

**Cumulative Table of Cases  
Connecticut Appellate Reports  
Volume 211**

*(Replaces Prior Cumulative Table)*

A. W. v. L. R. (Memorandum Decision) . . . . .	905
Bernblum v. Grove Collaborative, LLC . . . . .	742
<i>Breach of contract; breach of lease; detrimental reliance; negligent misrepresentation; whether plaintiff lacked standing to bring various counts of complaint relating to proposed commercial lease agreement, as he did not have direct interest in litigation of those counts; claim that plaintiff, as member of limited liability company, lacked standing to bring suit in individual capacity to recover damages incurred by limited liability company; whether trial court improperly rendered judgment for plaintiff on negligent misrepresentation counts on basis that plaintiff failed to satisfy his burden of proof with respect to all necessary elements.</i>	
Bongiorno v. J & G Realty, LLC . . . . .	311
<i>Breach of fiduciary duty; claim that trial court erred by disposing of plaintiff's breach of fiduciary duty claims on basis of res judicata; claim that trial court erred in finding that plaintiff lacked standing to bring claims for breach of fiduciary duty in her own name; claim that trial court erred by failing to shift burden to defendant managers to prove good faith and fair dealing on plaintiff's breach of fiduciary duty claims; claim that this court should have exercised its supervisory authority to reverse trial court's judgment as to plaintiff's claims of oppression of minority member.</i>	
Bova v. Commissioner of Correction . . . . .	248
<i>Habeas corpus; whether habeas court properly denied petition for writ of habeas corpus; claim that habeas court erred in failing to find existence of agreement or understanding between state and coconspirator with respect to coconspirator's testimony at petitioner's criminal trial; whether state failed to disclose exculpatory evidence or to correct false and misleading testimony at petitioner's criminal trial, in violation of petitioner's due process rights.</i>	
Buehler v. Buehler . . . . .	357
<i>Dissolution of marriage; claim that trial court misconstrued statute ((Rev. to 2015) § 46b-56c (d)) in ordering plaintiff to pay portion of his child's postsecondary education expenses despite his lack of participation in or agreement on which educational institution child attended; claim that trial court erred in predicating its postsecondary support orders on factual findings from parties' dissolution of marriage and plaintiff's relationship with his child; claim that trial court's finding that defendant attempted to include plaintiff in college selection process of parties' child was clearly erroneous.</i>	
Carter v. Bowler . . . . .	119
<i>Due process; absolute immunity; motion to dismiss; whether trial court properly granted defendant statewide bar counsel's motion to dismiss on ground of absolute immunity; whether statewide bar counsel's actions in reviewing complaints of attorney misconduct were taken in quasi-judicial capacity and pursuant to statutory (§ 51-90c) authority.</i>	
C. B. v. S. B. . . . .	628
<i>Dissolution of marriage; claim that trial court abused its discretion in finding defendant's net weekly income; claim that trial court abused its discretion in declining to accept defendant's proposed parenting schedule; claim that trial court abused its discretion in refusing to deviate from relevant child support guidelines; failure to brief claims adequately.</i>	
Cheswold (TL), LLC, BMO Harris Bank, N.A. v. Kwong (Memorandum Decision) . . . . .	905
CTPPS, LLC v. Matava (Memorandum Decision) . . . . .	903
Cummings Enterprise, Inc. v. Moutinho . . . . .	130
<i>Foreclosure; subject matter jurisdiction; claim that trial court improperly granted motion to dismiss; motion for leave to correct plaintiff's brief, denied.</i>	
Dept. of Public Health v. Estrada . . . . .	223
<i>Administrative appeal; whistleblower retaliation action; claim that trial court erred in concluding that defendant Commission on Human Rights and Opportunities</i>	

	<i>lacked subject matter jurisdiction to adjudicate complaint; claim that complainant did not make protected whistleblower disclosure pursuant to applicable statute (§ 4-61dd); whether educational qualifications for directors of health required by statute ((Rev. to 2015) § 19a-200) also applied to acting directors of health.</i>	
Digital 60 & 80 Merritt, LLC v. Board of Assessment Appeals . . . . .		559
	<i>Real estate tax appeal; claim that trial court determined fair market value of plaintiff's real property on basis of certain clearly erroneous factual findings; whether trial court erred in failing to impute income to portion of plaintiff's property; whether trial court's determination of highest and best use of portion of plaintiff's property was clearly erroneous; whether trial court erred in applying capitalization rate of 8 percent to plaintiff's property; whether trial court erred by disregarding plaintiff's internal valuations in its determination of fair market value of plaintiff's property.</i>	
Dolan v. Dolan . . . . .		390
	<i>Dissolution of marriage; claim that trial court abused its discretion in granting plaintiff's motion for modification; claim that trial court abused its discretion in awarding plaintiff attorney's fees to defend appeal; whether trial court's finding that its failure to award attorney's fees would undermine its prior financial orders was reasonable and supported by record.</i>	
Electrical Contractors, Inc. v. 50 Morgan Hospitality Group, LLC . . . . .		724
	<i>Breach of contract; breach of implied covenant of good faith and fair dealing; whether payment provision in construction contract was ambiguous; claim that contract provision was disfavored in Connecticut and in construction industry; whether trial court properly rendered summary judgment on plaintiff's claims of breach of contract and breach of implied covenant of good faith and fair dealing.</i>	
Epright v. Liberty Mutual Ins. Co. . . . .		26
	<i>Underinsured motorist coverage; whether trial court's order granting motion to disqualify expert witness was appealable final judgment under State v. Curcio (191 Conn. 27).</i>	
Fenstermaker v. Fenstermaker (Memorandum Decision) . . . . .		901
Fulcher v. Commissioner of Correction (Memorandum Decision) . . . . .		901
Gleason v. Durden . . . . .		416
	<i>Unjust enrichment; breach of contract; whether trial court improperly rendered judgment for plaintiff on unjust enrichment claim on basis of unalleged agreement; whether trial court erred in not finding that confidential relationship existed between parties.</i>	
Gonzalez v. Commissioner of Correction. . . . .		632
	<i>Habeas corpus; motion for petitioner's immediate release from custody of respondent Commissioner of Correction on ground that continued confinement during COVID-19 pandemic constituted unnecessary risk to petitioner's health and safety; whether habeas court properly concluded that petitioner did not establish deliberate indifference to his health and safety necessary to constitute violation by respondent of eighth amendment's prohibition of cruel and unusual punishment; unreserved claim that respondent violated petitioner's rights under article first, §§ 8 and 9, of Connecticut constitution.</i>	
Gottesman v. Kratter . . . . .		206
	<i>Legal malpractice; breach of contract; transferee liability; whether trial court properly granted defendants' motions for summary judgment as to plaintiff's legal malpractice claims following plaintiff's failure to disclose expert witness; whether trial court properly granted defendant attorney's motion to strike portion of plaintiff's complaint alleging breach of contract; whether trial court properly granted defendant law firms' motion for summary judgment as to plaintiff's transferee liability claim.</i>	
Green v. Paz . . . . .		152
	<i>Legal malpractice; ripeness; subject matter jurisdiction; exoneration rule; whether claim that defendants provided deficient representation with respect to plaintiff's prior habeas corpus action was ripe for adjudication when plaintiff remained validly incarcerated and his conviction had never been invalidated.</i>	
Griffin Hospital v. ISOThrive, LLC . . . . .		254
	<i>Breach of contract; whether trial court erred in concluding that plaintiff was not obligated, under terms of agreement, to perform analysis to determine whether certain medications had potential to interact with ingredients of supplement under study; whether trial court properly concluded that language of revised protocol was clear and unambiguous with respect to selection of study participants; whether trial court properly determined that plaintiff performed study in</i>	

*compliance with agreement; whether trial court abused its discretion by awarding plaintiff prejudgment interest pursuant to applicable statute (§ 37-3a).*

Hartford v. Hartford Police Union. . . . . 155  
*Arbitration; motion to vacate arbitration award; claim that trial court erred in concluding that arbitration panel did not exceed its authority in violation of applicable statute (§ 52-418 (a) (4)) in finding that plaintiff city violated its collective bargaining agreement with defendant union and in ordering retroactive pay to be made to certain of city's employees as remedy, while allowing such employees to retain overtime pay already received.*

Heywood v. Commissioner of Correction . . . . . 102  
*Habeas corpus; whether habeas court properly determined that petitioner was not prejudiced by trial counsel's deficient performance.*

Housing Authority v. Neal . . . . . 777  
*Summary process; whether trial court erred in finding that defendant was not tenant at sufferance; whether trial court erred in concluding that requirements of statute (§ 47a-11) did not apply to defendant; whether trial court erred in concluding that filing of affidavit of noncompliance pursuant to rule of practice (§ 17-53) was not proper vehicle for addressing alleged serious nuisance committed by defendant after judgment of possession was rendered for plaintiff, but before plaintiff obtained possession of premises occupied by defendant.*

Housing Authority v. Parks. . . . . 528  
*Summary process; claim that trial court improperly dismissed summary process action for lack of subject matter jurisdiction; whether this court lacked subject matter jurisdiction to entertain appeal on basis that it was not filed within five day appeal period set forth in applicable statute (§ 47a-35); whether five day appeal period set forth in § 47a-35 applies to both tenant and landlord; whether plaintiff's motion to reargue created new appeal period.*

Ingram v. Ingram . . . . . 484  
*Dissolution of marriage; whether trial court properly granted postdissolution motion for modification of custody seeking to relocate parties' minor child; whether trial court applied criteria of applicable statute (§ 46b-56d) in reaching its determination.*

In re Aligha R.-S. . . . . 39  
*Termination of parental rights; claim that trial court erred in finding that Department of Children and Families had made reasonable efforts to reunite respondent mother with her children; claim that trial court erred in finding that mother failed to achieve sufficient degree of personal rehabilitation pursuant to statute (§ 17a-112 (j) (3) (B) (i)); claim that trial court erred in finding that termination of mother's parental rights was in best interests of children; claim that trial counsel rendered ineffective assistance.*

In re Christian C. (See In re Lucia C.) . . . . . 275  
 In re Lucia C. . . . . 275  
*Termination of parental rights; claim that trial court improperly terminated respondent father's parental rights; whether trial court correctly concluded that, in accordance with applicable statute (§ 17a-112 (j) (3) (C)), father denied his children, by an act or acts of commission or omission, care, guidance, or control necessary for their physical, educational, moral, or emotional well-being; whether trial court correctly determined that, because father was incarcerated following his conviction of sexual assault of a minor, his absence from his children's lives caused his children to be denied the care, guidance, or control necessary for their well-being.*

In re Ryder M. . . . . 793  
*Termination of parental rights; whether trial court improperly found that Department of Children and Families made reasonable efforts to reunite respondent father with minor child; whether trial court improperly found that father failed to achieve sufficient degree of personal rehabilitation, as required by statute (§ 17a-112 (j) (3) (B) (i)), as would encourage belief that within reasonable time, considering child's age and needs, he could assume responsible position in child's life; whether trial court properly determined, pursuant to factors prescribed in § 17a-112 (k), that termination of father's parental rights was in child's best interest.*

JPMorgan Chase Bank, National Assn. v. Cross (Memorandum Decision). . . . . 904  
 Kaddah v. Commissioner of Correction . . . . . 823  
*Habeas corpus; claim that petitioner was prejudiced by prior habeas counsel's failures to pursue claim that petitioner's trial and appellate counsel rendered ineffec-*

<i>tive assistance in deciding not to challenge trial court's jury instructions on element of intent in offenses of which petitioner was convicted; whether habeas court properly concluded that petitioner failed to establish that he was prejudiced by prior habeas counsel's failures to challenge choice by trial and appellate counsel not to dispute jury instruction as to petitioner's affirmative defense of mental disease or defect.</i>	
KDM Services, LLC v. DRVN Enterprises, Inc. . . . .	135
<i>Breach of contract; whether trial court abused its discretion in allowing plaintiff to amend its complaint following trial to conform to evidence at trial.</i>	
Kedersha v. Freitag-Kedersha (Memorandum Decision) . . . . .	902
Kellogg v. Middlesex Mutual Assurance Co. . . . .	335
<i>Breach of contract; Connecticut Unfair Trade Practices Act (§ 42-110a et seq.); Connecticut Unfair Insurance Practices Act (§ 38a-815 et seq.); promissory estoppel; whether trial court's denial of motion for summary judgment constituted final judgment for purposes of appeal; whether trial court properly denied motion for summary judgment.</i>	
Kling v. Hartford Casualty Ins. Co. . . . .	708
<i>Breach of insurance contract; whether defendant insurance company had duty to defend its insured under business liability insurance policy in personal injury action alleging negligence; claim that defendant had duty to defend insured because auto exclusion language in insurance policy was ambiguous.</i>	
Leach v. Commissioner of Correction . . . . .	663
<i>Habeas corpus; claim that habeas court abused its discretion in denying petition for certification to appeal; claim that habeas court improperly concluded that petitioner's trial counsel did not provide ineffective assistance.</i>	
Lewis v. Commissioner of Correction. . . . .	77
<i>Habeas corpus; ineffective assistance of appellate counsel; procedural default; whether habeas court abused its discretion in denying petition for certification to appeal; claim that habeas court erred in denying petitioner's motion to sequester subpoenaed witness, in striking his motion to reconstruct and correct record, and in denying his request to issue subpoena; claim that habeas court erred in dismissing claims of petition alleging violation of constitutional rights to fair trial, to present defense, to self-representation and to counsel and violation of Brady v. Maryland (373 U.S. 83) on ground of procedural default; claim that habeas court improperly denied claim that appellate counsel provided ineffective assistance.</i>	
Loch View, LLC v. Windham . . . . .	765
<i>Alleged deprivation of state constitutional rights; motion to open; prior pending action doctrine; whether trial court exercised its discretion in denying motion to open judgment; whether trial court abused its discretion in denying plaintiff's motion to open judgment; claim that trial court's denial of plaintiff's motion to open judgment dismissing action prejudiced plaintiff by leaving it without forum to adjudicate its constitutional claims.</i>	
Massey Bros. Excavating, LLC v. Pacileo's Apizza, LLC (Memorandum Decision) . . . . .	901
MEB Loan Trust IV v. Moore (Memorandum Decision) . . . . .	903
Natale Management Enterprises, LLC v. Lightbourne (Memorandum Decision) . . . . .	905
Newtown v. Gaydosh . . . . .	186
<i>Zoning; motion for contempt; whether trial court's finding that defendants had violated stipulated judgment by engaging in commercial mining and construction related operations on property was clearly erroneous; whether trial court abused its discretion in imposing certain sanctions as result of its finding of contempt.</i>	
Olorunfunmi v. Commissioner of Correction . . . . .	291
<i>Habeas corpus; whether habeas court abused discretion in denying petition for certification to appeal from denial of petition for writ of habeas corpus on ground of ineffective assistance of counsel; whether petitioner met burden to demonstrate prejudice resulting from trial counsel's alleged failure to advise him properly about immigration consequences of guilty plea that fell within federal definition of aggravated felony.</i>	
O'Reagan v. Commissioner of Correction . . . . .	845
<i>Habeas corpus; whether habeas court properly determined that petitioner was not in custody on convictions of conspiracy to commit robbery and sale of narcotic substance at time petitioner filed habeas action; whether habeas court had jurisdiction over convictions of conspiracy to commit robbery and sale of narcotic substance; whether aggregate package theory expanded jurisdiction of habeas</i>	

*court to decide claims regarding convictions that have fully expired prior to filing of habeas petition; claim that trial counsel failed to adequately investigate and advise petitioner regarding strengths and weaknesses of state's case; claim that petitioner's trial counsel rendered deficient performance by failing to adequately advise petitioner regarding immigration consequences of guilty plea; whether decision in Padilla v. Kentucky (559 U.S. 356) requiring counsel to inform client of immigration consequences of guilty plea applies retroactively under state and federal constitutions.*

Ortiz v. Commissioner of Correction . . . . . 378  
*Habeas corpus; ineffective assistance of counsel; whether habeas court abused its discretion in denying petition for certification to appeal; whether habeas court abused its discretion in determining that petitioner did not rebut statutory (§ 52-470) presumption of unreasonable delay.*

Patterson v. Commissioner of Correction (Memorandum Decision) . . . . . 904

Peerless Realty, Inc. v. Stamford . . . . . 441  
*Action for reimbursement of excess real property taxes paid; unjust enrichment; claim that trial court erred in rendering summary judgment for defendants because genuine issues of material fact existed and defendants were not entitled to judgment as matter of law; whether applicable statutes (§§ 12-60, 12-117a, 12-119, and 12-129) were sufficient to redress plaintiff's grievances regardless of how property assessment error occurred; whether existing statutory scheme precluded plaintiff from asserting common-law claim of unjust enrichment.*

Pistello-Jones v. Jones (Memorandum Decision) . . . . . 903

Pizzoferrato v. Community Renewal Team, Inc. . . . . 458  
*Negligence; arbitration; motion to open and vacate judgment; claim that trial court improperly denied motion to open and vacate judgment; whether applicable statute (§ 52-549z) and rule of practice (§ 23-66) require that decision of arbitrator be sent to parties both electronically and by mail before trial court can render judgment in accordance with arbitrator's decision.*

Quint v. Commissioner of Correction. . . . . 27  
*Habeas corpus; whether habeas court properly denied petition for writ of habeas corpus; claim that trial counsel rendered ineffective assistance by failing to meaningfully explain state's plea offer; claim that trial counsel rendered ineffective assistance by failing to ensure that petitioner received presentence jail credit for time he had served between his sentencings in two separate cases.*

Rossova v. Charter Communications, LLC . . . . . 676  
*Wrongful termination; pregnancy discrimination; claim that trial court improperly denied defendant's motion for judgment notwithstanding verdict; whether plaintiff established prima facie case of pregnancy discrimination; whether defendant's proffered reason for terminating plaintiff's employment was pretextual; claim that there was insufficient evidence to support claim that termination of employment was motivated by intentional discrimination; claim that trial court miscalculated plaintiff's damages.*

Scient Federal Credit Union v. Rabon . . . . . 264  
*Breach of credit card agreement; motion for summary judgment; motion to dismiss; claim that trial court improperly granted plaintiff's motion for summary judgment; whether trial court properly concluded that there was no genuine issue of material fact with respect to defendant's liability and amount of damages; claim that trial court improperly denied defendant's motion to dismiss for lack of personal jurisdiction; whether defendant waived claim of insufficiency of process by failing to file motion to dismiss within thirty days of filing appearance as required by applicable rule of practice (§ 10-30).*

Seder v. Errato. . . . . 167  
*Dissolution of marriage; claim that trial court erred in failing to enforce parties' alleged prenuptial agreement; whether defendant failed to prove contents of prenuptial agreement; claim that trial court improperly ordered defendant to pay attorney's fees to plaintiff.*

Sitar v. Syferlock Technology Corp. . . . . 406  
*Breach of employment contract; failure to pay wages pursuant to statute (§ 31-72); whether trial court erred in finding that there was no bad faith, arbitrariness, or unreasonableness on part of defendant to support award of double damages and attorney's fees with respect to plaintiffs' claims for failure to pay wages pursuant to § 31-72; whether trial court abused its discretion in not awarding prejudgment interest pursuant to statute (§ 37-3a (a)).*

Stanley v. Woodard . . . . .	127
<i>Probate appeal; motion to open and vacate judgment; claim that trial court abused its discretion in denying plaintiff's motion to open and vacate judgment of dismissal.</i>	
State v. Gerald J. . . . .	631
<i>Sexual assault in first degree; risk of injury to child; death of defendant during pendency of appeal; dismissal of appeal as moot.</i>	
State v. Goode . . . . .	465
<i>Assault of public safety personnel; whether trial court abused its discretion in denying defendant's request for new counsel; whether trial court abused its discretion in denying defendant's request to have his restraints removed during trial; whether trial court erred by not inquiring into potential conflict of interest between defendant and his counsel.</i>	
State v. Schlosser . . . . .	143
<i>Violation of probation; unreserved claim that trial court violated defendant's due process rights by failing to advise him of his right to maintain denial of his violation of probation; whether defendant's admissions to violation of probation were made knowingly and voluntarily.</i>	
State v. Tony O. . . . .	496
<i>Robbery in third degree; unlawful restraint in first degree; assault in third degree; persistent felony offender; persistent offender; whether evidence was sufficient to support jury's finding that defendant seized wife's handbag in course of committing larceny, as required for conviction of robbery in third degree; whether evidence was sufficient to support conviction of unlawful restraint in first degree; claim that evidence was insufficient to support jury's findings that defendant restrained his wife during physical altercation and exposed her to substantial risk of physical injury; whether trial court improperly admitted wife's statement to police officer as spontaneous utterance under applicable provision (§ 8-3 (2)) of Connecticut Code of Evidence; unreserved claim that defendant's right to confrontation was violated because he never was afforded opportunity to cross-examine wife about her statement to police officer.</i>	
Tatum v. Commissioner of Correction . . . . .	42
<i>Habeas corpus; ineffective assistance of counsel; res judicata; claim that habeas court improperly dismissed counts of habeas petition alleging ineffective assistance of trial counsel, appellate counsel, and first habeas counsel on basis of res judicata; claim that habeas court improperly determined that State v. Guilbert (306 Conn. 218) and State v. Dickson (322 Conn. 410) did not apply retroactively on collateral review to identification claims raised in habeas petition; claim that habeas court improperly denied count of habeas petition that alleged ineffective assistance against third habeas counsel.</i>	
Tolland Meetinghouse Commons, LLC v. CXF Tolland, LLC. . . . .	1
<i>Breach of contract; breach of guaranty agreement; whether trial court properly granted plaintiff's motion for summary judgment; adoption of trial court's memorandum of decision as proper statement of facts and applicable law on issues.</i>	
Townsend v. Librandi (Memorandum Decision). . . . .	902
Trakhtenberg v. Trakhtenberg (Memorandum Decision). . . . .	904
U.S. Bank National Assn. v. J & M Holdings, LLC (Memorandum Decision) . . . . .	902
Wethersfield v. Eser. . . . .	537
<i>Animal neglect; petition filed pursuant to applicable statute (§ 22-329a) seeking custody in favor of plaintiff town of animals taken from defendant that allegedly were neglected and/or cruelly treated; claim that this court should have granted plaintiff's motion to dismiss appeal as moot because there was no practical relief that this court could grant to defendant; claim that trial court erred in denying defendant's motion to dismiss plaintiff's verified petition for lack of subject matter jurisdiction because plaintiff failed to file petition within ninety-six hours of taking custody of animals pursuant to § 22-329a (a); claim that defendant's right to procedural due process under fourteenth amendment to United States constitution was violated because plaintiff failed to file verified petition within ninety-six hours of taking custody of animals pursuant to § 22-329a (a) and hearing was not held within fourteen days as required by § 22-329a (d).</i>	
Williams v. Lawrence + Memorial Hospital, Inc. . . . .	610
<i>Medical malpractice; learned treatise exception to rule against hearsay set forth in provision (§ 8-3 (8)) of Connecticut Code of Evidence, discussed; whether trial court abused its discretion by precluding admission of certain medical text excerpts into evidence.</i>	