



FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106
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Nsonsa Kisala,
Complainant(s)
against

Notice of Meeting

Docket #FIC 2015-813

Jewel Mullen, Commissioner, State of Connecticut,
Department of Public Health; and State of Connecticut,
Department of Public Health,
Respondent(s)

March 15, 2016

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, April 13, 2016**. 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 March 31, 2016**. 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 March 31, 2016**. **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 **fifteen (15) copies** be filed **ON OR BEFORE March 31, 2016**, 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: Nsonsa Kisala
Attorney Kerry Anne Colson

2015-03-15/FIC# 2015-813/Trans/wrbp/CAL/TCB

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Nsonsa Kisala,

Complainant

against

Docket #FIC 2015-813

Jewel Mullen, Commissioner, State of Connecticut,
Department of Public Health; and State of Connecticut,
Department of Public Health,

Respondents

March 11, 2016

The above-captioned matter was consolidated for hearing with Docket #FIC 2015-811, also captioned Nsonsa Kisala v. Jewel Mullen, Commissioner, State of Connecticut, Department of Public Health; and State of Connecticut, Department of Public Health, and with Docket #FIC 2015-854, Nsonsa Kisala v. Raul Pino, Acting Commissioner, State of Connecticut, Department of Public Health; and State of Connecticut, Department of Public Health. All three cases were heard as contested cases on March 8, 2016, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the above captioned complaint.

Following the review of thirteen exhibits and more than two hours of sworn testimony, the complainant and the respondents reached an agreement wherein the respondents agreed in principle to provide records within eight weeks to the complainant, pursuant to a related February 2016 records request. The Commission agreed to provide a recording of the March 8, 2016 hearing to the complainant and 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 both parties on the high quality of their presentations on the merits of this case and, despite their substantial disputes with each other, for having reached a reasonable settlement without full adjudication. The Commission hopes that this settlement will establish a foundation for the resolution of other matters pending at the Commission.

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

Clifton A. Leonhardt
as Hearing Officer

FIC2015-813/HOR/CAL/03112016