



98-12

STATE OF CONNECTICUT

STATE ETHICS COMMISSION

February 1, 1999

PRESS RELEASE

On October 2, 1998, Ethics Commission Principal Attorney Brenda M. Bergeron filed a Complaint against Thomas G. Cotter, alleging that Mr. Cotter had accepted payments from a law firm with a substantial workers compensation practice while sitting as a Workers Compensation Commissioner. State ethics law prohibits the use of one's public office or position to obtain financial gain.

On February 1, 1999, the Ethics Commission and Mr. Cotter settled this matter by entering into a Stipulation and Order which requires Mr. Cotter to pay a \$5000 civil penalty.

Copies of the Complaint and Stipulation and Order are attached.

FOR MORE INFORMATION CALL:

Alan S. Plofsky
Executive Director and General Counsel

or

Brenda M. Bergeron
Principal Attorney

566-4472



STATE OF CONNECTICUT

STATE ETHICS COMMISSION

DOCKET NUMBER 98-12

STATE ETHICS COMMISSION

IN THE MATTER OF A

20 TRINITY STREET

COMPLAINT AGAINST

HARTFORD, CT 06106

THOMAS G. COTTER

JANUARY 12, 1999

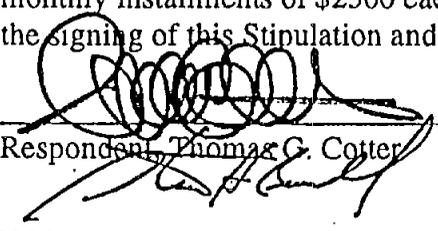
STIPULATION AND ORDER

Pursuant to Connecticut General Statutes §4-177(c), the State Ethics Commission and the Respondent agree to settle this matter in the manner described below:

1. The Commission finds that the Respondent violated the Code of Ethics for Public Officials as alleged in the Complaint dated October 2, 1998.
2. The Respondent completely and adamantly denies the allegations contained in the complaint and states that he is willing to settle this claim only in order to avoid any further costly litigation, and to prevent the presentation of any claims and/or actions of any kind, civil or criminal, against himself and/or the current and former officers of Cotter, Cotter & Sohon, P.C.
3. The Respondent waives any rights he may have under Conn. Gen. Stat. §§1-82, 1-82a, 1-87 and 1-80, including any right to a hearing or appeal in this case, and agrees with the Commission to an informal disposition of this matter as authorized by Conn. Gen. Stat. §4-177(c).

WHEREFORE, the State Ethics Commission enters and the Respondent agrees to the following order in lieu of any other action regarding this matter:

The Respondent agrees to pay \$5,000 to the Ethics Commission, payable in monthly installments of \$2500 each, the first installment to be made within thirty days of the signing of this Stipulation and Order.


Respondent, Thomas G. Cotter

1-15-99
Dated

State Ethics Commission
By: Stanley Burdick
Its Chairperson

2-1-99
Dated

cottstip

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STATE OF CONNECTICUT
STATE ETHICS COMMISSION

CONFIDENTIAL

DOCKET NUMBER 98-12

STATE ETHICS COMMISSION

IN THE MATTER OF A

20 TRINITY STREET

COMPLAINT AGAINST

HARTFORD, CT 06106

THOMAS G. COTTER

OCTOBER 2, 1998

COMPLAINT

1. At all times relevant herein, the Respondent was a public official as that term is used in the Code of Ethics for Public Officials, Conn. Gen. Stat. §1-79 et seq., serving as a Workers Compensation Commissioner from May of 1996 to April of 1997.
2. Connecticut General Statutes §1-84(c) prohibits, among other things, a public official from using his public office or position to obtain financial gain for himself.
3. Connecticut General Statutes §1-84(b) prohibits, among other things, a public official from accepting other employment that impairs his independence of judgment with regard to his official duties.
4. Connecticut General Statutes §31-276(e) states that "each compensation commissioner shall devote his full time to the duties of his office and shall not be otherwise gainfully employed."
5. On February 7, 1996, Governor John Rowland nominated the Respondent to be a Workers Compensation Commissioner.
6. At the time of his nomination, the Respondent was a partner in the law firm of Cotter, Cotter and Sohon, P.C., a firm which, at all times relevant herein, has had a significant workers compensation practice in the state of Connecticut.
7. At all times relevant herein, Daniel H. Cotter and William L. Cotter were also partners in the law firm.
8. During the time that the Respondent sat as a Workers Compensation Commissioner, the law firm of Cotter, Cotter and Sohon, P.C. continued to practice before the Workers

Compensation Commission, although most of the firm's work was not handled by the regional office where the Respondent was sitting.

9. The Respondent has stated that he retained no financial interest in Cotter, Cotter and Sohon, P.C. while he was employed as a Workers Compensation Commissioner.
10. In August of 1995, Cotter, Cotter and Sohon, P.C. entered into a lease with 500 Boston Post Road Milford, LLC. The lease calls for monthly rental payments of \$5000.
11. No payments were made under the lease until April of 1996, after the Respondent had been nominated to the position of Workers Compensation Commissioner.
12. On May 3, 1996, in the same week that the Respondent was sworn in as a Workers Compensation Commissioner, the Respondent and two others, Daniel H. Cotter and William L. Cotter, transferred by quit claim deed the property known as 500 Post Road Milford to 500 Post Road Milford, LLC.
13. At all times relevant herein, the members of 500 Post Road Milford, LLC were Daniel H. Cotter, William L. Cotter, and the Respondent Thomas G. Cotter.
14. During the time that the Respondent sat as a Workers Compensation Commissioner, he received monthly checks for \$3000 from 500 Boston Post Road Milford, LLC. Each check contained the notation "part. dist."
15. During the time that the Respondent sat as a Workers Compensation Commissioner, the other two members of 500 Boston Post Road Milford, LLC., also received monthly checks for \$3000, marked "part. dist." Thus, the payments under a lease calling for a rent of \$5000 per month were in fact made at the rate of \$9000 per month.
16. The Respondent resigned as a Workers Compensation Commissioner effective March 26, 1997.
17. On March 31, 1997, 500 Boston Post Road Milford, LLC transferred the property known as 500 Boston Post Road to John J. and Mary G. Cotter, who then, by quit claim deed dated April 3, 1997, transferred a one-quarter interest in the property to the Respondent Thomas G. Cotter. Both deeds were filed on the Milford land records on April 4, 1997.
18. The Respondent returned to the law firm of Cotter, Cotter and Sohon, P. C. on April 7, 1997.

19. The Respondent's acceptance of payments from a law firm with a substantial workers compensation practice, while sitting as a Workers Compensation Commissioner, constitutes a violation of Conn. Gen. Stat. §§1-84(b), 1-84(c), and 31-276(e).

10-2-98
Date


Brenda M. Bergeron
Ethics Commission Attorney

cottcomp