

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Gerald Scully,

Complainant

against

Docket #FIC 2018-0344

Mayor, Town of Manchester;
and Town of Manchester,

Respondents

February 13, 2019

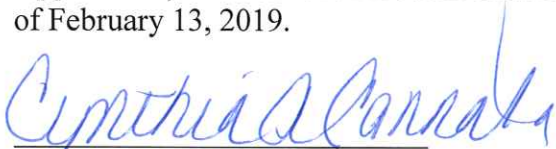
The above-captioned matter was scheduled to be heard as a contested case on January 7, 2019 at 1:00 P.M, at which time the respondents appeared through counsel, but the complainant did not appear to prosecute the case.

The hearing officer notes that Attorney Timothy P. O'Neill represented that, prior to the hearing, he had spent approximately two hours gathering and preparing the requested records for the complainant. Attorney O'Neill further represented that the respondents had never received the underlying request for records in this case from the complainant; rather, the respondents learned of the request when they received the Commission's Notice of Hearing and Order to Show Cause. Finally, the hearing officer notes that Attorney O'Neill traveled from Manchester to arrive to the scheduled hearing on time, only to have a five minute hearing and travel back to Manchester.

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.

Approved by Order of the Freedom of Information Commission at its regular meeting of February 13, 2019.



Cynthia A. Cannata
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:

GERALD SCULLY, P.O. Box 263, Windsor, CT 06095

MAYOR, TOWN OF MANCHESTER; AND TOWN OF MANCHESTER, c/o Attorney Timothy P. O'Neil, Town of Manchester, Manchester Corporation Counsel, 41 Center Street, Manchester, CT 06040



Cynthia A. Cannata
Acting Clerk of the Commission