

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Gilbert Waugh,

Complainant

against

Docket #FIC 2016-0398

Connecticut Adjutant General,  
State of Connecticut, Military  
Department; and State of  
Connecticut, Military Department,

Respondents

December 7, 2016

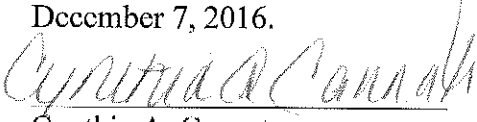
The above-captioned matter was scheduled to be heard as a contested case on September 27, 2016 at 2:30 p.m., at which time the respondents and their counsel appeared, but the complainant did not appear to prosecute the case.

The hearing officer notes that Attorney Stephen R. Sarnoski, counsel for the respondents, appeared at the hearing with seven witnesses. Specifically, it is noted that Attorney Sarnoski appeared with Lt. Colonel Timothy Tomcho, Staff Judge Advocate for the Connecticut National Guard; Antony Lewis, Human Resources Director for the Connecticut Military Department; and five military department employees, whose personnel records had been requested by the complainant. Attorney Sarnoski also represented that he had spent considerable time reviewing the records at issue in this case, meeting with his witnesses and preparing exhibits for the hearing. Finally, Attorney Sarnoski represented that, in addition to the time that he spent preparing for the hearing with his witnesses, the witnesses themselves had also spent approximately five hours searching for and reviewing records responsive to the request.

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.
2. The complainant is admonished for his failure to appear at the hearing in this matter, which failure resulted in a waste of scarce state resources.

Approved by Order of the Freedom of Information Commission at its regular meeting of December 7, 2016.

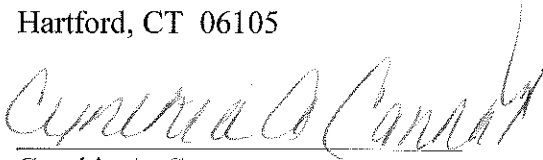
  
Cynthia A. Cannata  
Acting Clerk of the Commission

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:

Gilbert Waugh  
146 Barbour Street, Apt. B2  
Hartford, CT 06120

Connecticut Adjutant General, State of Connecticut,  
Military Department; and State of Connecticut,  
Military Department  
c/o Stephen R. Sarnoski, Esq.  
Assistant Attorney General  
State of Connecticut,  
Office of the Attorney General  
110 Sherman Street  
Hartford, CT 06105



Cynthia A. Cannata  
Acting Clerk of the Commission