

RETURN DATE: MARCH 25, 2014

SUPERIOR COURT

BOARD OF ESTIMATE AND TAXATION  
FOR THE TOWN OF GREENWICH; BOARD OF  
SELECTMEN FOR THE TOWN OF  
GREENWICH; and BOARD OF EDUCATION  
FOR THE TOWN OF GREENWICH  
PUBLIC SCHOOLS

JUDICIAL DISTRICT OF  
STAMFORD/NORWALK

AT STAMFORD

Plaintiffs

vs.

FREEDOM OF INFORMATION COMMISSION  
and THE GREENWICH TIME

Defendants

February 19, 2014

**COMPLAINT AND APPEAL FROM THE  
FREEDOM OF INFORMATION COMMISSION**

To the Superior Court for the Judicial District of Stamford/Norwalk at Stamford on the date first mentioned, comes the plaintiff Board of Estimate and Taxation of the Town of Greenwich, and the plaintiff Board of Selectmen of the Town of Greenwich, both of 101 Field Point Road, Greenwich, Connecticut 06830, and the plaintiff Board of Education of the Town of Greenwich Public Schools, 290 Greenwich Avenue, Greenwich, Connecticut 06830, appealing from the final decision and order of the defendant Freedom of Information Commission, who complain and say:

1. The plaintiff Board of Estimate and Taxation ("BET") for the Town of Greenwich ("Town") is the municipal board responsible for the proper administration of

the financial affairs of the Town of Greenwich, Connecticut and acts on requests for additional appropriations, transfers and allotments made during the fiscal year.

2. The plaintiff Board of Selectmen ("BOS") for the Town of Greenwich is responsible for superintending the concerns of the town in accordance with the Town's charter and applicable state laws and its duties include the adjustment and settlement of all claims against the Town.

3. The plaintiff Board of Education ("BOE") for the Town of Greenwich Public Schools is responsible for operating and maintaining the Town's public schools and the properties on which they are located.

4. The defendant Freedom of Information Commission ("FOIC" or "Commission") is established pursuant to C.G.S. § 1-200 *et seq.* ("FOIA") and is charged with investigating and hearing claims of violations of the FOIA and issuing orders pertaining to the same.

5. The defendant The Greenwich Time is a newspaper published in Greenwich, Connecticut, at 1455 East Putnam Avenue, Old Greenwich, CT 06870, that is owned and/or managed by Hearst Corporation.

6. This case arises from the claim by The Greenwich Time to the FOIC that an executive session convened by the defendant BET violated the FOIA's open meeting provision, C.G.S. § 1-225(a).

7. The plaintiffs appeal from the Commission's final decision finding that the plaintiffs violated the FOIA and ordering them to create minutes of the discussions during,

and to disclose related materials pertaining to, that executive session, as the Commission erroneously interpreted, *inter alia*, the FOIA's pending claim and executive session provisions and the evidence presented.

8. In the summer of 2011, the BOE commenced a project to renovate and expand certain facilities at the Town's only high school, Greenwich High School, which project was and is known as the Music Instructional Space and Auditorium Project, or the "MISA Project."

9. After the MISA Project began, the plaintiffs learned of environmental issues concerning contaminated soils at the Greenwich High School site and the Town's Commissioner of Public Works, Amy Siebert, became involved in the Town's efforts exploring the need for remediating the soil contamination and the available remediation options.

10. The Town, and Ms. Siebert acting on behalf of the Town, retained outside counsel and hired a consulting firm to perform environmental testing and to prepare remediation plans for the soil contamination at the MISA Project site.

11. Subsequent to the discovery of the soil contamination, Town officials became aware of allegations and claims made by William Effros and his brother, Steven Effros, residents of the Town whose property abuts the Greenwich High School property and the site of the MISA Project ("the Effros brothers"), to various governmental agencies that the soil contamination could not be remediated at all or only at a prohibitive cost, all in an effort to preclude any remediation and thereby halt the MISA Project.

12. The Effros brothers complained about the Town's remediation plans to Town zoning officials and submitted a letter to the town's zoning enforcement coordinator entitled "Complaint and Request for Enforcement" asking him to notify the Town and the BOE that there was no valid authorization for its planned remediation at the Site and to require a site plan review at a public hearing before consideration by any town, state or federal agency.

13. Town officials also learned that the Effros brothers contacted the state Department of Energy and Environmental Protection requesting an order to halt construction at the Site and a determination that the Town was in compliance with all state and federal rules and regulations as well as supervision of the remediation, and that they provided a copy of that correspondence to the United States Army Corp of Engineers ("ACE").

14. In 2012, the Town learned that the Effros brothers also filed a complaint and request for enforcement with the ACE regarding the MISA Project site.

15. In addition, at various times in 2012, the Effros brothers wrote to the United States Environmental Protection Agency ("EPA") to complain about the town's remediation plans for the MISA Project site, to request instructions for filing enforcement complaints and requesting that EPA reject a remediation plan proposed by Ms. Siebert and take over the remediaton of the site.

16. As a result of the numerous complaints made by the Effros brothers, officials from ACE and EPA contacted Town officials about the remediation efforts, visited the MISA Project site and requested specific material about the site.

17. The Town commissioned and obtained from AECOM Technology, its environmental consulting firm, a report which addressed the various remediation options available to the Town and their related costs, including the option, and its related costs, requested by the Effros brothers' complaints to the various regulatory agencies.

18. On February 26, 2013, the BET convened a duly noticed special public meeting with an agenda of convening in executive session to discuss a pending claim related to the elimination of contamination at the Greenwich High School site.

19. Members of the BOE and the BOS attended the special meeting and after the BET moved to adjourn into executive session ("the Executive Session"), the BOE members and the BOS members in attendance, as well as Ms. Siebert and her deputy director of public works, the Town attorney, outside counsel, and the Town's environmental consultants remained to discuss AECOM's report, the complaints by the Effros brothers, the various approaches to resolving the soil contamination at the MISA Project site and the cost to the Town for each approach, in order to obtain a consensus from the various boards as to which option Ms. Siebert should pursue in proceeding with negotiating a settlement regarding the site remediation.

20. All the individuals who remained during the Executive Session were necessary parties to determine the direction to give Ms. Siebert regarding the resolution of the remediation issues and claims.

21. As a result of the discussion during the Executive Session, Ms. Siebert obtained the guidance she needed as to the remediation option to pursue in resolving the remediation issue and claims.

22. By letter dated March 28, 2013 and filed April 1, 2013, the defendant, The Greenwich Time, filed a Notice of Appeal with the FOIC, alleging that the plaintiffs had violated the FOIA by convening the Executive Session because there was no pending claim against the BET.

23. On September 26, 2013, at the office of the FOIC in Hartford, the parties appeared and presented testimony, exhibits and argument regarding the Greenwich Time appeal before Hearing Officer Valicia Dee Harmon, at which time the plaintiffs, through their attorney, provided evidence establishing, *inter alia*, the Effros brothers' aforementioned complaints to regulatory agencies, the Town's knowledge of such complaints and discussion of those complaints during the executive session held by the BET on February 26, 2013.

24. By notice dated December 5, 2014, the FOIC transmitted the proposed finding and decision of Hearing Officer Harmon in the instant case, which concluded that the plaintiffs violated the open meeting provision of C.G.S. § 1-225(a) by convening in executive session for an impermissible purpose and recommended that the Commission

order that a) each plaintiff create minutes for the executive session providing an overview of the remediation options discussed, the cost of each option and the consensus that was reached; b) disclosure of copies of all written materials presented or discussion in that executive session; and c) that the plaintiffs strictly comply with C.G.S. § 1-200(6).

25. The plaintiffs thereafter submitted a memorandum of law in opposition to the Hearing Officer's proposed finding and decision.

26. On January 8, 2014, the FOIC considered the instant case for disposition and heard oral argument from the parties before voting to uphold the proposed finding and decision in its final decision ("Final Decision"), a copy of which is attached hereto as Exhibit A.

27. In its Final Decision, the FOIC made certain findings, including the finding that there was no evidence that, at the time of the Executive Session, the Effros brothers, or any other person, had a claim pending against the BET, nor evidence that they were demanding legal relief or asserting a legal right against the BET with the intention to institute an action in an appropriate forum.

28. In its Final Decision, the FOIC held that the plaintiffs violated the open meeting provision of C.G.S. § 1-225(a), by convening in executive session for an impermissible purpose, and adopted the orders recommended by the Hearing Officer's proposed finding and decision.

29. The plaintiffs are aggrieved by the Final Decision of the defendant FOIC and substantial rights of the plaintiffs have been prejudiced thereby.

30. In rendering its Final Decision and entering its order, the defendant FOIC acted illegally, arbitrarily and in abuse of the discretion vested in it by law, in one or more of the following ways:

a. it incorrectly concluded that the claims made by the Effros brothers were only evidence of criticism and discontent that fell short of a pending claim at the time of the Executive Session;

b. it incorrectly failed to find that the Effros brothers claims had been made to federal and state regulatory agencies in order to halt or hamper the Town's efforts to remediate the soil contamination and move forward with the MISA Project, and thus constituted "pending claims" under C.G.S. § 1-200(8);

c. it incorrectly concluded that a claim made against the Town or one of its other agencies or boards could not support the BET's proper use of the executive session provision of the FOIA in order to discuss strategy or settlement negotiations as to such claim against the Town or another town agency or board;

d. it incorrectly concluded that the plaintiffs were required to show that there was a claim made specifically against the BET in order for the BET to permissibly convene an executive session, thus barring the BET from convening in executive session to discuss the financial implications and financing of settlements of claims made against the Town or its other boards or agencies unless the BET is specifically named in the claim;

e. it incorrectly held that the Executive Session was improperly convened to discuss public matters and that there was no basis upon which to exclude the public from



that discussion, as the Executive Session was properly convened under C.G.S. § 1-200(9) to consider actions available to the Town to enforce or implement the Town's rights;

f. it incorrectly concluded that the plaintiffs violated the open meeting provision of C.G.S. § 1-225(a), by convening in executive session for an impermissible purpose;

g. it incorrectly found that the February 25, 2013 special meeting was a joint meeting of the BET, the BOS and the BOE;

h. it improperly ordered the plaintiffs to each create minutes for the Executive Session that provide an overview of the various remediation options discussed, the cost associated with each option and the consensus that was reached;

i. it improperly ordered the plaintiffs to provide the defendant The Greenwich Time with copies of all written materials presented or discussed at the Executive Session;

j. it improperly ordered the plaintiffs to strictly comply with the requirements of C.G.S. § 1-200(6) by convening executive sessions only for the limited purposes set forth in the statute, as the FOIC's interpretation of that statutory provision impinges on the plaintiffs' rights; and

k. it improperly applied C.G.S. §§ 1-200(6), (8) and (9).

31. The defendant FOIC's Final Decision and order is

a. in violation of constitutional and/or statutory provisions and/or the common law;

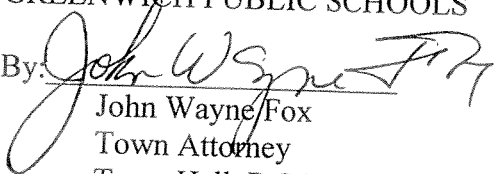
b. clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; and

c. arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

WHEREFORE, the plaintiffs pray that the Court:

1. Sustain the appeal by the plaintiffs and reverse, vacate and/or set aside the Final Decision and order by the defendant Commission;
2. Conduct an *in camera* review of the original or certified copy of the records which are at issue in the appeal but not included in the record of the Freedom of Information Commission's proceedings, admit the records into evidence and order the record to be sealed or inspected on such terms as the court deems fair and appropriate, during the appeal;
4. Award costs;
5. Award fees and expenses pursuant to C.G.S. § 4-184a; and
6. Grant such other and further relief as the Court deems proper.

THE PLAINTIFFS,  
BOARD OF ESTIMATE AND  
TAXATION OF THE TOWN OF  
GREENWICH, BOARD OF  
SELECTMEN OF THE TOWN OF  
GREENWICH and BOARD OF  
EDUCATION OF THE TOWN OF  
GREENWICH PUBLIC SCHOOLS

By:   
John Wayne Fox  
Town Attorney

Town Hall, P.O.Box 2540  
Greenwich, CT 06836-2540  
(203) 622-7876  
Juris No.: 024945

PLEASE ENTER THE APPEARANCE ON BEHALF OF THE PLAINTIFFS OF:

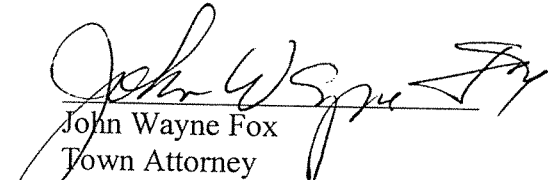
TOWN OF GREENWICH LAW DEPARTMENT

Town Hall, P.O.Box 2540

Greenwich, CT 06836-2540

(203) 622-7876

Juris No. 024945

  
John Wayne Fox  
Town Attorney  
Commissioner of the Superior Court

**EXHIBIT A**

# Freedom of Information Commission

## Final Decision FIC2013-186

In the Matter of a Complaint by

FINAL DECISION

The Greenwich Time,  
Complainant

against

Docket #FIC 2013-186

Board of Selectman, Town of Greenwich;  
Board of Estimate and Taxation, Town of  
Greenwich; and Board of Education,  
Greenwich Public Schools,  
Respondents

January 8, 2014

The above-captioned matter was heard as a contested case on September 26, 2013, at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. By letter dated March 28, 2013 and filed April 1, 2013, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information Act ("FOI Act") in the following way: the Board of Estimate and Taxation, the Board of Selectmen, and the Board of Education improperly convened in executive session at a February 26, 2013 special meeting of the Board of Estimate and Taxation. While the agenda stated that the purpose of the executive session was to discuss a pending claim related to the elimination of contamination on the Greenwich High School site, the complainant contends that the actual purposes of the meeting was to discuss potential environmental remedies for the soil contamination near and around Greenwich High School and, as such, the meeting should have been conducted in public. The complainant requested that "all of the requested materials be disclosed forthwith."
3. Section 1-200(2), G.S., provides, in relevant part, as follows:
 

"Meeting" means any hearing or other proceeding of a public agency, [and] any convening or assembly of a quorum of a multimember public agency . . . to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power. . . . A quorum of the members of a public agency who are present at any event which has been noticed and conducted as a meeting of another public agency under the provisions of the Freedom of Information Act shall not be deemed to be holding a meeting of the public agency of which they are members as a result of their presence at such event.
4. Section 1-225(a), G.S., provides in relevant part: "The meetings of all public agencies, except executive sessions, as defined in subdivision (6) of section 1-200, shall be open to the public. . . . Each public agency shall make, keep and maintain a record of its meetings."
5. Section 1-200(6), G.S., provides, in relevant part, as follows:

"Executive sessions" means a meeting of a public agency at which the public is excluded for one or more of the following purposes: . . . (B) strategy and negotiations with respect to pending claims or pending litigation to which the public agency or a member thereof, because of the member's conduct as a member of such public agency, is a party until such litigation or claim has been finally adjudicated or otherwise settled. . . . (Emphasis supplied).

6. Section 1-200(8), G.S., provides as follows:

"Pending claim" mean 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.

7. It is found that, on or about February 25, 2013, the respondent Board of Estimate and Taxation issued an agenda indicating that it planned to hold a special public meeting on February 26, 2013 at 6:00 P.M. It is further found that the agenda stated that the board planned to convene in executive session to discuss the following issue: "a Pending Claim related to elimination of contamination of the Greenwich High School site." (Capitalization in original).

8. It is found that the Board of Estimate and Taxation convened in public on February 26, 2013, and then moved the meeting into an executive session. It is further found that this executive session was attended by more than two dozen town officials, and other individuals, including twelve members of the Board of Estimate and Taxation; seven members of the Board of Education; two or three members of the Board of Selectman; the town attorney; one outside legal counsel; two environmental remediation consultants; and both the Commissioner and the Deputy Commissioner of Greenwich's Department of Public Works.

9. It is found that, at the time of the February 26, 2013 executive session, the Board of Estimate and Taxation was comprised of twelve members, the Board of Education was comprised of eight members, and the Board of Selectmen was comprised of three members.

10. It is found that the Board of Estimate and Taxation is the financial arm of the Town of Greenwich. It is found that the Board of Estimate and Taxation oversees and approves the spending of public money within the town.

11. It is found that, sometime in 2011, the Board of Education proposed to renovate and expand certain facilities within Greenwich High School, the town's only high school. It is found that the purpose of the project was to update existing space, as well as to expand the auditorium and related music facilities. It is found that this renovation/construction project is commonly referred to as "the Music Instructional Space and Auditorium Project", or "the MISA project."

12. It is found that, in the summer of 2011, shortly after the project commenced, the Town of Greenwich realized that the soil surrounding the high school, particularly those grounds intended for the MISA project, were contaminated and would have to be remediated before the project could proceed.

13. It is further found that, while the town was in the process of studying the problem presented by the contamination, and determining a proper course for and scope of the remediation, William Effros, a resident of Greenwich whose residential property abuts the high school's grounds, became concerned about the town's remediation plans. It is found that Steven Effros, the brother of William Effros, is a joint owner of the residential property abutting the high school grounds. It is found that Steven Effros shared the same concerns about the remediation as did his brother.

14. It is found that, in the past, William Effros has been a party to litigation filed against the

Greenwich Board of Education and the Town of Greenwich.

15. Specifically, with regard to the contamination discovered on the Greenwich High School grounds, it is found that the Effros brothers had concerns about the nature of the work being performed as well as the cost of such work. It is found that the Effros brothers believed that certain remediation activities were occurring on the high school's grounds without the required approval by the planning and zoning commission and without the benefit of certain environmental studies. It is found that the Effros brothers contacted various state and federal agencies concerning the MISA project and the related remediation efforts to express their concerns. In this regard, it is found that, over the course of three years, the Effros brothers have communicated either orally and/or in writing with United States Environmental Protection Agency, the United States Securities and Exchange Commission, the United States Army Corps of Engineers, the Connecticut Freedom of Information Commission, and the Connecticut Attorney General's Office, among others.

16. It is found, however, that, despite the various communications identified in paragraph 15, above, at the time of the Board of Estimate and Taxation's February 26, 2013 executive session, neither William Effros nor Steven Effros had a claim pending against the Board of Estimate and Taxation, nor were they demanding legal relief or asserting a legal right against the board with the intention to institute an action in an appropriate forum if such relief or right was not granted. It is further found that no evidence was presented at the contested case hearing which would suggest that, at the time of the executive session in question, any other person or entity had a claim pending against the board, or were demanding legal relief or asserting a legal right against the board with the intention to institute an action in an appropriate forum if such relief or right was not granted.

17. While the respondents submitted into evidence several emails and letters written by the Effros brothers concerning the MISA project and related work, it is found that none of these documents establishes a "pending claim," within the meaning of §§1-200(8) or 1-200(6)(B), G.S. It is found that such evidence only establishes that the Effros brothers were seeking to have an outside agency, particularly the U.S. Army Corps of Engineers, get involved with and oversee the MISA project and the related remediation. It is further found that, as they sought to secure such oversight, the Effros brothers *complained* about the process that they believed the town was following and/or not following. While it is true that the respondents submitted evidence which establishes that the Effros brothers asked the town to halt certain activities, made requests of the town, and informed the town that they believed it was in violation of certain regulations, this is evidence of their criticism and discontent, and falls short of proving that there was a pending claim against the Board of Estimate and Taxation at the time of the executive session in question.<sup>1</sup>

<sup>1</sup>  
While the respondents submitted an email into evidence which was sent by the Effros brothers to the Town of Greenwich's Zoning Enforcement Officer and which was entitled, "Complaint and Request for Enforcement," the email was undated and it was never established when this correspondence was sent and received. Moreover, similar to the other correspondence submitted into evidence, this email only establishes that the Effros brothers requested that the Zoning Enforcement Officer get involved with the town's remediation efforts in order to correct mistakes which they believed the town was making. It did not establish that there was a "pending claim" against the Board of Estimate and Taxation at the time of the executive session in question.

18. The respondents contend that, while not noticed as such, the February 26, 2013 special meeting was meant to be a joint meeting of the Board of Estimate and Taxation, the Board of Selectman and the Board of Education. The respondents further contend that, because the Town of Greenwich (and its various agencies) cannot spend money without first obtaining approval from the Board of Estimate and Taxation, the Board of Estimate and Taxation should be permitted to convene in executive session to discuss the settlement of any claim filed or threatened against any agency within Greenwich regardless of whether the claim is directed to the Board of Estimate and Taxation.



19. With regard to the first contention, whether or not the February 26, 2013 executive session was a joint public meeting of three public agencies, or a public meeting of only the Board of Estimate and Taxation does not change the fact that there was no "pending claim," within the meaning of §1-200(b)(B), G.S., directed at any of the respondent boards at the time of the executive session. As such, neither the Board of Estimate and Taxation alone, nor the three agencies jointly, had a permissible reason for convening in executive session.

20. With regard to the second contention, it is generally understood that, with the exception of a few narrowly defined circumstances, which are set forth in §1-200(6), G.S., the meetings of a public agency must be open to the public. Accordingly, the definition of public meetings in §1-200(2), G.S., "must be read to limit rather than to expand the opportunities for public agencies to hold closing meetings." See Glastonbury Educ. Ass'n v. FOIC, 234 Conn. 704, 712-13 (1995). In this case, not only would the respondents' construction of the executive session provisions obscure the general requirement in the FOI Act that the work of a public agency be conducted in public and exceptions to this requirement be narrowly construed, it would also contravene the explicit limitation in §1-200(6)(B), G.S., which requires that the "pending claim" must be asserted against the public agency (or a member thereof) desiring to convene in executive session. The fact that §1-200(6)(B), G.S., contains such a limitation has been acknowledged by the Connecticut Supreme Court. In determining the extent to which compulsory arbitration proceedings could be conducted outside of the parameters of a public meeting, the Supreme Court made the following observation with regard to the "pending claims" provision of §1-200(6)(B), G.S.:

In [§1-200(6)(B), G.S.,] for example, the legislature authorized a public agency to adjourn a meeting into executive session for 'strategy and negotiations with respect to pending claims and litigation' to which the agency itself is a party. . . . Although the legislature's narrowly tailored approach to the FOIA exclusions and exemptions may add a layer of complexity to agency administration, the legislature implicitly has decided that the costs are outweighed by the benefits derived from open government.

Glastonbury Educ. Ass'n, 234 Conn. at 713-14. (Emphasis supplied).

21. It is found that the purpose of the February 26, 2013 executive session was to discuss the various approaches to resolving the ground contamination at Greenwich High School. It is further found that the discussion included a review of a remedial investigation that had been performed on the grounds as well as two risks assessments. The executive session also included the presentation of a feasibility study by consulting experts retained by the town. It is found that this presentation focused on three possible remediation options for addressing the ground contamination. It is further found that each of the options presented involved a different financial commitment, with the first option or approach to the cleanup requiring a 5 to 8 million dollar financial commitment, the third option requiring a "100 million dollar plus" financial commitment, and the second option falling somewhere in between. It is further found that, before the executive session was concluded, the respondent boards reached a consensus on what option was best suited to address the town's situation.

22. It is found that the matters discussed in executive session were public matters. It is further found that there was no basis upon which to exclude the public from this discussion.

23. Based on the foregoing, it is concluded that the respondents violated the open meeting provision of §1-225(a), G.S., by convening in executive session for an impermissible purpose.

24. In its brief, the complainant requested that the Commission impose a civil penalty against the respondents and order any action taken during the executive session null and void. The

Commission declines to impose a civil penalty in this case. The Commission further declines to render the respondent boards' consensus null and void.

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

1. Each respondent shall create minutes for the February 26, 2013 executive session. Such minutes shall provide an overview of the various remediation options discussed at the meeting, the price tag associated with each option, and the consensus that was reached during the meeting.
2. To the extent to which the complainant's request that "all of the requested materials be disclosed forthwith," (see ¶ 1 of the findings), is a request that the respondents be required to disclose all written materials which were presented or discussed during the February 26, 2013 executive session, such request is hereby granted. The respondents shall forthwith provide the complainant with a copy of such materials, free of charge.
3. Henceforth, the respondents shall strictly comply with the requirements of §1-200(6), G.S., by convening in executive sessions only for the limited purposes set forth in the statute.

Approved by Order of the Freedom of Information Commission at its regular meeting of January 8, 2014.

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Cynthia A. Cannata  
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

The Greenwich Time  
c/o Diego Ibarguen, Esq.  
Hearst Corporation  
300 West 57th Street  
40th Floor  
New York, NY 10010

Board of Selectman, Town of Greenwich; Board of Estimate  
and Taxation, Town of Greenwich; and Board of Education,  
Greenwich Public Schools  
c/o John Wayne Fox, Esq.  
Greenwich Town Attorney  
101 Field Point Road  
P.O. Box 2540  
Greenwich, CT 06836

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Cynthia A. Cannata  
Acting Clerk of the Commission