

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

Robert A. Cushman,  
Complainant(s)  
against

Notice of Meeting

Docket #FIC 2012-501

Commissioner, State of Connecticut,  
Department of Emergency Services and  
Public Protection; and State of Connecticut,  
Department of Emergency Services and  
Public Protection,

Respondent(s)

June 24, 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, July 24, 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 July 12, 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, an **original and fourteen (14) copies** must be filed **ON OR BEFORE July 12, 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 July 12, 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: Robert A. Cushman  
Steven M. Barry, AAG

6/24/13/FIC# 2012-501/Trans/wrbp/CAL//LFS

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Robert A. Cushman,

Complainant

against

Docket #FIC 2012-501

Commissioner, State of Connecticut,  
Department of Emergency Services  
and Public Protection; and State of Connecticut,  
Department of Emergency Services  
and Public Protection,

Respondents

June 18, 2013

The above-captioned matter was consolidated for hearing with Docket # FIC 2012-540, which also had the heading Robert A. Cushman v. Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; and State of Connecticut, Department of Emergency Services and Public Protection. Both matters were scheduled to be heard as contested cases on March 14, 2013, at which time the complainant and the respondents appeared.

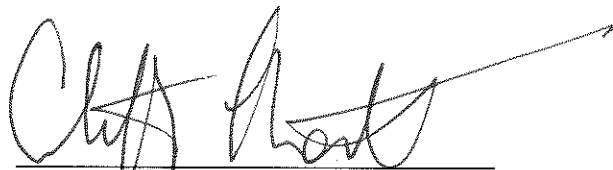
In the hearing room immediately prior to the commencement of the formal hearing, the complainant and the respondents expressed to the hearing officer their desire to negotiate a resolution of both cases. The complainant, who is an attorney, has previously utilized this procedure to resolve many of his complaints that have sought records to assist him in the defense of his clients. Without the presence of the hearing officer, the parties then negotiated the framework of an agreement to resolve this case. Upon commencement of the hearing, the parties stated that their agreement in this case would require some time to implement.

By facsimile message dated and filed with the Commission on June 6, 2013, the complainant stated that he wished to withdraw his complaint.

The following orders by the Commission are hereby recommended 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 agreed to a settlement without adjudication.

A handwritten signature in black ink, appearing to read "Cliff Leonhardt", written over a horizontal line. The signature is stylized and includes a long, sweeping stroke that extends to the right.

Clifton A. Leonhardt  
as Hearing Officer

FIC2012-501/HOR/CAL/06182013