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DAVID CROUZET *v.* FIRST BAPTIST CHURCH
OF STONINGTON ET AL.

The defendants' petition for certification to appeal from the Appellate Court, 199 Conn. App. 532 (AC 42069), is granted, limited to the following issue:

"Did the Appellate Court, on the record in this case, properly reverse the judgment of the trial court rendered in favor of the defendants on the grounds that (1) the trial court committed clear error in finding that a secondary source was responsible for the contamination of the plaintiff's property, and (2) even if there had been a secondary source of contamination, the presence of that secondary source does not mean that the plaintiff failed to prove that the defendants' oil tank contaminated their property?"

Proloy K. Das and *Benjamin H. Nissim*, in support of the petition.

Eric J. Garofano, in opposition.

Decided December 1, 2020

JOHN B. CLINTON *v.* MICHAEL E.
ASPINWALL ET AL.

The plaintiff's petition for certification to appeal from the Appellate Court, 200 Conn. App. 205 (AC 41568/AC 42396), is granted, limited to the following issue:

"Did the Appellate Court correctly conclude that the limited liability company operating agreement unambiguously provides that an action to amend the agreement or to involuntarily remove a member shall be performed by the consent of members controlling 60 percent or more of the company, without requiring approval by the board of managers?"

MULLINS, J., did not participate in the consideration of or decision on this petition.

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Glen W. Dowd, in support of the petition.

Barbara M. Schellenberg and *Garrett S. Flynn*, in opposition.

Decided December 1, 2020

JOHN B. CLINTON *v.* MICHAEL E.
ASPINWALL ET AL.

The defendants' cross petition for certification to appeal from the Appellate Court, 200 Conn. App. 205 (AC 41568/AC 42396), is granted, limited to the following issues:

"1. Did the Appellate Court correctly conclude that § 3.4 of the limited liability company operating agreement imposes an affirmative duty on the managers to exercise 'best judgment' but does not impose an affirmative duty on the managers to act in 'good faith'?"

"2. If the answer to the first question is in the affirmative, did the Appellate Court correctly conclude that the trial court's instruction to the jury that § 3.4 of the agreement 'prohibits actions that are taken in bad faith' constituted harmless error?"

MULLINS, J., did not participate in the consideration of or decision on this petition.

Barbara M. Schellenberg and *Garrett S. Flynn*, in support of the petition.

Glen W. Dowd, in opposition.

Decided December 1, 2020

JUAN MALDONADO *v.* COMMISSIONER
OF CORRECTION

The petitioner Juan Maldonado's petition for certification to appeal from the Appellate Court, 200 Conn. App. 904 (AC 42995), is denied.

Peter G. Billings, assigned counsel, in support of the petition.

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Sarah Hanna, senior assistant state's attorney, in opposition.

Decided December 1, 2020

RAUL DIAZ *v.* COMMISSIONER OF CORRECTION

The petitioner Raul Diaz' petition for certification to appeal from the Appellate Court, 201 Conn. App. 254 (AC 39651), is denied.

Deren Manasevit, assigned counsel, in support of the petition.

Melissa Patterson, senior assistant state's attorney, in opposition.

Decided December 1, 2020

STATE OF CONNECTICUT *v.* MICHAEL GASTON

The defendant's petition for certification to appeal from the Appellate Court, 201 Conn. App. 276 (AC 43499), is denied.

Robert L. O'Brien, assigned counsel, in support of the petition.

Mitchell S. Brody, senior assistant state's attorney, in opposition.

Decided December 1, 2020

IN RE XAVIER H.

The petition of the respondent father for certification to appeal from the Appellate Court, 201 Conn. App. 81 (AC 43770/AC 43774), is denied.

Joseph A. Jaumann, assigned counsel, in support of the petition.

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Sara Nadim, assistant attorney general, in opposition.

Decided December 1, 2020

IN RE XAVIER H.

The petition of the respondent mother for certification to appeal from the Appellate Court, 201 Conn. App. 81 (AC 43770/AC 43774), is denied.

Mildred Doody, assistant public defender, in support of the petition

Sara Nadim, assistant attorney general, in opposition.

Decided December 1, 2020
