law raised here." Id., 939. The court noted that the attorney's "contrary conclusion was based only on a cursory examination of the annotations to [the statute of limitations]. Even if we were to believe the respondent, given the time available and the urgings of his clients to proceed, legal research [that] was so obviously inadequate on a question of such magnitude would constitute gross negligence . . . ." Id., 940.

Here, Zeppieri acknowledged before the trial court that it was a mistake not to have been aware of controlling case law before commencing *Riccio I* but otherwise provided no explanation for his actions. The twenty page transcript that contains the entire evidentiary record on this issue indicates only that Zeppieri had not read *Lucisano* or *Bell* until it became an issue in this case. The record also contains no information explaining why the plaintiff's other attorney, Kevin Ferry, failed to comply with *Lucisano* and *Bell*. On cross-examination, Zeppieri explained: "I had not read [*Lucisano*], which had attached a new requirement to the statute that is not in the text of the statute. There's no requirement in [§ 52-190a] that the letter include that material. The requirement came only as a result of the Appellate Court's . . . decision in *Lucisano* . . . ." There is no testimony regarding whether Zeppieri had conducted any research or otherwise explaining why he was unaware of the two Appellate Court decisions. As a result, we agree with the trial court that Zeppieri failed to meet his burden of proving that the dismissal of *Riccio I* was the result of mistake, inadvertence, or excusable neglect. See *Ruddock* v. *Burrowes*, supra, 243 Conn. 576–77. In the absence of further explanation—such as the failure to uncover *Lucisano* and *Bell* despite diligent research—we agree with the trial court's determination that Zeppieri's admitted failure to know of controlling Appellate Court case law, decided six years before he initiated the action, constituted gross negligence. As in *Santorso*, in which the plaintiff's

counsel failed to explain his noncompliance with § 52-190a (a); see *Santorso* v. *Bristol Hospital*, supra, 308 Conn. 358; Zeppieri failed to explain his noncompliance with *Lucisano* and *Bell*. Accordingly, there is no evidence in the record from which to conclude that Zeppieri's failure to know of the controlling Appellate Court case law was an accident, inadvertence, or excusable neglect.

The plaintiff nevertheless contends that the trial court improperly applied the legal maxims " 'that everyone is presumed to know the law, and that ignorance of the law excuses no one . . . .' " We agree with the plaintiff that application of such legal maxims would violate the requirement in *Plante* that a court place an attorney's actions on the continuum of mistake, inadvertence, or excusable neglect, on the one hand, and dismissal for egregious conduct or gross negligence, on the other.[9] *Plante* v. *Charlotte Hungerford Hospital*, supra, 300 Conn. 50–51, 56. We disagree, however, that the trial court failed to place Zeppieri's conduct on the continuum. As the trial court found: (1) Zeppieri has practiced in the "complex, vigorously contested area of medical malpractice law" since his admission to the bar in 2006; (2) "[t]he adequacy of a 'similar health care provider' opinion letter is one of the most frequently litigated pretrial issues in medical malpractice actions"; (3) *Lucisano* and *Bell* were decided more than six years before *Riccio I* was commenced; (4) after *Lucisano*, there could be no doubt that the plaintiff was required to include "sufficient qualifications of the author in the opinion letter to demonstrate compliance with § 52-190a"; (5) in the six year period after *Lucisano* and *Bell* were decided, Zeppieri testified that he filed five

[9] We note that the plaintiff herself appears to advocate for a per se rule that the failure to know the law would never constitute egregious conduct or gross negligence. As with the legal maxims that "everyone is presumed to know the law" and "ignorance of the law excuses no one," we reject such an absolute rule, which is antithetical to the fact intensive inquiry § 52-592 demands.