentence of line 1, the first full sentence of line 2, and lines 3 – 4 up to the “.”)

¹⁰ The redacted subject lines appear unredacted elsewhere in the in camera records. It is found that to the extent the subject lines were protected by the attorney-client privilege, such privilege has been waived, as the contents of the subject line had been *actually disclosed*. See Berlin Public Schools.

¹¹ To the extent the attorney-client privilege protected any information in this portion of IC-2025-0035-062, it is found that such privilege had been waived, as all substantive and pertinent information has been *actually disclosed* in the file name of the documents identified in the “Attachments” section of the email header. See Berlin Public Schools.

¹² These lines appear unredacted elsewhere in the in camera records (e.g., IC-2025-0035-007).

IC-2025-0035-200 (the first sentence
of line 1)

IC-2025-0035-202 (line 3)¹³

IC-2025-0035-227 (line 3)

IC-2025-0035-236

IC-2025-0035-237 (the first and
second sentence of line 1, the first
full sentence of line 2, and lines 3 – 4
up to the “.”)

IC-2025-0035-257 (line 2 up to the
word “attached”)

IC-2025-0035-276 (line 4)

IC-2025-0035-277 (the first sentence
of line 1)

IC-2025-0035-296 (the first and
second sentence of line 1, the first
full sentence of line 2, and lines 3 – 4
up to the “.”)

¹³ This portion of the IC-2025-0035-202 appears unredacted elsewhere in the in camera records (e.g., IC-2025-0035-065).