

DOCKET NO: LLICV176016067S

SUPERIOR COURT

O'CONNELL, DOUGLAS K, SUCCESSOR  
ADMINISTRATOR OF TJUDICIAL DISTRICT OF LITCHFIELD  
AT TORRINGTON

V.

CALDWELL, DANIEL J, FORMER  
ADMINISTRATOR OF THE ES Et Al

6/4/2018

ORDERORDER REGARDING:  
05/29/2018 140.00 REQUEST

The foregoing, having been considered by the Court, is hereby:

ORDER: DENIED

This motion is denied without prejudice. When issues of fact pertaining to a motion to dismiss are in dispute, the court must hold an evidentiary hearing. *Schaghticoke Tribal Nation v. Harrison*, 264 Conn. 829, 833 (2003); *Standard Tallow Corp. v. Jowdy*, 190 Conn. 48, 56 (1983); *Bartlett v. Metropolitan District Commission*, 125 Conn. App. 149, 155-56 (2010), cert. denied, 300 Conn. 913 (2011); *Weihing v. Dodsworth*, 100 Conn. App. 29, 38 (2007). This request, however, provides no argument as to why issues of fact relevant to the motion to dismiss are in dispute. Therefore, the request is denied without prejudice to being reclaimed if the requester provides a persuasive argument as why pertinent facts are in dispute.

Judicial Notice (JDNO) was sent regarding this order.

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Judge: JOHN DAVID MOORE