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March 1, 2021

BY EMAIL ONLY

amy_constantine@ctd.uscourts.gov
The Honorable Michael P. Shea
United States District Court - District of Connecticut
450 Main Street
Hartford, CT 06103

RE: Neelu Pal v. Robert Cipolla, et al. - Docket No. 3:20-cv-00013(MPS)

Dear Judge Shea:

On behalf of the defendants Mark Canepari, Arnault Baker, Brandon Harris, John Lynch, Anna Tornello, and Town of Wilton (hereinafter the “Wilton defendants”), the undersigned submits this letter regarding the nature of discovery disputes raised by the plaintiff pursuant to the Court’s discovery protocols. Plaintiff initiated a call and informed chambers of the purported disputes on February 23, 2021.¹ The issues raised in plaintiff’s email will be set forth in bold below and addressed by the Wilton defendants.

1. You have simply uploaded the recordings that I provided to you as part of my discovery obligations. All of the BWC recordings are incomplete and Brandon Harris BWC is unreadable.

Wilton Defendants’ Position: The Wilton defendants provided plaintiff with complete copies of all BWC and dashboard camera footage within the possession and control of Wilton Police Department (“WPD”). As to plaintiff’s assertion that the recordings are identical to those provided to her by the WPD in response to certain FOI requests, that is the case because complete sets of the recordings were previously provided to plaintiff in response to certain FOI requests and were provided again with the Wilton defendants’ discovery responses. Based on plaintiff’s representation that she could not access the BWC of Officer Harris, the undersigned uploaded an additional copy of Officer Harris’ BWC footage to an electronic depository to which plaintiff has been provided access.

2. The police reports and documents do not contain Arnault Baker’s report of the incident of 5-5-2018.

Wilton Defendants’ Position: The Wilton defendants provided plaintiff with the Bates number where she could find Sergeant Baker’s report regarding the May 5, 2018 incident in their document production.

¹ Prior to the telephone call to chambers, the plaintiff sent an email to the undersigned on February 22, 2021 with eight purported disputes. The Wilton defendants responded to each of plaintiff’s concerns that same day. Without attempting further discussion, clarification, or resolution of her purported disputes, plaintiff initiated a call with chambers regarding her purported disputes.

3. The reports produced do not contain Steven Zawacki's full report of the incident.

Wilton Defendants' Position: The Wilton defendants advised plaintiff that there are no WPD records indicating that Officer Zawacki was involved in the May 5, 2018 incident, and that a check of the WPD system produced no such report.

4. The documents produced do not contain the report of the consultant regarding the deficient disciplinary procedures of the Wilton PD, which is a non-privileged, non-confidential document.

Wilton Defendants' Position: The Wilton defendants advised plaintiff that, upon checking the WPD system, they are unaware of any consultant's report regarding deficient disciplinary procedures related to this case or prepared contemporaneously to this matter.

5. The documents do not contain the written DCF report that Arnault Baker sent on 5-9-2018.

Wilton Defendants' Position: The Wilton defendants provided plaintiff with the Bates number where she could find Sergeant Baker's May 9, 2018 DCF report in their document production.

6. The interrogatories are non-responsive as are the requests for admissions.

Wilton Defendants' Position: This purported "dispute" from plaintiff is overbroad and does not identify and specific purported deficiencies in the Wilton defendants' discovery responses. The undersigned advised plaintiff that the Wilton defendants' Interrogatory, Requests for Production and Requests for Admission responses were responsive to her requests unless an objection is pending. To date, plaintiff has not identified any specific objections that she seeks to challenge and has not followed the proper procedure for doing so. To the extent plaintiff identifies, for the first time, any specific pending objections in her letter brief, the Wilton defendants request a reasonable opportunity to respond.

7. The reports do not contain any of the complaints that I made and which were received by the Wilton PD, multiple times.

Wilton Defendants' Position: The Wilton defendants provided plaintiff with a range of Bates numbers where she could find her correspondence to the WPD in their document production. Additionally, as the author of said complaints, plaintiff would have equal access to any such correspondence as the defendants.

8. The emails, text messages and conversations that occurred between Wilton PD employees and Town of Wilton administration are not privileged and need to be produced immediately.

Wilton Defendants' Position: In her written discovery requests plaintiff requested multiple forms of communication from the defendants without reasonably limiting the requests in time or scope or identifying the relevance and proportionality of the requested documents. The defendants objected to plaintiff's request and stand on that objection.

Very truly yours,



Andrew J. Glass

cc: Neelu Pal (via email); Attorney Michael J. Carreira, Esq. (via email)