

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.ct.gov/foi • email: foi@ct.gov

Neal Botting  
Complainant(s)  
against

Notice of Meeting

Docket #FIC 2017-0397

Director, Human Resources, State of Connecticut,  
Middlesex Community College; and State of Connecticut,  
Middlesex Community College  
Respondent(s)

October 4, 2017

### 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 **2:00 p.m. on Wednesday, October 25, 2017**. 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 October 13, 2017**. 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 October 13, 2017**. **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 October 13, 2017** 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

Wendy R.B. Paradis  
Acting Clerk of the Commission

Notice to: Neal Botting  
Assistant Attorney General Mary K. Lenehan

FIC# 2017-0397/ITRA\VDH//LFS\WRBP/2017-10-4

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Neal Botting,

Complainant

against

Docket #FIC 2017-0397

Director, Human Resources,  
State of Connecticut, Middlesex  
Community College; and State of  
Connecticut, Middlesex Community  
College,

Respondents

September 19, 2017

The above-captioned matter was scheduled to be heard as a contested case on September 14, 2017 at 1:00 P.M., at which time the respondents appeared, but the complainant did not appear to prosecute the case.

The hearing officer notes that Assistant Attorney General Mary K. Lenehan, counsel for the respondents, appeared at the hearing with Attorney Gregory Daniels and Director of Strategic Initiatives Michael Kozlowski, both from Connecticut State Colleges and Universities, and with Human Resources Director Anastasia Pych from Middlesex Community College. Attorney Lenehan represented that she had spent approximately six hours reviewing the requested records, meeting with her witnesses and generally preparing for the hearing. Attorney Lenehan further represented that Attorney Daniels, Mr. Kozlowski and Ms. Pych, as well as other staff members at Middlesex Community College, had spent considerable time working with the complainant, and searching for and reviewing the requested records. The hearing officer further notes that Attorney Lenehan, Attorney Daniels, Mr. Kozlowski and Ms. Pych all arrived on time, only to have a three minute hearing and then travel back to their respective jobs.

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.



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Valicia Dee Harmon  
as Hearing Officer