

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by	)	
Sherman Beinhorn, Complainant	)	Report of Hearing Officer
	)	
against	)	Docket #FIC77-224
	)	
City and Town of Middletown,	)	January 18, 1978
Clerk of the City and Town of	)	
Middletown, Democratic Registrar	)	
of the City and Town of	)	
Middletown, Republican Registrar	)	
of the City and Town of	)	
Middletown, and Chief Moderator	)	
of the 1977 Municipal Elections	)	
of the City and Town of	)	
Middletown, Respondents	)	

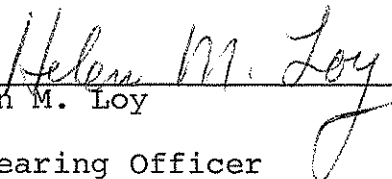
The above captioned matter was heard as a contested case on December 20, 1977, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

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


1. By letters to the Commission dated November 28, 1977 and December 1, 1977, respectively, the complainant alleged that on November 28, 1977, a meeting of the City Attorney, the respondent clerk and the respondent registrars was held to which the complainant was wrongfully excluded in violation of rights conferred under the Freedom of Information Act.
2. The gathering in question took place in the office of the clerk of the City and Town of Middletown.
3. Discussion at the aforesaid gathering was between the city attorney and counsel for certain persons who had filed suit challenging the recent election results for municipal offices in Middletown.
4. The respondent clerk and the respondent registrars were only present therein, at various times, at the direction of the city attorney for the purpose of providing him with election materials to facilitate his discussion with opposing counsel.
5. As a result of the aforesaid discussion, differences between the parties were settled and the aforesaid suit withdrawn from court.
6. The November 28, 1977 gathering in question is found not to be a meeting of a public agency within the meaning of §1-18a(b), G.S.

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.

  
\_\_\_\_\_  
Helen M. Loy  
as Hearing Officer

Approved by order of the Freedom of Information Commission on January 25, 1978.

  
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Charlene G. Arnold  
Clerk of the Commission