

NO. LLI-CV-21-5014019-S

JON A. GOODWIN	:	SUPERIOR COURT
VS.	:	J. D. OF LITCHFIELD
RAYMOND J. MILOT, JUNIOR, ET AL.		FEBRUARY 28, 2022

**BRIEF IN SUPPORT OF MOTION FOR CONTEMPT AGAINST
DEPARTMENT OF CHILDREN AND FAMILIES**

On February 8, 2022, this court ordered that the plaintiff was authorized, among other things, to take the deposition of the keeper of records for the Department of Children and Families “but may only access records pertaining to the plaintiff....” The court further ordered that permitted discovery by the plaintiff must be completed within 45 days of the order.

The following day, February 9, 2022, the plaintiff issued a subpoena for the records in question and that subpoena was served upon an authorized DCF recipient on February 14, 2022. The deposition commanded production not later than 2:00 p.m. on February 24, 2022. No representative from the DCF even contacted the undersigned or the court by the close of business on February 24. The plaintiff accordingly moved for contempt.

At 10:55 a.m. on February 28, plaintiff’s undersigned attorney received an email from Michael L. Flowers, a Paralegal Specialist in the Torrington office of

the DCF Legal Division, attaching 45 pages of documents. Thirty-one of those 45 pages were completely redacted except for the names of some DCF personnel and a few dates. The remaining 14 pages were heavily redacted, usually to the extent that they were unintelligible.

Moreover, Mr. Flowers instructed plaintiff's counsel not to disclose these documents to any person without DCF permission, threatening incarceration should that instruction not be followed.

Aside from being late, the documents appear not to be compliant with the court-ordered subpoena duces tecum in this case because they are so heavily redacted. Moreover, some defense attorneys in this case have explicitly requested copies of the records produced pursuant to the subpoena and plaintiff's counsel is reluctant to proceed further without express direction of the court.

The plaintiff requests that, at a minimum, the DCF be ordered to provide the court with unredacted documents to be reviewed by the court *in camera*.

THE PLAINTIFF

BY _____ /s/ (#067962)
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CERTIFICATION OF SERVICE

On the above date, copies hereof were sent to: Rebecca Mayo Goodrich, LLC, P. O. Box 1420, New Milford, CT 06076, rmg@mayogoodrichlaw.com; DanaherLagnese PC, 21 Oak Street, Suite 700, Hartford, CT 06106, lwaltman@danaherlagnese.com; pderiso@danaherlagnese.com; mkiwczun@danaherlagnese.com; sdauch@danaherlagnese.com; jkocienda@danaherlagnese.com; Samantha C. Wong, Esq., Assistant Attorney General, 110 Sherman Street, Hartford, CT 06105, samantha.wong@ct.gov; Stockman O'Connor Connors PLLC, 10 Middle Street, 11th Floor, Bridgeport, CT 06604; estockman@stockmanoconnor.com; vruszkowski@stockmanoconnor.com; lduval@stockmanoconnor.com

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