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FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106
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Adam Osmond,
Complainant(s)
against

Notice of Meeting

Docket #FIC 2015-783

President, Connecticut Lottery Corporation; and
Connecticut Lottery Corporation,
Respondent(s)

May 3, 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, May 25, 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 May 13, 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 May 13, 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 May 13, 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: Adam Osmond
Attorney Brendon P. Levesque

2016-05-03/FIC# 2015-783/Trans/wrbp/VDH//LFS

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Adam Osmond,

Complainant

against

Docket #FIC 2015-783

President, Connecticut Lottery Corporation;
and Connecticut Lottery Corporation,

Respondents

April 5, 2016

The above-captioned matter was scheduled to be heard as a contested case on April 4, 2016, at 11:00 A.M., at which time the parties appeared. Prior to the scheduled hearing, the respondents filed a motion for summary dismissal, alleging, inter alia, that the complaint should be dismissed for the following reasons: First, because allowing the appeal to go forward would perpetrate an injustice and constitute an abuse of the Commission's administrative process pursuant to §1-206(b)(2)(B)-(C), G.S.; second, because the respondents never denied the underlying requests for records (there were multiple), and, therefore, the complainant did not have a statutory right to appeal pursuant to §1-206(b)(1), G.S.; and third, that the complainant had failed to file his appeal within thirty days of making his requests pursuant to §1-206(b)(1), G.S.

At the April 4th hearing, the parties were informed that the hearing officer wanted to hear evidence and oral argument on the respondents' motion for summary dismissal.

In support of the motion, the respondents called upon the President and CEO of the Connecticut Lottery Corporation as well as Chief Counsel for the Connecticut Lottery Corporation to testify. The complainant also testified in support of his objection to the motion. During the course of the hearing many documents were marked as evidence.

By email dated and filed April 4, 2016 at 2:07 P.M., the complainant notified the Commission that he was withdrawing his complaint. The Commission takes administrative notice of such email.

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.



Valicia Dee Harmon
as Hearing Officer