AUTHORIZING RESOLUTION

concerning

LEGAL COUNSEL

CONNELLY vs BROWNE, et al

March 7, 1980

WHEREAS, An Eastern Connecticut State College faculty member has recently filed suit alleging that four fellow faculty members: Robert Browne, Thomas P. Anderson, Jay Cobble Dick, and Leon Sarin have acted in defamation of his professional status, and

WHEREAS, The Attorney General has informed the Board of Trustees for the Connecticut State Colleges that in preparation of his defense of the four faculty members he has discovered a conflict which ethically prevents him from further defending the individuals, and

WHEREAS, The members merit defense under the statutes the Attorney General recommends that the Board of Trustees obligate itself to provide private counsel to represent the four faculty members, now therefore, be it

RESOLVED, That the Board of Trustees hereby authorizes the Attorney General to retain private counsel as necessary to defend the faculty members named in Connelly vs Browne, et al, and be it further

RESOLVED, That the expense for this legal counsel be paid out of funds budgeted to Eastern Connecticut State College.

A Certified True Copy:

James A. Frost
Executive Director
As you are aware, the Attorney General entered his appearance for the four defendants in the above-captioned matter in their individual capacities.

Subsequent to said appearance interviews of the defendants were conducted. During the interviews information was disclosed which forces us to conclude that, for ethical reasons, we may not represent all of the defendants. Having been privy to the disclosures at a time when we were representing all of the defendants, we must now totally withdraw our appearance in the case.

It is to be noted that neither the information obtained during the course of our representation, nor our subsequent withdrawal, is to be construed as comment upon the appropriateness of the actions of the defendants. To the contrary, it is still our firm opinion that their actions were the result of a good faith effort to properly discharge the duties of their office.

Accordingly, it is recommended that the Board obligate itself to provide private counsel at its expense.

Unfortunately, further discussion concerning the specific disclosures upon which we premised our conclusion would be improper. This is so because the disclosures were made during the course of our representation of the four defendants in their individual capacities. Accordingly, the information is the subject of an attorney/client privilege.

Since time is of the essence, please respond promptly to our recommendation. If you adopt our recommendation, the Attorney General will retain private counsel on behalf of the defendants. We anticipate that it will be necessary to provide one attorney for each of two defendants.
AGREEMENT

The named parties hereby enter into agreement subject to the terms and conditions stated herein and subject to the availability of appropriated funds.

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Richard Brown, Esq.
Frauenglass, Brown & Paindiris
One Financial Plaza
Hartford, Connecticut 06103


Dear Dick:

Enclosed for your records please find a fully executed and approved copy of our personal service agreement with respect to the above entitled matter.

Very truly yours,

Carl R. Ajello
Attorney General

By:
Donald M. Longley
Assistant Attorney General

Encl.

cc: Board of Trustees for the State Colleges