



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

John DePaolo,
Complainant(s)
against

Notice of Meeting

Docket #FIC 2011-523

Director, Department of Public Works, City of
Middletown; and Department of Public Works,
City of Middletown,

Respondent(s)

May 9, 2012

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, May 30, 2012**. 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 May 18, 2012**. 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 May 18, 2012**. **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 May 18, 2012**, 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: John DePaolo
Timothy P. Lynch, Esq.

5/9/12/FIC# 2011-523/Trans/wrbp/CAL/TCB

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

John Depaolo,

Complainant

against

Docket #FIC 2011-523

Director, Department of Public Works,
City of Middletown; and Department of Public Works,
City of Middletown,

Respondents

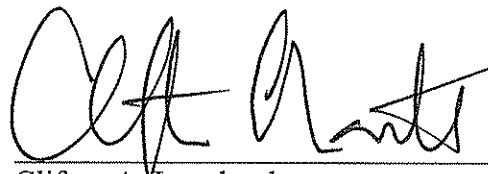
February 28, 2012

The above-captioned matter was heard as contested case on February 27, 2012, at which time the complainant and the respondents appeared and presented testimony and argument on the complaint.

Based upon the testimony, it was established that during September 2011 the complainant had received copies of all records maintained by the respondents that were within the scope of the complainant's request. The respondents agreed to notify the complainant, by letter to be mailed by March 9, 2012, as to whether they now maintain any new records within the scope of the request and to provide such records, if any. Accordingly, the complainant stated that he wished to withdraw his complaint.

The Commission recommends the following orders on the basis of the record:

1. Based on the withdrawal of the complaint, the case is hereby dismissed.
2. The Commission commends the parties on having reached a settlement.



Clifton A. Leonhardt
as Hearing Officer