



Office of the Attorney General
State of Connecticut

May 21, 2019

Jonathan M. Shapiro
Attorney at Law
Shapiro Law Offices, LLC
32 Washington Street
Middletown, CT 06457

Re: Civic Mind, LLC and Thomas J. Clynych IV, Hartford Sports Group, City of Hartford and Capital Region Development Authority

Dear Attorney Shapiro:

Thank you for your letter regarding your clients Civic Mind, LLC and Thomas J. Clynych IV concerning the Capital Region Development Authority's ("CRDA") Request for Proposal #18-001 Dillon Stadium. I apologize for the delay in responding to your concerns.

You report that you believe there was improper collusion in the bidding of the Dillon Stadium project by the City of Hartford, Capitol Region Development Authority (CRDA) and Hartford Sports Group (HSG) and that you are referring the matter to our office pursuant to Conn. Gen. Stat. Sec. 4e-31. This statute provides for notice to the Office of the Attorney General when there is suspected collusion "among any bidders or proposers." You also assert that the actions of the parties may have violated antitrust law. On its face, the information you have provided does not appear to fall within the terms of Sec. 4e-31 or to suggest a violation of antitrust law, because you provide no indication that HSG colluded with any other *competitor* in regard to the Request for Proposal.

It does appear that any contract entered into by CRDA would be subject to review for alleged improprieties by the State Contracting Standards Board ("CSB"), at least provided that the alleged improprieties occurred in "wanton or reckless disregard of any state contracting and procurement process," Conn. Gen. Stat. Sec. 4e-7(a)(B). I understand that you previously filed such a complaint, which was rejected because there was reportedly no contract in place with HSG. Accordingly, you may wish to file a new complaint with the CSB when a contract is awarded or if any construction is proceeding under a contract with some other party. You may contact that agency at 18-20 Trinity Street, Hartford, CT 06106.

I am sorry we are not able to be of more direct assistance.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Sandra G. Arenas".

Sandra G. Arenas
Special Associate Attorney General
for Constituent and Consumer Affairs

VIA PDF EMAIL AND REGULAR MAIL

February 7, 2019

Attorney General William Tong
Office of the Attorney General
55 Elm Street
Hartford, Connecticut 06106
Attorney.general@ct.gov

Re: Civic Mind, LLC and Thomas J. Clynch IV, Hartford Sports Group, City of Hartford and Capital Region Development Authority

Dear Attorney General Tong,

Please be advised that this office represents Civic Mind, LLC and Thomas J. Clynch IV (“Civic Mind”). I write concerning the Capital Region Development Authority’s (“CRDA”) Request for Proposal #18-001 “Dillon Stadium”. This notice follows my client’s formal contest of this matter to the Connecticut State Contracting Standards Board (“SCSB”), and is submitted pursuant to Conn. Gen. Stat. § 4e-31.

As I am sure you are aware, Conn. Gen. Stat. § 4e-31 provides that “[w]hen, for any reason, collusion or other anticompetitive practices are suspected among any bidders or proposers for a state contract, a notice of the relevant facts shall be transmitted to the Attorney General by any affected party, including, but not limited to, the state contracting agency, a bidder or a proposer.” Civic Mind is an affected party. As set forth below, it appears that collusion or favoritism influenced the conduct of the bidding officials in awarding this contract.

By way of background, CRDA issued a Request for Proposals (#18-001) on September 15, 2017 for the redevelopment and management of Dillon Stadium. CRDA subsequently selected a bid by Hartford Sports Group (“HSG”), led by Bruce Mandell, which included a request for \$10,000,000 in taxpayer funds. Civic Mind also submitted a bid which included an offer to privately finance the project and provided for the redevelopment of Dillon Stadium using private funds—as opposed to taxpayer dollars. My client did not receive an interview or serious consideration nor did any other bidder other than HSG. After my client obtained further information in response to Freedom of Information Act requests, it became apparent that HSG had advance access to the City of Hartford and knowledge of public funding—which information was not provided to other bidders. This lack of equal opportunity is exactly the type of preferential that questions the integrity of a competitive bidding process.

It appears the plan for Dillon Stadium was collaboratively developed and [fully adopted by CRDA, the City of Hartford and HSG](#) in February 2017 with available correspondences recorded as early as December 2016. In fact, HSG, the City of Hartford and CRDA produced an independent analysis of Dillon Stadium in April 2017 — [the ICON Report](#). ICON Venue Group, a third party
ShapiroLawOfficesCT.com

32 Washington Street | Middletown, CT 06457 | ph. 860.347.3325 | fax. 860.347.3874

design firm, produced a report outlining a \$10.7m budget to redevelop Dillon Stadium to HSG's specifications. Again, this report was created in collaboration with the City of Hartford and CRDA officials, yet never disclosed to other bidders.

The abundance of evidence discovered in my client's FOIA requests initiated my client's formal contests with the SCSB. However, as no executed contracts exist between HSG, the City of Hartford and CRDA — despite construction underway and bond funds being withdrawn — the SCSB cannot move forward with any contest. Therefore, the SCSB dismissed my client's complaint "without prejudice" with an agreement to re-evaluate our contest upon the execution of any contracts — and the recommendation to refer this matter to the Office of the Attorney General.

Again, as has been represented to my client, no contract exists with HSG yet construction is fully underway. Kevin Reynolds, counsel for HSG and its principals Bruce Mandell, Scott Schooley and Joseph Calafiore, filed a "Declaration of Complaint", on November 7, 2018, to the State Elections Enforcement Commission (SEEC) detailing improper political contributions made in violation of Conn. Gen. Stat. §§9-612 et seq and 9-704(c)(1). It is believed that HSG's improper contributions were with specific intent; in service to a self-interested and calculated business agenda to utilize public property and taxpayer money to enrich themselves. As a potential state contractor, we understand HSG is now unable to execute a contract until this matter is resolved.

Meanwhile, CRDA has since requested an expedited investigation of the SEEC, which we believe is another example of the impropriety of the RFP process. First and foremost, it is alarming that CRDA, as an agency of state government, would seek preferential treatment for, and prioritize the goals of, a private enterprise over the integrity of a taxpayer funded development project it oversees. Secondly, CRDA's sense of urgency is generously manufactured for the sole benefit of HSG. Based on recent resolutions, we further believe that CRDA and HSG are deliberately trying to change the nature of the relationship between the parties in order to circumvent these violations.

For your convenience, attached you will find a timeline of key dates of the RFP process. All documents can be found in a Dropbox folder [here](#).

We look forward to hearing from you concerning this matter of public interest.

Very truly yours,

/s/Jonathan M. Shapiro
Jonathan M. Shapiro

Cc: David Guay

RFP Timeline

August 2016: The first correspondence of Bruce Mandell's solicitation of CRDA for use of Dillon Stadium.

December 27, 2016: A "follow up" meeting requested between Sean Fitzpatrick (City of Hartford), Mike Freimuth (CRDA), Jamie Bratt (City of Hartford) and Bruce Mandell (HSG). That meeting scheduled was scheduled for January 11, 2017.

January 2017: City of Hartford staff, led by Sean Fitzpatrick, formalize the relationship between the parties (City of Hartford, CRDA and HSG) including HSG lobbyists Kozak & Salina, discussing an upcoming meeting with City Hall.

February 7, 2017: Correspondence between Bruce Mandell, Sean Fitzpatrick, Mike Freimuth, and Kozak & Salina establishes the unanimous adoption of a shared plan for the future of Dillon Stadium based on HSG's agenda.

March 2017: ICON Venue Group, a stadium design firm retained by HSG, conducts a site visit of Dillon Stadium with cooperation of City of Hartford and CRDA.

April 14, 2017: ICON Venue Group produces a comprehensive analysis for Hartford Sports Group to develop Dillon Stadium to USL (HSG's soccer league) specifications with a budget of \$10.7M. The report includes internal City documents and numerous stadium vendor quotes.

August 9, 2017: CRDA letter to City of Hartford initiating a sham RFP process.

August 14, 2017: Bruce Mandell correspondence to Sean Fitzpatrick and Mike Freimuth updating the status of Hartford Sports Group's USL franchise bid.

August 22, 2017: Letter between City of Hartford and CRDA, in furtherance of the sham RFP process.

September 14, 2017: The RFP, #18-001, is released. Known interested parties receive unsolicited contact from CRDA's Kimberly Hart asking for responses for the use, management and outside investment to develop Dillon Stadium.

- The RFP included a truncated response period of 28 days. This shortened deadline was designed to serve HSG's new franchise entry timeline (April 2019) and to exclude possible competition with the "ICON" report, produced six months prior to issuance of RFP. No other respondent could possibly produce a comparable analysis in just 28 days.

- CRDA, led by Sean Fitzpatrick and Kim Hart of CRDA's Venue Committee, held a

public forum to further the illusion of a fair and equitable bidding process. While the RFP asks respondents to “provide for the upgrade and repair of the Stadium” HSG audaciously requests \$10,000,000 in public funds.

December 1, 2017: CRDA issues a letter to the City of Hartford recommending HSG as vendor/contractor.

December 14, 2017: City of Hartford issues acceptance letter of HSG.

June 2018: Documents show the HSG realizing the extent of the stadium budget overruns as early as June 2018. HSG principal Joe Calafiore is expressly directing CRDA regarding design changes and reducing construction costs in August 2018.

September 24, 2018: The Hartford Business Journal reports CRDA and HSG are experiencing “unexpected surprises” and were working to avoid project cost overruns. These overruns foreshadow the need for future bond funding.

October 17, 2018: My client met with CRDA’s Deputy Director Anthony Lazarro to retrieve the documents of our FOIA request. In discussing the project, I explained my belief the team and the project, despite receiving \$10,000,000 in state funds, were grossly undercapitalized. Mr. Lazarro responded, HSG CEO Bruce Mandell already had favorable conversations with Democratic Gubernatorial candidate Ned Lamont about future bond funding to complete the project. We believe this speaks to the intent of HSG’s political contributions.

WEINSTEIN & WISSER, P.C.

ATTORNEYS AT LAW

29 SOUTH MAIN STREET, SUITE 207

WEST HARTFORD, CONNECTICUT 06107

TELEPHONE (860) 561-2628

FACSIMILE (860) 521-6150

RICHARD P. WEINSTEIN

KERRY MARC WISSER*†

SARAH LINGENHELD

E-MAIL: RPW@WEINSTEINWISSER.COM

E-MAIL: KMW@WEINSTEINWISSER.COM

*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

†ALSO ADMITTED IN PA

March 26, 2018

DELIVERED BY HAND AND BY WAY OF E-MAIL:

Honorable Luke A. Bronin, Mayor
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Dillon Stadium Development

Dear Mayor Bronin:

The undersigned represents Civic Mind, LLC ("Civic Mind") and its sole member, Thomas J. Clynch, IV ("TJ"). As you are well aware, Civic Mind was previously a client of the law firm Hinckley Allen in litigation against the City of Hartford specifically relating to the development of Dillon Stadium. During the pendency of that litigation, it is my understanding that you were a partner/principal of Hinckley Allen and you served as co-counsel (at least in part) to Civic Mind in regard to the litigation against the City of Hartford.

I have been advised that on July 6, 2015, while you were acting in the capacity as counsel for Civic Mind, you had a meeting with TJ that took place at your home. You instructed TJ to provide you with information regarding Dillon Stadium, including the work that TJ and Civic Mind had performed to date relating to the project. It is my understanding that you also asked for information concerning future plans for the Dillon Stadium project, as well as TJ's analysis regarding the viability of procuring a professional soccer team to play in Dillon stadium. I also understand that you specifically discussed with TJ his analysis of the proposals that had been provided to the City of Hartford by Black Diamond and Premier Sports Management Group, including any information that TJ had obtained through his participation in the investigation that was being conducted by the Federal Bureau of Investigation ("FBI").

I am attaching an e-mail correspondence between TJ and Thomas S. Marrion (who I understand may have been the Managing Partner of Hinckley Allen at the time) dated January 28, 2015. This e-mail establishes that several months prior to the meeting between you and TJ in July, 2015, TJ had already raised issues regarding his

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Honorable Luke A. Bronin, Mayor
March 26, 2018

concerns about your involvement in Civic Mind's case against the City of Hartford, especially given the fact that you were considering running for Mayor of the City of Hartford. This e-mail not only identifies the concerns about an "appearance of impropriety," but represents the determination by your then law firm that Hinckley Allen was comfortable continuing to proceed with the representation of Civic Mind against the City of Hartford, despite your political aspirations.

As you are well aware, Civic Mind participated and responded in the latest Request for Proposal issued by the Capitol Region Development Authority ("CRDA"). Based upon my reading of information that has been published in various news articles, it appears that CRDA assumed a somewhat independent role as negotiator on behalf of the City of Hartford for this most recent attempt to develop Dillon Stadium. It is my assumption that CRDA acted in this capacity because both current and former employees of the City of Hartford were then (or had been) involved in the federal criminal investigation, as well as various other civil matters, including the lawsuit that had been filed by Civic Mind. Although the proposal submitted by Civic Mind was not recommended by CRDA through the aforesaid process, TJ made it clear to CRDA and members of the Hartford community that he would solicit the City Council directly to advocate his proposal and ideas for a community-type development relating to Dillon Stadium and the contiguous Colt Park.

I have had an opportunity to review your letter dated March 26, 2018, to the Honorable Gwendolyn L.H. Thames, Council President and Members of the Court of Common Council. That letter included your Resolution in which you are seeking authorization for the City of Hartford to enter into a licensing agreement with CRDA for the operation of Dillon Stadium. The purpose of this letter is to advise you that Civic Mind takes the position that you should withdraw your Resolution and further recuse yourself from this process for the development of Dillon Stadium. This matter should be delegated to the Court of Common Council, collectively, without input from you directly. This is so because you have had an opportunity to solicit and obtain proprietary and confidential information from Civic Mind regarding its proposals for Dillon Stadium and provided past legal advice to Civic Mind and TJ directly regarding the same. This represents, at a minimum, an "appearance of impropriety" and would make it quite difficult for you to segregate in your mind what information you obtained through your legal representation of Civic Mind and TJ as opposed to information obtained from outside sources.

Please recognize that this letter does not constitute any direct allegation of impropriety, but rather, provides the basis for you to recognize the appearance of a

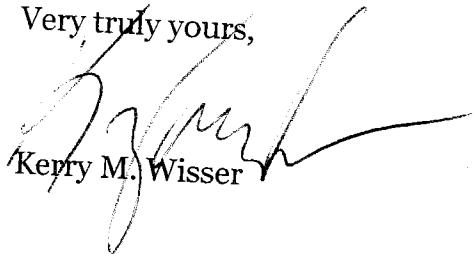
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March 26, 2018

conflict and to choose a path that extricates the development process from any further questions or concerns about the independence of the same.

I am certainly happy to discuss this matter with you or Corporation Counsel, should you wish to do so. Nevertheless, Civic Mind reserves all rights relative to your proposed Resolution and the legality of the same, should it somehow be approved.

I await your reply.

Very truly yours,


Kerry M. Wisser

KMW/cmg
Enclosure

cc: By way of e-mail only:
Thomas J. Clynch, IV
Peter Martin, Esquire
Thomas S. Marrion, Esquire
Howard Rifkin, Esquire
Members of the Court of Common Council

From: Marrion, Thomas S. tmarrion@hinckleyallen.com
Subject: RE: Non-disclosure agreement for UConn
Date: January 28, 2015 at 12:45 PM
To: TJ Clynch tj@civicmindstudios.com
Cc: Martin, Peter J. pmartin@hinckleyallen.com



Thanks, TJ. I look forward to hearing your update.

I talked about the Civic Mind case with Peter, and mentioned it to Luke. We are all comfortable continuing to proceed as we have been. The topic may come up in the campaign but we think it is manageable. Thank you for your sensitivity on this.

Best regards, Tom

From: TJ Clynch [<mailto:tj@civicmindstudios.com>]
Sent: Wednesday, January 28, 2015 11:36 AM
To: Marrion, Thomas S.
Cc: Martin, Peter J.
Subject: Re: Non-disclosure agreement for UConn

Thanks Tom. The UConn meeting was rescheduled to tomorrow, I'll be sure to keep you posted.

I saw Luke Bronin on Face the State this week. The first time I've heard him speak - very impressive. Just wondering if you had any further thoughts or discussions around building a Chinese wall between Civic Mind's case and Luke. I'd like to be extra cautious due to the coincidental timing of Civic Mind's filing of our case against the City of Hartford then Luke joining HinckleyAllen and running for Mayor. I may be overthinking the politics, but want to be prudent and avoid even the appearance of impropriety for everyone's sake.

TJ Clynch
Civic Mind / Creative Leadership
civicmindstudios.com
860.748.0113
<http://www.linkedin.com/in/tjclynch>

On Jan 16, 2015, at 5:17 PM, Marrion, Thomas S.
<tmarrion@hinckleyallen.com> wrote:

TJ – the proposed agreement is attached. Let me know if you have any questions.
Have a good weekend. Best regards, Tom

Thomas S. Marrion
Partner

Hinckley Allen
20 Church Street
Hartford, CT 06103-1221
p: 860-331-2660 | f: 860-331-2661
tmarrion@hinckleyallen.com



UNITED SOCCER LEAGUES

February 17, 2014

Mr. TJ Clynch
Principal / Creative Leadership
Civic Mind

RE: W-League

Dear TJ:

On behalf of United Soccer Leagues and the W-League, we want to thank you for joining us at our 2013 USL Annual General Meeting. The USL AGM is a celebration of a year of accomplishments and professional growth in addition to being an important working and educational weekend that draws owners, executives and coaches from USL's professional and amateur teams, as well as influential figures from national and international soccer organizations, and it was a pleasure meeting you at such an opportune assembly. We've enjoyed discussing your ideas to bring a W-League franchise to the Hartford, CT area which, due to its soccer-savvy population and geographical positioning to other regional W-League franchises, is a market of strong interest to USL and the W-League.

We look forward to continuing to work with you, the investor group as well as city and government officials to answer questions about USL and the W-League, existing franchise models, the due diligence process, capitalization needs, and other areas of interest as you prepare to join the W-League for the 2015 season.

Please do not hesitate to contact Tim Holt or me should you have any questions.

Kind Regards,

Amanda Duffy
Senior Director, W-League

CC Tim Holt, President