

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
Torrey Townsend,

FINAL DECISION

Complainant

against

Docket #FIC 2015-829

Chief, Fire Department, City of New Haven;  
and Fire Department, City of New Haven,

Respondents

October 26, 2016

The above-captioned matter was scheduled to be heard as a contested case on September 20, 2016, at 1:00 p.m., at which time counsel for the respondents appeared with two witnesses, but the complainant failed to appear. This matter was consolidated for hearing purposes with Docket #FIC 2016-565, Torrey Townsend v. Personnel Director, City of New Haven; and City of New Haven, and Docket #FIC 2016-0566, Torrey Townsend v. Personnel Director, City of New Haven; and City of New Haven.

The Commission's records reflect that, at the complainant's request, the hearing in Docket #FIC 2015-829 was consolidated with the hearing in Docket #FIC 2016-0565 and Docket #FIC 2016-0566. Notice of hearing in Docket #FIC 2016-0565 and Docket #FIC 2016-0566, and a separate Notice of Consolidation and Rescheduled Time of Hearing, informing the parties that all three cases would be heard on September 20, 2016 at 1:00 p.m., were sent to the parties on August 24, 2016 via certified mail and, as a courtesy to the complainant, via email.

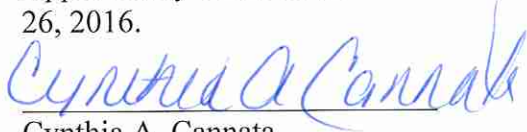
Delivery by the postal service of the notices to the complainant was unsuccessfully attempted on August 31, 2016, and September 9, 2016. The postal service notified the complainant of the attempted deliveries. The certified letter was held by the postal service until September 15, 2016, at which time the certified letter was marked by the postal service as "unclaimed/max hold time expired." The Commission received no indication that the email was not received by the complainant.

By handwritten note, dated September 20, 2016, and by email, dated September 22, 2016, the complainant apologized for her failure to appear at the hearing, claiming a "misunderstanding," and stated that she has "a lot of appointments" with her daughters and "other court issues." She also requested that the Commission "reschedule" the hearing in all three cases. The respondents, also by email dated September 22, 2016, objected. Such request is hereby denied.

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 for failure to prosecute.

Approved by Order of the Freedom of Information Commission at its regular meeting of October 26, 2016.



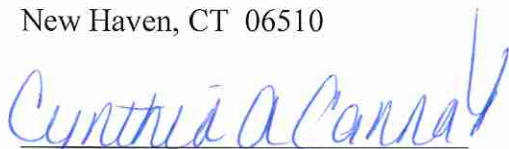
Cynthia A. Cannata  
Acting Clerk of the Commission

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:

Torrey Townsend  
39 Orchard Place  
New Haven, CT 06511

Chief, Fire Department, City of New Haven;  
and Fire Department, City of New Haven  
c/o Kathleen Foster, Esq.  
City of New Haven  
165 Church Street  
New Haven, CT 06510



Cynthia A. Cannata  
Acting Clerk of the Commission