

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Douglas Fleming and Kevin Brolin,

Complainants

against

Docket #FIC 2016-0664

Mayor, City of Middletown; and  
City of Middletown,

Respondents

February 8, 2017

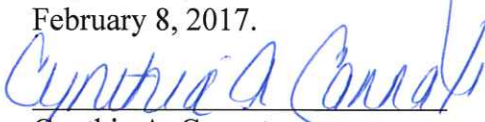
The above-captioned matter was scheduled to be heard as a contested case on November 28, 2016 at 1:00 P.M., at which time Attorney Kori Wisneski appeared on behalf of the respondents, but the complainants did not appear to prosecute the case.

The hearing officer notes that Attorney Wisneski represented that the respondents had spent considerable time searching for records responsive to the request. In fact, Attorney Wisneski represented that the respondents searched for responsive records over the course of three weeks, and ultimately provided some 1700 pages of records to the complainants. In addition, Attorney Wisneski represented that her paralegal had spent the better part of three days reviewing the disclosed records in order to prepare an in camera index and arrange the in camera records for lodging with the Commission. Finally, Attorney Wisneski represented that she had spent approximately two and a half hours performing legal research and generally preparing for the contested case hearing.

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 complainants are admonished for their failure to appear at the hearing in this matter, which failure resulted in a waste of scarce legal and state resources.

Approved by Order of the Freedom of Information Commission at its regular meeting of February 8, 2017.



Cynthia A. Cannata  
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

Douglas Fleming and Kevin Brolin  
c/o Douglas P. Fleming, Esq.  
267 Willimantic Road  
Chaplin, CT 06235

Mayor, City of Middletown; and City of Middletown  
c/o Kori Wisneski, Esq.  
245 DeKoven Drive  
Middletown, CT 06457



Cynthia A. Cannata  
Acting Clerk of the Commission