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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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Jose Arcia,
Complainant(s)
against

Notice of Meeting

Docket #FIC 2012-291

Office of the Corporation Counsel, City of
Hartford; and City of Hartford,
Respondent(s)

March 21, 2013

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, April 10, 2013**. 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 March 29, 2013**. 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, the Commission requests that an **original and fourteen (14) copies** be filed **ON OR BEFORE March 29, 2013**. **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 **fourteen (14) copies** be filed **ON OR BEFORE March 29, 2013**, 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: Jose Arcia
Nathalie Feola-Guerrieri, Esq., Demar G. Osbourne, Esq.
cc: Kristine Barone

3/21/13/FIC# 2012-291/Trans/wrbp/GFD/VDH

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Jose Arcia,

Complainant

against

Docket #FIC 2012-291

Office of the Corporation Counsel, City of
Hartford; and City of Hartford,

Respondents

March 21, 2013

The above-captioned matter was scheduled to be heard as a contested case on March 21, 2013, at which time the complainant and the respondents appeared. The complainant, who is incarcerated, appeared via teleconference, pursuant to the January 2004 memorandum of understanding between the Commission and the Department of Correction. See Docket No. CV 03-0826293, Anthony Sinchak v. FOIC et al, Superior Court, J.D. of Hartford at Hartford, Corrected Order dated January 27, 2004 (Sheldon, J.).

After the opening of the hearing, following a constructive initiative by the complainant, both parties agreed that they wished to conduct an off the record settlement conference, which the hearing officer stated could take place so long as he was not present. After the hearing officer was called back into the hearing room, counsel for the respondents stated on the record that the respondents had provided the complainant with all responsive records at issue herein. Based on such statements of counsel for the respondents, the complainant stated that he would withdraw his complaint in this contested case.

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

1. Based on the withdrawal of the complaint, the complaint is dismissed.
2. The Commission commends the parties on having reached a settlement of this matter without adjudication.


Gregory F. Daniels
as Hearing Officer