



# INNOVATIVE COUNSEL GROUP, LLC

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May 19, 2020

**SENT VIA CERTIFIED MAIL**

The Honorable Robert W. Clark, General Counsel  
Office of the Governor Office of Governor Ned Lamont  
State Capitol  
210 Capitol Avenue  
Hartford, CT 06106

Re: **Freedom of Information Request ("FOIA")**

Dear Judge Clark:

This office represents the Council of Non-Essential Businesses, LLC ("CNEB") and on behalf of this client, I respectfully make a request under Conn. Gen. Stat. §1-200, *et. seq.*, otherwise known as the State of Connecticut's Freedom of Information Act for:

1. Any correspondences, memoranda, transcripts, notes, emails, any other written and/or recorded material, and any other documentation tangible or intangible, concerning any exchange between Governor Lamont and/or the staff of the Governor's office and/or anyone representing and/or acting on behalf of the Governor, his staff, or any other State Agency pertaining to the creation and composition of the Reopen Connecticut Advisory Group (RCAG), including, but not limited to, the criteria and qualifications for appointment to the group, the manner in which appointment to the group was issued and/or transmitted to each member of the advisory group, and the responses received, no matter the form from any prospective and sitting member(s) of the RCAG. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

2. Any correspondences, notes, internal memoranda, emails, any other written and/or recorded material, transcripts defining the work of the RACG including, but not limited to, its mission and charge, its meeting agendas, its meeting minutes, and its reports. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

3. Any correspondences, memoranda, transcripts, notes, emails, any other written and/or recorded material, and any other documentation tangible or intangible regarding the funding of the RACG and any expenses incurred by or on behalf of the group and/or its individual members, to date. This request extends to any data on paper, disk, tape or any other electronic storage device or medium. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

4. Any correspondences, memoranda, transcripts, notes, emails, and any other written and/or recorded material, and any other documentation tangible or intangible regarding the State of Connecticut's invitation, determination, acceptance of its participation in a regional state compact with the states of

Delaware, New Jersey, New York, Pennsylvania and Rhode Island in response to the Covid-19 Pandemic. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

5. Any correspondences, memoranda, transcripts, notes, emails, and any other written and/or recorded material, and any other documentation tangible or intangible regarding the input, participation, data, criteria, metrics, models, decisive factors and any other form of information shared and/or offered by the states of Delaware, New Jersey, New York, Pennsylvania and Rhode Island in providing guidance, coordinating and formulating Connecticut's strategy for reopening its economy. See, *Governor Lamont's FAQ Statement dated May 13, 2020, pgs 32-35*. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

6. Any correspondences, memoranda, transcripts, notes, emails, and any other written and/or recorded material, and any other documentation tangible or intangible regarding the input, participation, data, criteria, decisive factors, metrics, models and any other form of guidance or information shared and/or offered by the states of New York and New Jersey on or about March 20, 2020, in determining the criteria and/or designations of certain businesses as being essential v. non-essential businesses. See, *Governor Lamont's FAQ Statement dated May 13, 2020, pgs 32-35*. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

7. Any correspondences, memoranda, transcripts, notes, emails, and any other written and/or recorded material, and any other documentation tangible or intangible in the possession of the State of Connecticut's executive branch pertaining to the declaration of civil preparedness or of a public health emergency and the subsequent modifications or suspensions of, in whole or in part, of any statute, regulation or requirement that the Governor deemed in conflict with the efficient and expeditious execution of civil preparedness functions or the protection of the public health. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

8. Any correspondences, memoranda, transcripts, notes, emails, and any other written and/or recorded material, and any other documentation tangible or intangible in the possession of the State of Connecticut's executive branch containing the specifics, rationales and reasons for modifying or suspending, in whole or in part, Conn. Gen. Stat. §1-200, *et. seq.* and Conn. Gen Stat. §4a-58 and 4a-59a. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

9. Any correspondences, memoranda, transcripts, notes, emails, and any other written and/or recorded material, and any other documentation tangible or intangible in the possession of the State of Connecticut's executive branch that designates the COVID-19 pandemic as a civil preparedness emergency as such is defined in Chapter 517 of the Connecticut General Statutes. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

10. Any correspondences, memoranda, transcripts, notes, emails, and any other written and/or recorded material, and any other documentation tangible or intangible in the possession of the State of Connecticut's executive branch concerning Governor Lamont's authority to modify criminal statutes by defining conduct as criminal once permitted before March 20, 2020. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

11. A certified or authenticated copy of the explanation or explanations for designating Conn. Gen Stat. §4a-58 and 4a-59a to be in conflict with the efficient and expeditious execution of civil preparedness functions or the protection of the public health. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

12. A certified or authenticated copy of the explanation or explanations for the executive branch's non-compliance with Conn. Gen Stat. §4a-59a in not posting on the Department of Administrative Services' Internet web site as it relates to the no-bid contract tendered to the Boston Consulting Group on or about May 9, 2020. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

13. Any correspondences, memoranda, transcripts, notes, emails, and any other written and/or recorded material, and any other documentation tangible or intangible in the possession of the State of Connecticut's executive branch evidencing from March 20, 2020 – May 18, 2020, Governor Lamont's meetings, consultations and/or communications with intrastate and/or local domestic Chambers of Commerce, Regional Business Councils, and Trade Organizations to reopen Connecticut's economy and "to get going in a prudent and thoughtful way". See, *Statement of Governor Ned Lamont, May 9, 2020*. This request extends to any data on paper, disk, tape or any other electronic storage device or medium.

It is expected that the information requested in this FOIA request will be delivered to the undersigned in a manner consistent with the mandate of Conn. Gen. Stat. §1-212(a).

Respectfully submitted,

  
John I. Bolton, Esq.