

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.state.ct.us/foi/ • email: foi@po.state.ct.us

Ken Kramer,  
Complainant(s)  
against

Notice of Meeting

Docket #FIC 2013-517

Commissioner, State of Connecticut,  
Department of Social Services; and State of  
Connecticut, Department of Social Services,  
Respondent(s)

April 21, 2014

### 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, May 14, 2014**. 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 May 2, 2014**. 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 May 2, 2014**. **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 May 2, 2014**, 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: Ken Kramer  
Patrick B. Kwanashie, Esq.

2014-04-21/FIC# 2013-517/Trans/wrbp/VRP//GFD

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Ken Kramer,

Complainant

against

Docket #FIC 2013-517

Commissioner, State of Connecticut,  
Department of Social Services; and  
State of Connecticut, Department of  
Social Services,

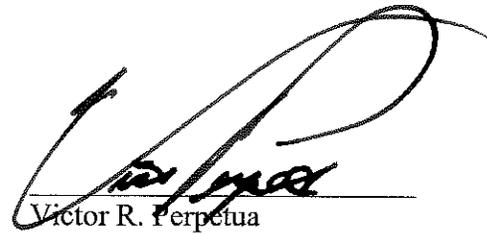
Respondents

February 24, 2014

The above-captioned matter was scheduled to be heard as a contested case at 9:30 a.m. on February 21, 2014, at which time the respondents appeared with two witnesses and counsel, but the complainant failed to appear. The complainant had provided a mailing address in Clearwater, Florida, but had not communicated with the Commission regarding his intention to appear or not to appear. The hearing officer telephoned the complainant at 9:35 a.m. on the morning of the hearing in order to ascertain his intentions, and left a message on the complainant's voicemail. The hearing officer then waited until 9:52 before opening the hearing without the presence of the complainant. Later in the morning, following the hearing, the complainant telephoned the hearing officer to say that he had misplaced the notice of hearing, did not intend to attend the hearing, and had recently received documents from the respondents. The complainant later forwarded, by email, documents that appear to have been provided to him by the respondents, and which have been marked for identification in the file for this matter. The complainant requested that the proposed decision reflect that the respondents had provided documents in response to his request only at the eleventh hour; however, no record of testimony or other evidence was produced at the hearing to support such a finding. Therefore, no factual findings are made in this report concerning what records were provided to the complainant or when they were provided.

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

1. The complaint is dismissed for failure to prosecute.

A handwritten signature in black ink, appearing to read 'Victor R. Perpetua', written over a horizontal line.

Victor R. Perpetua  
As Hearing Officer

FIC2013-517/HOR/VRP/02212014