

Since 1975



FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106
Toll free (CT only): (866)374-3617 Tel: (860)566-5682 Fax: (860)566-6474 • www.state.ct.us/foi/ • email: foi@po.state.ct.us

David McGuire and the
American Civil Liberties Union,
Complainant(s)
against

Notice of Meeting

Docket #FIC 2012-416

City Council, City of Bridgeport; and
City of Bridgeport,
Respondent(s)

February 5, 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, February 27, 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 February 15, 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 February 15, 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 February 15, 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: Sandra J. Staub, Esq., David McGuire, Esq.
Gregory M. Conte, Esq.

02/05/2013/FIC# 2012-416/Trans/wrbp/CAL/TCB

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

David McGuire and the
American Civil Liberties Union,

Complainant

against

Docket #FIC 2012-416

City Council, City of Bridgeport;
and City of Bridgeport,

Respondents

January 31, 2013

The above-captioned matter was scheduled to be heard as a contested case on January 25, 2013.

On January 24, 2013, the parties filed a series of emails which together constituted a stipulation and withdrawal of the complaint. Based upon these filings, the hearing officer granted the parties' motion not to attend the January 25, 2013 hearing. The parties' stipulation required a memorandum by the respondent to be read into the record at the hearing, which was conducted briefly for this purpose on January 25, 2013. The Memorandum stated the following:

TO: City Attorney Staff

FROM: Arthur C. Laske III
Deputy City Attorney

RE: FOI Responses

In order to alleviate any unnecessary delay in providing requested information pursuant to FOI requests, the following steps should be taken, whenever appropriate:

1. When an FOI request seeks documents and certain documents falling within the request can be obtained and released before others, those documents that can be obtained sooner than others should be released when they are obtained. Documents that are responsive but cannot be obtained until a later time should be disclosed when they are available. In so doing, we will be providing responsive documents when they are made

available, and we will not wait until all the responsive documents are made available before the request is complied with. The purpose of this process is to prevent any delay in the release of responsive documents that have been obtained while other documents that are not yet available are being gathered.

2. When partial compliance to an FOI request is made, we should update the requestor as to the status of the remaining documents sought, and if possible indicate the extent of any further expected delay in the production of documents.

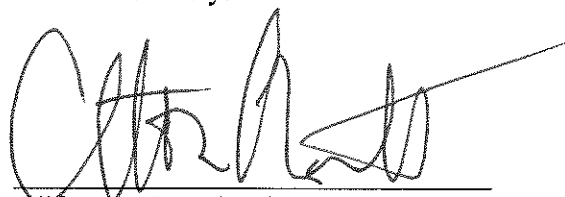
I appreciate your assistance in implementing these steps to prevent any unnecessary delay in responding to the production of documents pursuant to FOI.

Thank you.

ACL

Upon determining that the matters in this case were uncontested, the hearing officer accepted the stipulation and withdrawal in full resolution of the complaint.

Based on the foregoing, no further order is deemed necessary.

A handwritten signature in black ink, appearing to read 'Clifton A. Leonhardt', written over a horizontal line.

Clifton A. Leonhardt
as Hearing Officer