

Meagan DeJesus

From: Daniel A. Bullard CLU ChFC [dbullard@bullardfinancial.com]
Sent: Wednesday, September 03, 2014 10:03 AM
To: 'Jon Wilson'
Cc: 'Anthony Cinicola'; 'Jose Giner'; 'Dee Dee Hakun'; 'Brian Knudsen'; 'Dan Bullard'; 'Betsy Weiland'; 'Bonnie Sanders-Newton'; 'Gregory Ames'; 'Jake Greenvall'; 'Ted Ells'; 'Spencer Bartels'; 'Sandra Fischer'; 'Leslie Consolo'; 'Sam Kirby'; 'Linda Reed'; 'Tim Lee'; sca06405@gmail.com
Subject: RE: Your Attorney's Response

Jon-

I am sorry, I did not see this email until this morning. I have referred it to our attorney.

Thanks, Dan

Daniel A. Bullard CLU ChFC

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From: Jon Wilson [<mailto:jonwilson@snet.net>]
Sent: Tuesday, September 02, 2014 5:59 PM
To: Dan Bullard
Cc: Anthony Cinicola; Jose Giner; Dee Dee Hakun; Brian Knudsen; Dan Bullard; Betsy Weiland; Bonnie Sanders-Newton; Gregory Ames; Jake Greenvall; Ted Ells; Spencer Bartels; Sandra Fischer; Leslie Consolo; Sam Kirby; Linda Reed
Subject: Your Attorney's Response

Dear Dan,

Thank you for sending a copy of your attorney's response to Brian Knudsen. I have a question regarding item number 4 of Mr. Lee's letter.

"4. Your (Mr. Knudsen's Aug 5th) letter is deemed a request under the Freedom of Information Act, CGS Section 1-200 et seq. The information requested is deemed exempt from production under CGS Section 1-210(b)(4) because it seeks 'records pertaining to strategy and negotiations with respect to pending claims or pending litigation to which the public agency is involved . . .'"

I fail to see how the above applies. In my opinion, it does not fit the definitions under the Connecticut FOIA statute.

Sec. 1-200. (Formerly Sec. 1-18a). Definitions.

(8) "Pending claim" means a written notice to an agency which sets forth a demand for legal relief or which asserts a legal right stating the intention to institute an action in an appropriate forum if such relief or right is not granted. [I know of no such written demand, do you? Does one exist? Yes or No.]

(9) "Pending litigation" means (A) a written notice to an agency which sets forth a demand for legal relief or which asserts a legal right stating the intention to institute an action before a court if such relief or right is not granted by the agency; (B) the service of a complaint against an agency returnable to a court which seeks to enforce or implement legal relief or a legal right; or (C) the agency's consideration of action to enforce or implement legal relief or a legal right. [Again, does such a written notice exist? Yes or No.]

Perhaps you and/or your Board members can clear this up and post it in the minutes.

Regards,

Jon