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FREEDOM OF INFORMATION



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

Notice of Meeting

Docket #FIC 2012-217

Chief, Police Department, Town of West
Hartford; and Police Department, Town of West
Hartford,

Respondent(s)

December 19, 2012

Transmittal of Proposed Final Decision Dated

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 dated , 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, January 9, 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 December 24, 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 December 24, 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 December 24, 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: Robert Milne
Patrick G. Alair, Esq.

12/19/2012/FIC# 2012-217/Trans/wrbp/TCB/PSP

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In The Matter of a Complaint by

Report of Hearing Officer

Robert Milne,

Complainant

against

Docket #FIC 2012-217

Chief, Police Department, Town of
West Hartford; and Police Department,
Town of West Hartford,

Respondents

December 19, 2012

The above-captioned matter was heard as a contested case on October 4, 2012 at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

A hearing officer's report, dated November 28, 2012, was issued on December 7, 2012 which recommended that the complaint be dismissed because the complainant's refusal to provide the information to facilitate compliance with his own request was unreasonable and served only to obfuscate compliance.

However, by letter dated December 17, 2012, the complainant withdrew his complaint. The Commission takes administrative notice of such letter.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. Based on the complainant's letter of withdrawal, the complaint is hereby dismissed.



Attorney Tracie C. Brown
as Hearing Officer