

Since 1975



FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission · 18-20 Trinity Street, Suite 100 · Hartford, CT 06106
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Cynthia Kleist and Derf Kleist,
Complainant(s)
against

Notice of Meeting

Docket #FIC 2015-635

FOI Administrator, Town of Cheshire; and
Town of Cheshire,
Respondent(s)

January 26, 2016

Transmittal of Proposed Final Decision

In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision prepared by the hearing officer in the above-captioned matter.

This will notify you that the Commission will consider this matter for disposition at its meeting which will be held in the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, 1st floor, Hartford, Connecticut, at **2 p.m. on Wednesday, February 24, 2016**. At that time and place you will be allowed to offer oral argument concerning this proposed finding and order. Oral argument shall be limited to ten (10) minutes. For good cause shown, however, the Commission may increase the period of time for argument. A request for additional time must be made in writing and should be filed with the Commission **ON OR BEFORE February 11, 2016**. Such request **MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, and (2) include a notation indicating such notice to all parties or their representatives.**

Although a brief or memorandum of law is not required, if you decide to submit such a document, an **original and fourteen (14) copies** must be filed **ON OR BEFORE February 11, 2016**. **PLEASE NOTE: Any correspondence, brief or memorandum directed to the Commissioners by any party or representative of any party MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, (2) include a notation indicating such notice to all parties or their representatives and (3) be limited to argument. NO NEW EVIDENCE MAY BE SUBMITTED.**

If you have already filed a brief or memorandum with the hearing officer and wish to have that document distributed to each member of the Commission, it is requested that **fifteen (15) copies** be filed **ON OR BEFORE February 11, 2016**, and that **notice be given to all parties or if the parties are represented, to their representatives, that such previously filed document is being submitted to the Commissioners for review.**

By Order of the Freedom of
Information Commission

W. Paradis
Acting Clerk of the Commission

Notice to: Cynthia Kleist and Derf Kleist
Joseph B. Schwartz, Esq.

2016-01-26/FIC# 2015-635/Trans/wrbp/VRP//TAH

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Cynthia Kleist and Derf Kleist,

Complainants

against

Docket #FIC 2015-635

FOI Administrator, Town of Cheshire,
and Town of Cheshire

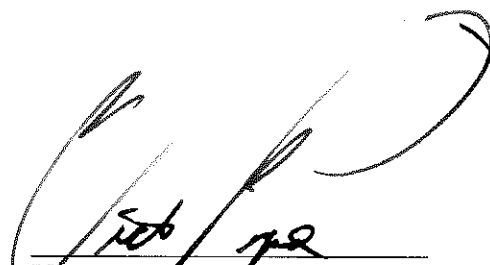
Respondents

December 22, 2015

The above-captioned matter was heard as a contested case on December 14, 2015 at which time the respondents appeared and presented testimony, exhibits and argument on the complaint, including a request for the imposition of the maximum civil penalty against the complainants. The complainants failed to appear.

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

1. The complaint is dismissed with prejudice for failure to prosecute.
2. The Commission in its discretion declines to consider the imposition of a civil penalty against the complainants in this case, there having been no previous notice to the complainants that such a penalty was at issue.



Victor R. Ferpetta
As Hearing Officer