

**Cumulative Table of Cases**  
**Connecticut Appellate Reports**  
**Volume 213**

*(Replaces Prior Cumulative Table)*

Adams v. Deal (Memorandum Decision) . . . . .	901
Barclays Bank Delaware v. Bamford . . . . .	1
<i>Debt collection action; motion to disqualify; motion for default for failure to disclose defense pursuant to rule of practice (§ 13-19); whether trial court abused its discretion in denying motion to disqualify trial judge on basis of impropriety; claim that defendant had no obligation to disclose defense pursuant to Practice Book § 13-19; whether trial court properly admitted billing account statements pursuant to business records exception to hearsay rule.</i>	
Commission on Human Rights & Opportunities ex rel. Cortes v. Valentin . . . . .	635
<i>Housing discrimination; writ of audita querela; whether there was sufficient evidence in the record to support trial court's conclusion that defendant engaged in prohibited discriminatory housing practice pursuant to statute (§ 46a-64c (a) (1) and (3)); whether trial court abused its discretion in awarding compensatory damages for emotional distress to intervening plaintiff; whether trial court abused its discretion in denying defendant's application for writ of audita querela; claim that trial court abused its discretion in declining to conduct evidentiary hearing prior to denying defendant's application for writ of audita querela; claim that trial court erred in denying defendant's motion for reargument and reconsideration.</i>	
Doe v. Board of Education . . . . .	22
<i>Negligence; recklessness; respondeat superior liability; motion for summary judgment; claim that trial court erred in granting defendants' motions for summary judgment; claim that trial court improperly failed to view evidence in light most favorable to plaintiffs; whether trial court properly determined that defendant public school employees and board of education were protected by statutory (§ 10-222l) immunity with respect to negligence allegations premised on their failure to comply with safe school climate plan following reports of bullying; whether trial court properly determined that defendants were protected by governmental immunity pursuant to applicable statute (§ 52-557n (a) (2) (B)) with respect to negligence claims involving their discretionary acts taken in response to reports of bullying; claim that trial court improperly rendered summary judgment in favor of individual defendants with respect to recklessness claim; claim that trial court improperly granted defendants' motions for summary judgment with respect to respondeat superior liability claim against town and its board of education; claim that trial court improperly granted motions for summary judgment with respect to claims alleging that superintendent of school and board of education retaliated against plaintiffs for reporting instances of bullying.</i>	
Dolan v. Dolan . . . . .	112
<i>Dissolution of marriage; motion to modify unallocated alimony and child support; whether trial court abused its discretion by modifying definition of "pre-tax compensation from employment" in parties' separation agreement; whether trial court's modification of definition of term in separation agreement conflicted with Supreme Court's decision in Gay v. Gay (266 Conn. 641).</i>	
Fieldhouse v. Regency Coachworks, Inc.. . . . .	662
<i>Workers' compensation; whether Compensation Review Board properly reversed decision of Workers' Compensation Commissioner denying and dismissing plaintiff's workers' compensation claim for lack of subject matter jurisdiction; whether commissioner misapplied totality of circumstances standard in determining whether plaintiff failed to satisfy notice requirement set forth in statute (§ 31-294c (a)); whether plaintiff substantially complied with notice provision of § 31-294c (a) such that defendant was provided with constructive notice of workers' compensation claim; whether plaintiff's claim for workers' compensation benefits failed to satisfy exception to notice requirement as set forth in § 31-294c (c).</i>	

GMAT Legal Title Trust 2014-1, U.S. Bank, National Assn. v. Catale . . . . .	674
<i>Foreclosure; application for prejudgment remedy; claim that trial court improperly granted plaintiff's application for prejudgment remedy; whether affidavits provided by plaintiff were sufficient to satisfy statutory (§ 52-278e) requirement for prejudgment remedy to be issued without hearing; whether trial court lacked jurisdiction over application for prejudgment remedy; whether trial court deprived defendants of due process by granting application for prejudgment remedy without providing them with postattachment hearing.</i>	
Highland Street Associates v. Commissioner of Transportation . . . . .	426
<i>Declaratory judgment; action seeking declaratory judgment, pursuant to statute (§ 4-175), overturning decision of defendant Department of Transportation denying application for permission to replace existing support structure of highway billboard; whether trial court erred in concluding that replacement of billboard's existing support structure constituted maintenance and repair pursuant to Highway Beautification Act of 1965 (23 U.S.C. § 131 et seq.) and relevant state statute (§ 13a-123); claim that trial court's reliance on zoning statute (§ 8-2) was misplaced.</i>	
Inglis v. Commissioner of Correction . . . . .	496
<i>Habeas corpus; whether habeas court abused its discretion in denying petitioner certification to appeal from judgment denying habeas petition; claim that habeas court improperly determined that petitioner was not prejudiced by trial counsel's failure to cite certain evidence in request for jury instruction on third-party culpability; claim that trial counsel rendered ineffective assistance in failing to present testimony of certain eyewitnesses in support of identification defense; claim that trial counsel rendered ineffective assistance by declining to pursue motion for expenses to retain and, ultimately, not to call, eyewitness identification expert to testify; claim that trial counsel rendered ineffective assistance by failing to move to suppress eyewitness identifications of petitioner; claim that trial counsel performed deficiently by not presenting evidence that eyewitness to shooting had chosen photograph other than that of petitioner from array of photographs prepared by police; whether habeas court properly determined that petitioner did not establish cause and prejudice for failure to claim at criminal trial and on direct appeal that admission into evidence of eyewitness identifications of him violated right to due process (article first, §§ 8 and 9) under state constitution.</i>	
In re Elizabeth L.-T. . . . .	541
<i>Motions for order of temporary custody; whether trial court improperly admitted certain hearsay statements of minor children under statutory (§ 46b-129 (g)) exception to hearsay rule; whether trial court abused its discretion in admitting testimony of witnesses, each of whom recounted various hearsay statements of minor children; claim that trial court improperly admitted exhibits that contained inadmissible hearsay statements or were authenticated by way of hearsay statements of minor children; claim that trial court improperly admitted exhibits containing photographs through witness who relied on inadmissible hearsay statements of minor children in attempting to authenticate photographs, rather than her personal knowledge; whether trial court improperly admitted hearsay statements made by minor child during forensic interview under medical diagnosis or treatment exception to hearsay rule; whether trial court's evidentiary errors were harmful.</i>	
In re Madison C. . . . .	164
<i>Termination of parental rights; petition for new trial; whether trial court properly granted motion to strike petition for new trial filed by Commissioner of Children and Families; whether respondent mother's allegations concerning events that occurred after trial constituted newly discovered evidence within meaning of statute (§ 52-270).</i>	
Jefferson Solar, LLC v. FuelCell Energy, Inc. . . . .	288
<i>Connecticut Unfair Trade Practices Act (CUTPA) (§ 42-110a et seq.); motion to dismiss; whether trial court properly granted motion to dismiss; claim that trial court improperly concluded that plaintiff lacked standing to maintain action under CUTPA; whether trial court properly concluded that plaintiff's claims were remote and indirect.</i>	
Lavette v. Stanley Black & Decker, Inc. . . . .	463
<i>Intentional tort; motion to strike; whether plaintiff employee's pleading was legally sufficient to bring claim within intentional tort exception to exclusivity provision (§ 31-284) of Workers' Compensation Act (§ 31-275 et seq.); whether plaintiff's</i>	

	<i>allegations were legally sufficient to establish that supervisory employee acted as defendant employer's alter ego; claim that Appellate Court should reconsider its jurisprudence regarding alter ego exception to workers' compensation exclusivity provision, particularly with respect to large corporations; reviewability of plaintiff's claim that alleged intentional tort had been directly committed or authorized by defendant, providing alternative means to bypass workers' compensation exclusivity provision.</i>	
Meriden v. AFSCME, Local 1016 . . . . .	<i>Arbitration; whether trial court properly denied defendant's application to vacate arbitration award; claim that trial court applied incorrect legal standard on basis of claim that arbitration award was procured by corruption, fraud or undue means pursuant to applicable statute (§ 52-418 (a) (1)); claim that trial court erred in determining that arbitration procedure was fair and impartial; claim that trial court erred by overlooking arbitration panel's reliance on investigation that was not fair and impartial.</i>	184
Milford v. Recycling, Inc. . . . .	<i>Foreclosure; motion to open judgment of foreclosure; whether trial court abused its discretion by denying defendant's motion to open judgment of foreclosure; claim that trial court erred in concluding that balancing of equities relating to motion to open judgment of foreclosure and to extend sale date favored plaintiff.</i>	306
One Elmcroft Stamford, LLC v. Zoning Board of Appeals . . . . .	<i>Zoning; claim that defective legal notice of public hearing deprived defendant zoning board of appeals of jurisdiction to consider application for approval of location for operation of automotive repair business; claim that board violated plaintiff's right to fundamental fairness because legal notice of public hearing did not sufficiently describe intended use of property; whether board applied incorrect legal standard in ruling on location approval application; whether board mistakenly believed it could not deny location approval application when proposed use was permitted in zone at issue; whether board committed error under "impotent to reverse" rule by failing to distinguish denial by different municipal entity seven years earlier of location approval application of different entity to operate used car dealership on property at issue.</i>	200
Oral Care Dental Group II, LLC v. Pallet . . . . .	<i>Administrative appeal; employment based sexual harassment and discrimination; claim that trial court erred when it vacated damages award granted by Commission on Human Rights and Opportunities' human rights referee to sexual harassment complainant after concluding that her former employer was prejudiced by her failure to produce certain of her medical records; whether complainant was required to disclose medical records to prove damages for garden-variety emotional distress.</i>	389
Parrott v. Colon . . . . .	<i>Housing code enforcement; whether action for housing code enforcement brought pursuant to statute (§ 47a-14h) alleging breaches of lease in violation of statute (§ 47a-7) required plaintiffs to prove by fair preponderance of evidence that their allegations constituted violations of applicable housing code or materially affected health, safety, and habitability of premises.</i>	375
Pointe Residential Builders BH, LLC v. TMP Construction Group, LLC . . . . .	<i>Connecticut Unfair Trade Practices Act (CUTPA) (§ 42-110a et seq.); claim that there was insufficient evidence of intentional, reckless, unethical or unscrupulous conduct to establish violation of CUTPA; whether trial court's finding of ascertainable loss was clearly erroneous; whether trial court abused its discretion in awarding plaintiff punitive damages; whether trial court abused its discretion in awarding attorney's fees.</i>	445
Russbach v. Yanez-Ventura . . . . .	<i>Uninsured motorist coverage; whether trial court improperly concluded that defendant insurance company's failure to comply with requirements of applicable statute (§ 38a-336 (a) (2)) was excused; claim that Frantz v. United States Fleet Leasing, Inc. (245 Conn. 727), Kinsey v. Pacific Employers Ins. Co. (277 Conn. 398), and McDonald v. National Union Fire Ins. Co. of Pittsburgh, PA (79 Conn. App. 800), created exception to statutory requirements of § 38a-336 (a) (2) for every case that involved commercial fleet or garage insurance policy; whether trial court improperly determined that automobile policy provided for standard, rather than conversion, uninsured motorist insurance coverage.</i>	77

Santiago v. Commissioner of Correction . . . . .	358
<i>Habeas corpus; whether habeas court abused its discretion in denying certification to appeal; claim that habeas court's conclusion that petitioner was not denied effective assistance of trial counsel rested on clearly erroneous factual findings concerning trial counsel's representations during sentencing proceeding; claim that habeas court erred in concluding that representation by petitioner's trial counsel was not deficient and therefore that petitioner failed to satisfy performance prong of Strickland v. Washington (466 U.S. 668).</i>	
Sessa v. Reale . . . . .	151
<i>Probate appeal; motion to dismiss; subject matter jurisdiction; claim that Superior Court had subject matter jurisdiction over plaintiff's probate appeal; whether Probate Court denied plaintiff's application to hear and decide rejected claim or decided merits of rejected claim underlying application; whether statute (§ 45a-364 (b)) required plaintiff to commence suit following Probate Court's denial of his application to hear and decide rejected claim rather than to file probate appeal; claim that Superior Court improperly granted motion to dismiss when defendant raised alleged failure to satisfy time requirement for filing suit under § 45a-364 (b) in motion to dismiss instead of by special defense.</i>	
Sokolovsky v. Mulholland . . . . .	128
<i>Administrative appeal, discrimination; motion to dismiss; subject matter jurisdiction; claim that trial court erred in concluding that statutory (§ 46a-101) ninety day limitation period for commencing action in Superior Court pursuant to statute (§ 46a-100) was subject matter jurisdictional; claim that trial court improperly dismissed plaintiff's action; claim that trial court erred by not considering action commenced on date that plaintiff filed his application for waiver of fees; whether trial court erred in concluding that plaintiff was required to plead continuing course of conduct doctrine in his complaint.</i>	
State v. Norris . . . . .	253
<i>Risk of injury to child; assault in third degree; breach of peace in second degree; interfering with officer; motion for joinder; claim that trial court improperly failed to conduct adequate inquiry into defendant's competency to stand trial and to order competency hearing at start of trial; whether trial court abused its discretion in denying motion for competency evaluation; whether trial court abused its discretion in granting state's motion to join two informations for trial; whether defendant demonstrated that joinder resulted in substantial prejudice; whether trial court's explicit instructions to jury to consider each charge separately in reaching verdict cured risk of substantial prejudice to defendant.</i>	
State v. Russaw . . . . .	311
<i>Conspiracy to commit murder; unpreserved claim that defendant was deprived of right to due process because it is legally impossible to conspire to kill unintended victim; claim that state relied on doctrine of transferred intent for conspiracy charge; whether trial court improperly denied motion to suppress certain incriminating statements defendant made to police during custodial interrogation; whether trial court properly determined that defendant voluntarily and intelligently waived rights under Miranda v. Arizona (384 U.S. 436).</i>	
Swain v. Swain . . . . .	411
<i>Dissolution of marriage; postjudgment motion to modify custody, child support, visitation and parental access schedule; claim that trial court erred in modifying orders as to visitation, parental access plan and child support because defendant's motion sought to modify only custody.</i>	
Szymonik v. Szymonik . . . . .	421
<i>Dissolution of marriage; motion for contempt; motion for sanctions; whether trial court erred in granting motions for contempt; whether trial court erred in granting plaintiff's motion for sanctions; whether trial court erred in awarding plaintiff attorney's fees; whether trial court's factual findings were clearly erroneous.</i>	
U.S. Bank Trust, N.A. v. Dallas . . . . .	483
<i>Foreclosure; motion for summary judgment; claim that trial court improperly granted plaintiff's motion for summary judgment as to liability; whether trial court erred in determining that there were no genuine issues of material fact as to defendant's special defenses of residential mortgage fraud and fraud in inducement; adoption of trial court's memorandum of decision as proper statement of facts and applicable law on issues.</i>	
Wallace v. Caring Solutions, LLC . . . . .	605
<i>Employment discrimination; Connecticut Fair Employment Practices Act (§ 46a-60); whether trial court erred in applying wrong standard in reviewing discrimi-</i>	

*nation claim under § 46a-60; claim that statements in defendant's pretrial brief were judicial admissions; claim that trial court failed to give sufficient weight to different explanations offered by defendant for not hiring plaintiff; whether trial court's finding that plaintiff failed to prove that she was not hired because of her hearing disability was clearly erroneous.*

Wine v. Mulligan . . . . . 298

*Alleged deprivation of plaintiff inmate's constitutional rights; motion to strike; motion for judgment; claim that trial court erred in granting defendants' motion to strike; claim that plaintiff's complaint adequately stated claim that defendants violated his constitutional right of access to courts.*