

STATE OF CONNECTICUT

SC 210218

SUPREME COURT

IN RE: HONORABLE ALICE A. BRUNO

MARCH 8, 2022

MOTION TO HOLD THE ORDER TO SHOW CAUSE HEARING IN ABEYANCE

Brief History of the Case

1. The Honorable Alice A. Bruno (hereinafter Judge Bruno), was served with an Order to Show Cause ("the Order") dated February 10, 2022. The order requests information regarding Judge Bruno's alleged failure to perform judicial functions for "at least the last two years."
2. The Order states Judge Bruno is directed to "show cause why this Court should not commence proceedings to either suspend or remove Judge Bruno from her judicial office for potential violations of the Code of Judicial Conduct."
3. The Show Cause hearing is scheduled for April 5, 2022.

Specific Facts Relied Upon

4. As demonstrated by the exhibits attached to this Motion, Judge Bruno has been prevented from returning to the bench since at least October 2020, following a medical leave that commenced in late 2019, because the Judicial Branch has refused and failed to accommodate Judge Bruno's disabilities. When Judge Bruno's efforts to return to the bench were rejected in October of 2021, after a year-long process of

seeking a reasonable accommodation, Judge Bruno filed a complaint of disability discrimination with the Connecticut Commission on Human Rights & Opportunities (“CHRO”) on December 13, 2021. A redacted copy of the Affidavit is attached hereto as Exhibit A without the exhibits referred to therein for reasons of confidentiality. The un-redacted Affidavit will also be filed with a Motion to Seal accompanying this Motion.

5. Furthermore, as of December 29, 2021, a dispute with the Judicial Branch over a request by the Chief Court Administrator, the Honorable Patrick L. Carroll, III (hereinafter “the Chief Court Administrator” or “Chief Court Administrator Carroll”), has been referred to the Judicial Review Council for action, a redacted copy of which is attached as Exhibit B. The un-redacted letter will also be filed with a Motion to Seal accompanying this Motion.
6. On information and belief, based on a discussion with the Executive Director of the Judicial Review Council, the investigation by the Judicial Review Council is not likely to be completed before April 5, 2022, the date of the Show Cause hearing.
7. Additional background information supporting this request to allow the Judicial Review Council to complete its investigation of the present dispute, one that in and of itself is preventing Judge Bruno from returning to the bench, is set forth below.
8. On August 28, 2019, Chief Court Administrator Carroll and Deputy Chief Court Administrator, the Honorable Elizabeth A. Bozzuto (hereinafter “the Deputy Chief Court Administrator” or “Deputy Chief Court Administrator Bozzuto”), made observations of Judge Bruno that would have required the Judicial Branch to engage Judge Bruno in an interactive good faith discussion regarding a potential disability and reasonable accommodation to allow her to perform the essential function of her

position. However, neither the Chief Court Administrator nor the Deputy Chief Court Administrator sought to engage Judge Bruno in an interactive, good faith process to find an accommodation for her disability as required by Connecticut General Statutes § 46a-70a and § 46a-77, and this Court's decision in *Curry v. Allan S. Goodman, Inc.*, 286 Conn. 390, 416 (2008).

9. When the circumstances contributing to Judge Bruno's condition did not change during the Fall of 2019, and following a visit with her cardiologies on November 14, 2019, Judge Bruno sought treatment for stress at the emergency room on Sunday November 17, 2019 and was thereafter hospitalized for stress-related cardiac symptoms and testing on Tuesday November 19, 2019.
10. The stressful working environment that contributed to Judge Bruno's medical condition was exemplified by a voicemail message left by Judge Ficeto, who was exercising supervisory authority over Judge Bruno in the Waterbury Judicial District, which Judge Bruno shared with her primary care physician during a visit on October 30, 2019 when seeking treatment for "extreme stress at work." The voicemail stated: "You need to be acutely aware of the fact that we are being audited and only a select people, number of individuals are being selected for audit by the state auditors with regard to sick time and I believe you're going to be one of the people that they audit, *so you just need to be aware of the fact that your attendance, your doctor's appointments and all those things are being scrutinized at every level. I understand you've got doctor's appointments coming up, once again they're in the middle of the day. You keep digging this hole for yourself Alice, I don't know how many ways to tell you that what you're doing is not acceptable.*" (emphasis added)

11. Following her release from the hospital in late November 2019, Judge Bruno commenced a medical leave.
12. Between January of 2020 and June of 2020, Judge Bruno remained on medical leave.
13. In June and July of 2020, Judge Bruno, through counsel, attempted to engage the Judicial Branch in discussions concerning reasonable accommodations that would allow her to return to work. She was eventually directed to the Judicial Branch's Human Resources Department.
14. After obtaining a job description from the Judicial Branch's Human Resources Department in August of 2020 for use by her medical providers in specifying a reasonable accommodation, Judge Bruno submitted a formal request for accommodation to Bradley Capon of the Judicial Branch's Human Resources Department on October 14, 2020, supported by a report from her treating physicians. A redacted copy of the letter and report are attached hereto as Exhibit C. The un-redacted letter and report are also filed with a Motion to Seal accompanying this Motion.
15. In the October 14, 2020 letter to Mr. Capon, Judge Bruno specifically requested that Chief Court Administrator Carroll and Deputy Chief Court Administrator Bozzuto be recused from consideration of the accommodation requested for reasons set forth in the medical report that accompanied the request.
16. Thereafter, on October 28, 2020, the Judicial Branch, through an outside law firm, communicated that it would consider Judge Bruno's request for accommodation and asked for additional information.

17. On December 10, 2020, Judge Bruno communicated the additional information as envisioned by the report of her treating physicians, which primarily asked for an assignment to one of three judicial districts and dockets within a 30 to 40 mile radius of her residence. It should be noted that if the accommodation requested had been provided, Judge Bruno would likely have been able to immediately return to work.
18. Unfortunately, the interactive process dragged out and came to an apparent impasse in June 2021 for reasons set forth in the CHRO Affidavit. Thus, additional medical information from Judge Bruno's treating physicians was provided to support Judge Bruno's request to be assigned to other locations in the latter part of July 2021.
19. Although the parties never met face to face to discuss the accommodation sought, based on communications received through counsel for the Judicial Branch as late as September 2021, it appeared that a suitable work location could be found to allow Judge Bruno to return to work.
20. On October 12, 2021, the Judicial Branch discontinued efforts to accommodate Judge Bruno.
21. On October 12, 2021, without any prior notice, Chief Court Administrator Carroll inexplicably claimed Judge Bruno had not been providing information concerning her medical condition and ability to work to the Judicial Branch since 2019. Chief Court Administrator Carroll also demanded that Judge Bruno submit to an intrusive medical examination.
22. In response to the letter dated October 12, 2021, among other things, Judge Bruno informed the Chief Court Administrator that she had undergone two such medical

examinations in 2020, as part of the medical leave and her attempt to return to the bench with a reasonable accommodation, and offered to share those reports.

23. In addition, Judge Bruno's treating physicians wrote another report, dated November 1, 2021, which was forwarded to the Chief Court Administrator. The November 1, 2021 report advised the Chief Court Administrator that based upon their review of the 2020 medical reports that Judge Bruno offered to share, and based upon their personal knowledge of her condition given ongoing treatment since the medical leave commenced in 2019, no such medical examination was warranted. A redacted copy of the report is attached hereto as Exhibit D. The un-redacted report is also filed with a Motion to Seal accompanying this Motion.
24. Even then, Judge Bruno did not absolutely refuse the examination requested if the Judicial Branch could provide a legitimate justification for this request. No such justification was provided.
25. Judge Bruno also continued to seek an accommodation that would allow her to immediately return to work by suggesting a referral to former Judge Elaine Gordon, who could be engaged to facilitate a resolution of the dispute.
26. Judge Bruno's effort to persuade the Judicial Branch to engage former Judge Gordon was rejected. Judge Bruno was given a December 10, 2021 deadline to agree to the medical examination demanded by the Chief Court Administrator, or face referral to the Judicial Review Council.
27. When Judge Bruno was threatened with referral to the Judicial Review Council because she refused an intrusive medical examination, she was left with no choice but to file a complaint with the CHRO on or about December 13, 2021. A copy of the CHRO

- Affidavit and accompanying exhibits were immediately provided to the Chief Court Administrator's counsel and to the Executive Director of the Judicial Review Council.
28. As noted above, on December 29, 2021, the Chief Court Administrator referred Judge Bruno to the Judicial Review Council.
29. Still unwilling to accept the status quo, Judge Bruno again asked Chief Court Administrator Carroll, through counsel, on January 28, 2022, to join her in seeking to resolve the dispute by engaging former Judge Elaine Gordon. Again, that request was rejected by email from counsel for the Judicial Branch.
30. On February 14, 2022, the Chair of the Judicial Review Council sent a letter to Judge Bruno informing her of the referral. A redacted copy of that letter is attached hereto as Exhibit E. The un-redacted letter is also filed with a Motion to Seal accompanying this Motion.
31. On February 15, 2022, the Judicial Branch responded to Judge Bruno's complaint filed with the CHRO. In that response, the Judicial Branch included the "*Workers With Disability Policy*" from the Judicial Branch's Administrative Policies and Procedures Manual as an exhibit.
32. In the February 15, 2022 Position Statement filed with the CHRO, the Judicial Branch has claimed that the disability discrimination statutes enacted by the State of Connecticut do not apply to judges and asked the CHRO to dismiss the case.

Legal Grounds Upon Which the Moving Party Relies

33. Connecticut General Statutes § 51-51j provides that in any proceeding brought pursuant to this statutory section, "the Supreme Court shall make an investigation of the conduct complained of and hold a hearing thereon ..." Although there are no specific rules in the

Connecticut Practice Book that apply to an Order to Show Cause hearing in the Supreme Court, the Court has general supervisory powers to control appellate proceedings pursuant to Practice Book § 60-2, and inherent supervisory authority over the administration of justice. *State v. Ubaldi*, 190 Conn. 559, 570 (1983).

Wherefore, for all the foregoing reasons, the Honorable Alice A. Bruno respectfully requests that the Court hold the Order to Show Cause Hearing in abeyance until the Judicial Review Council completes its investigation. At the Court's direction, the Honorable Alice A. Bruno, shall promptly notify the Court of the final action taken by the Judicial Review Council with ten days of said action.

Dated at New London, Connecticut this 8th day of March 2022.

Respectfully submitted
HONORABLE ALICE A. BRUNO

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REDACTED

EXHIBIT A

AMENDED AFFIDAVIT

The undersigned, being duly sworn, did depose and say:

1. My name is Alice A. Bruno. I am a Judge of the Superior Court, first nominated by Dannel P. Malloy, Governor of the State of Connecticut, on May 15, 2015.
2. I graduated from the University of Connecticut School of Law in 1981.
Subsequent thereto, while practicing law, I obtained training as a mediator and arbitrator before being appointed a Judge of the Superior Court.
3. Following graduation from law school, I practiced with the law firm of Tyler, Cooper & Alcorn between 1981 and 1992 before establishing my own firm in 1993, where I practiced until 2005, including working as a Certified Mediator. During the years of 1993 through 2005, I also was appointed to work as a Superior Court Magistrate hearing cases and issuing decision in various matters in New Haven, Milford, Derby, Middletown and Meriden, Connecticut.
4. In 2005-2006, I worked as a Staff Attorney for the Office of the Probate Court Administrator in West Hartford, Connecticut.
5. From September 2006 until April 2012, I was employed as the Deputy Chief Clerk for the Judicial District of New Haven, supervising 37 attorneys and 16 support staff while implementing the policies and procedures of the Judicial District.
6. After serving an interim appointment as a Superior Court Judge starting in July of 2015, I was confirmed by the Judiciary Committee of the State of Connecticut's General Assembly on February 17, 2016, for period of eight years ending in February of 2024.

7. I am a female and a person who has suffered and does suffer from chronic _____, as defined by Connecticut General Statutes § 46a-51. Among the conditions that I have which have affected my ability to work or travel in connection with work are:

8. I was assigned to domestic violence docket in the Judicial District of Hartford in July of 2015. During this assignment, I contracted a severe infection following a Shingles vaccination such that I was forced to work with a high temperature and fever because Chief Court Administrator told me that I could not take time off. It was also during this assignment that I was informed that I could not schedule doctor's appointments on Monday or Friday, or even during the workday. As will be seen these unreasonable restrictions on my ability to obtain medical treatment eventually caused me to experience severe, physical stress and mental distress that resulted in hospitalization for cardiac distress symptoms in November of 2019.

9. For example, although I had been treating with _____, Chief Court Administrator's restrictions resulted in forcing me to take a hiatus in treatment

such that I had to stop

in November of 2019.

10. In June of 2017, I was assigned to the Judicial District of Waterbury on the family law docket. The presiding Judge in Waterbury was Anna Ficeto. Judge Ficeto had interviewed me when she worked for Governor Jodi Rell and displayed her dislike for me then and did not recommend me for appointment. She continued to shun me after I was appointed to the bench. For example, after I was appointed to Waterbury Judicial District she would not say hello to me when passing me in building.

11. On June 7, 2018, I in the Waterbury courthouse while on my way to a hearing for a civil protective order. I was able to attend the hearing and granted the protective order but had .

. Although I had a doctor's note for physical therapy to be performed in Wallingford during the day, Chief Court Administrator Carroll denied me medical leave to attend physical therapy stating the injury should not prevent me from being at work.

12. In September 2018, I was transferred to the Judicial District of Fairfield at Bridgeport on the foreclosure docket, where I remained until the following August 2019. Throughout this period, I was required to travel 100 miles a day to and from my assigned location which exacerbated .

13. During this Bridgeport assignment, Judge Bellis informed me that Chief Court Administrator Carroll wanted to know where I was at all times. When I told Judge Bellis I needed to go to physical therapy for my foot, she told me I could not go based on the instructions of Chief Court Administrator Carroll.

14. In January of 2019, I advised Chief Court Administrator Carroll that I had issues with

. Chief Court Administrator Carroll denied me leave for this surgery.

15. On two occasions during this assignment in Bridgeport, I was ordered to attend a 10 a.m. meeting in Hartford. Although I live in New Britain, Chief Court Administrator Carroll required that I check in at my assigned location in Bridgeport before traveling to Hartford for the meeting. On one of those occasions, I was required to go back to Bridgeport after the meeting in Hartford before I would attend a dental appointment in Branford later that day and then had to return to Bridgeport at 4:30 p.m. .

16. Chief Court Administrator Carroll's resistance to my scheduling medical appointments during the day was so pervasive that in the Spring of 2019 one of the judicial secretaries did not write down that I was at a doctor's appointment because she did not want to get me in trouble. Thus, during that doctor's appointment,

.
I was later reprimanded for being away from the bench during this emergency medical treatment.

17. Nevertheless, despite having to make appointments for medical treatment during the day, I would endeavor to continue my work after 5 p.m. and then was criticized for doing so by the Chief Court Administrator who stated I could not do my job as a Judge after hours.
18. When I was first appointed as a Judge, Chief Court Administrator Carroll told me I would be a terrible judge. Judge Carroll informed me I could no longer participate in meeting of the Connecticut and American Bar Associations, organizations that I have been active in before being appointed to the bench. He also told me that I could not attend an ABA meeting to accept an award.
19. Throughout my employment as a Judge, Chief Court Administrator Carroll took actions to bring about his prediction that I would not succeed by constantly calling into question my performance and by being negative about my work performance in addition to scrutinizing my every move and denying me opportunities to take care of my health issues. In this way I was treated much differently than similarly situated judges who were not disabled or who were male Judges of the Superior Court.
20. By the Summer of 2019, the criticism and hyper-scrutiny of Chief Court Administrator Carroll and those reporting to him, such as Deputy Chief Court Administrator Judge Elizabeth Bozzuto and Judge Ficeto, the Administrative Judge for Waterbury, increasingly made my working environment hostile because I had to attend to medical issues by going to doctor's appointments, and the hostility increasingly affected

21. On August 28, 2019, I attended a meeting in Hartford with Chief Court Administrator Carroll and Deputy Chief Court Administrator Judge Elizabeth Bozzuto. In this meeting, Chief Court Administrator Carroll stated he has spoken to the Chief Justice about me and suggested that I seek a
22. Following the meeting, I spoke to several court employees in Hartford, then I returned to Bridgeport via New Haven. Along the way there was heavy rain that caused traffic to be delayed. I called the judge's secretary to let her know I was going to be late. When I returned to my chambers in Bridgeport, I received an email from Court Administrator Carroll falsely accusing me of taking a two hour long lunch.
23. In September 2019, I was assigned to the Waterbury Judicial District. When I arrived, Judge Ficeto told me not to communicate with the staff because I was distracting them from their work.
24. In September of 2019, I had a subsequent meeting in Waterbury concerning disability retirement. During this subsequent meeting Judge Bozzuto recommended that I contact an attorney, Eric Brown, who she said would arrange for the to occur.
25. Although senior members of the Judicial Branch's administration, including the Chief Court Administrator, the Deputy Chief Court Administrator and Judge

Ficeto as the Presiding Judge in Waterbury recognized that

with my ability to perform the job duties assigned to me, not one of these senior administrators made any effort to understand my and offer to find a solution in the form of a reasonable accommodation. Instead, the only solution that these administrators considered was to have me leave the Judicial Branch with a disability retirement. Male judges

have not been subjected to such disrespectful behaviors.

26. As a person suffering with , a condition exacerbated by the hostile work environment imposed by Chief Court Administrator Carroll and his direct reports, I required urgent medical treatment with on September 21, 2019, an appointment which conflicted with my ability to attend a judicial seminar on that same date. Chief Court Administrator Carroll criticized my failure to attend the seminar despite having medical appointments that necessitated my absence causing me to suffer additional stress.

27. On October 2, 2019, Chief Court Administrator Carroll wrote to me stating he had heard secondhand information that I needed that would keep me out of work for 4 to 6 weeks and further stated that absent a comprehensive medical report that would explain why I would be prevented from coming to work, any time I took to recover would be counted as personal leave or vacation time. Although I did need

, I never told anyone I would not be able to be at work for 4 to 6 weeks, yet Chief Court Administrator Carroll chose this method to intimidate me about needed surgeries.

28. During this period of time, the stressors associated with the hostile work environment created a vicious cycle where the stress caused

29. On October 11, 2019, I met with my primary care physician because of stress at work. The note for the visit states I am

The note continues stating

30. On October 30, 2019, the stressful work environment related to the hostility toward my medical conditions and appointments to treat ongoing health issues reached a peak. I had to see my primary care physician because of

While I was in the doctor's office Judge Ficeto continued the harassment directed by Chief Court Administrator Carroll in leaving a voice mail on my phone that was critical of my taking time to attend to health issues.

31. Judge Ficeto's voicemail stated the following: "Alice, its Anna Ficeto, umm, Sal Agati tells me you were going to the doctor today. We're going to need a doctor's note for you being out all week. So, if you can get that to us as soon as possible

that would be great. I think you're going to be out all week. Sal tells me that you told him you didn't think you'd be able to make it in. You need to be acutely aware of the fact that we are being audited and only a select people, number of individuals are being selected for audit by the state auditors with regard to sick time and I believe you're going to be one of the people that they audit, so you just need to be aware of the fact that your attendance, your doctor's appointments and all those things are being scrutinized at every level. *I understand you've got doctor's appointments coming up, once again they're in the middle of the day. You keep digging this hole for yourself Alice, I don't know how many ways to tell you that what you're doing is not acceptable.* Call me when you get a chance. Thank you." (emphasis added)

32. On November 14, 2019, Deputy Chief Court Administrator Bozzuto delivered a letter seeking a meeting to discuss long-standing issues of attendance and job performance.

33. On November 17, 2019, I was hospitalized
was performed the next day. I was
unable to return to work following my recovery from that procedure because of

34. Following the direction of Chief Court Administrator Carroll and Judge Ficeto, and believing I had no other choice but to submit to the demand that I seek
, I engaged the services of Eric Brown, at the suggestion of Deputy Chief Court Administrator Judge Bozzuto, because I thought my only alternative related to my appointment as a Judge was to seek a

35. The State of Connecticut makes _____ available as an option if a judge is _____.

36. On January 31, 2020, Eric Brown submitted a _____ application on my behalf to the _____.

37. While the _____ was pending at the _____, I obtained a second opinion regarding the proceedings. I was informed that the regulations make reference to the _____ decision following receipt of all the evidence. That decision would be based upon whether the judge should _____.

_____. No one in the Judicial Branch had ever discussed reasonable accommodations as a possible solution to my situation.

38. In early June 2020, I engaged new counsel to interact with the _____.

In a letter dated June 17, 2020, counsel advised the _____ Executive Director, _____, that I was collecting records requested by the _____ but that I also intended to pursue an accommodation.

39. On June 17, 2020, my counsel wrote to Deputy Chief Court Administrator Bozzuto advising, "this firm has been retained by Judge Alice Bruno to assist her with matters pertaining to her employment and pending application for _____."

or reasonable accommodation.” Deputy Chief Court Administrator Bozzuto made no attempt to determine what accommodation I was seeking and did not even respond to my counsel’s letter for nearly two months.

40. On July 8, 2020, my counsel wrote again to _____ and advised him of the background that brought my

_____ In that letter, my counsel sought to engage the Judicial Review Council in discussions that would identify a reasonable accommodation citing *Curry v. Allan S. Goodman, Inc.*, 286 Conn. 390 (2008). A copy of the letter is attached hereto as Exhibit A and incorporated by reference.

41. On July 17, 2020, _____ noted that since I was seeking an accommodation and asked if I would be withdrawing my

42. On July 21, 2020, my counsel responded that I was not withdrawing the _____ but I was still seeking to engage the Judicial Branch in a good faith interactive process to find a suitable accommodation, noting that Deputy Chief Court Administrator Bozzuto had not responded to my counsel’s June 17, 2020 letter. A copy of the letter is attached hereto as Exhibit B and incorporated by reference.

43. On July 24, 2020, Executive Director _____ informed my counsel that the _____ would not play a role in determining whether an accommodation could be made available in the first instance since the regulation’s reference to reasonable accommodation only came into play after a hearing.

44. In August of 2020, my counsel began to reach out to the Judicial Branch's Human Resources office that deals with requests for accommodation. My counsel sought a job description for the job of Superior Court Judge and sought to determine whether the Judicial Branch could assign decision-makers to the accommodation discussion who had not demonstrated hostility to me in the past, such as Chief Court Administrator Carroll.

45. On August 26, 2020, Adam Mauriello, Deputy Director, Legal Services, responded to my counsel's request made on June 17, 2020 to Deputy Chief Court Administrator Bozzuto seeking records. No mention was made of the request for accommodation. On the same date, the Judicial Branch's Human Resources unit provided a job description and indicated that Bradley Capon would be the person handling the request.

46. After obtaining a job description on August 26, 2020 from the Judicial Branch's Human Resources unit, my counsel engaged my long-treating physicians,

, to prepare a comprehensive report identifying my disabilities, symptoms and possible accommodations.

47. Following additional discussions between my counsel and Executive Director of the on October 2, 2020, I decided to continue efforts to obtain an accommodation from the Judicial Branch and withdrew my disability retirement application without prejudice on October 7, 2020.

48. On October 14, 2020, my counsel wrote to Bradley Capon (a copy of which is incorporated by reference and made Exhibit C) and by Federal Express forwarded the October 6, 2020 report. In the letter to Bradley Capon, counsel noted, "A review of the information set forth in this report, much of which is supported by medical records of other treating physicians that were reviewed reveals that Judge Bruno's requests for accommodation have arisen because of mistreatment that she has been subjected to by the Chief Court Administrator and his Deputy. The refusals to allow Judge Bruno to seek medical care to treat conditions over a lengthy period of time and the disparaging remarks made if she did so are particularly concerning as such refusals appear to violate the Family & Medical Leave Act." My counsel requested that both Chief Court Administrator Carroll and Deputy Chief Court Administrator Bozzuto be recused from any decision-making with regard to the request for accommodation and asked how the Judicial Branch intended to proceed.

49. The October 6, 2020 report noted that

(emphasis added)

50. The report of _____ suggested the following solution:

“Accommodations would include most essentially assignment to a judicial setting that provides a supportive, not hostile, work environment. Such a setting would encourage Judge Bruno’s demonstrated skill in presiding over, analyzing cases and rendering decisions.

a. Transfer to a court within a reasonable distance from her home,

Transfer to a court in which her talent as a mediator or domestic violence judge would be valued.

c. A supportive supervisor/mentor

d. A supportive supervisor/mentor

- e. Staff as appropriate to provide clerical and administrative support as appropriate in the service of enabling timely completion and delivery of decision.
- f. Flexible time consistent with the treatment of other judges. This would cover time of arrival and departure as appropriate and it would cover reasonable time for doctor's appointments and recommended treatment.
- g. Elimination of a hostile work environment."

51. The Judicial Branch's Human Resources unit did not respond to this report or the letter. Instead, on October 28, 2020, counsel for the Judicial Branch replied to the October 14, 2020 letter stating the Judicial Branch was willing to consider reasonable accommodations for me and asked for additional information related to accommodations sought.

52. On December 10, 2020, through counsel, I provided a list of the dockets and assignments in New Haven, Meriden and New Britain that would potentially fit the conditions set forth by . A copy of that email communication is attached hereto and incorporated by reference as Exhibit D. On the same date, the Judicial Department, through counsel, acknowledged receipt and advised the Judicial Branch would discuss and get back to me.

53. On January 5, 2021, the Judicial Branch informed me that it would not assign me to New Haven, one of my preferred choices, based on a policy that prohibited this assignment because I worked for many years in New Haven as a Deputy Clerk. I was also asked about the mileage limitation on travel.

54. On January 20, 2021, by counsel, I responded that a 30 to 40 minute drive would likely be within the limits of travel for my . I also asked that any policy that prohibited me from assignment to New Haven be reconsidered based on the likely supportive environment that would exist there based on my familiarity with the dockets in the JD and GA, and because I had worked as the Deputy Chief Clerk in New Haven for 10 years.

55. In late March 2021, my counsel and counsel for the Judicial Branch discussed my ability to return to work based on my need to have , as affecting my ability to return at that time.

56. On May 5, 2021, my counsel advised the Judicial Branch that I had , one on July 19, 2021, and the other on September 18, 2021. In addition, I would need 8 weeks of . Given that I had been told I could not leave the bench during the workday for physical therapy when I injured my ankle in Waterbury in 2018, I was concerned that there would need to be an agreement that I would be allowed to seek physical therapy as needed as part of the accommodation discussion.

57. On May 25, 2021, counsel for the Judicial Branch informed me that I would be assigned to Waterbury under Judge Ficeto and that the Judicial Branch would accommodate my need for treatment in connection with . However, the email setting forth this assignment was immediately “recalled” by the sender.

58. On June 5, 2021, counsel for the Judicial Branch sent a nearly identical email to the one that was recalled. In this email I was informed that the Judicial Branch had determined I would be assigned to Waterbury and claimed that that location met all of the requirements of the report from . The email from counsel claimed that Judge Ficeto, who had tormented me when I was assigned at Waterbury, was supportive.

59. On June 10, 2021, my counsel responded that Waterbury was the one location that was the most inappropriate based on the information contained in the report of which my counsel once again attached to this response. The email quoted Judge Ficeto's voice mail message that is set forth in this Affidavit. My counsel asked to have a detailed discussion of the accommodations required based on what appeared to be a misunderstanding of the situation.

60. On June 15, 2021, the Judicial Department, through counsel, claimed it was unaware that Judge Ficeto was the individual mentioned in the report and that the Judicial Branch had a different view of the voicemail, in any event. The email asked, given the passage of time, whether there was any other reason that Waterbury would be an inappropriate location.

61. On June 24, 2021, following a discussion between counsel earlier in the week, the Judicial Branch once more asserted that Waterbury was an appropriate assignment under Judge Ficeto. The Judicial Branch affirmed that Judge Ficeto's voice mail was an appropriate communication based on the state auditor concerns of use

62. On June 28, 2021, I responded, through counsel, and expressed disappointment that it appeared the Judicial Branch did not realize how inappropriate it was to deny me the ability to receive medical treatments in 2019 without fear of being disciplined. My counsel pointed out that such interference with medical care violated both the Americans with Disabilities Act (“ADA”) and the Family & Medical Leave Act. My counsel asserted that I wanted to return to a supportive work environment and Waterbury was not going to be that location, stating “It is Judge Bruno’s preference that she be allowed to work in a supportive environment. Judge Bruno does not want to be forced to take an adversarial position to the Judicial Branch. But, we are concerned that the Judicial Branch does not want to solve the problem, only make it worse by this response.” My counsel asked whether the Judicial Branch had any support for the claim that . He also said he would obtain additional medical information as requested to support my assertion that Waterbury was inappropriate.

63. On the same date, counsel for the Judicial Branch replied that updated medical information would be helpful.

64. During the month of July 2021, my counsel and counsel for the Judicial Branch communicated on the subject of the which had now been delayed because I

The Judicial Branch was also interested in obtaining my response to the Judicial Branch's survey of preference for upcoming assignment. As I was not at work, I had difficulty accessing the form even with the assistance of the Judicial Branch's IT department. On July 30, 2021, through counsel, I asked the Judicial Branch to provide a paper copy to fill out but none was provided.

65. On July 28, 2021, through counsel, _____ submitted an additional report, dated July 20, 2021, providing medical support for the contention that

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66. On August 1, 2021, counsel for the Judicial Branch cited the original October 6, 2020 report of Doctors Balter and Sawyer that

_____ Counsel stated the Judicial Branch was not interested in the quotes provided by the July 20, 2021, report from _____ and wanted to know if my treating physicians had seen me recently.

67. My counsel was out of state on August 1, 2021, but upon his return on August 10, 2021, he informed the Judicial Branch that the last portion of the sentence

from the October 2020 report – emphasizing that undue stress had been caused by a hostile work environment -- had not been considered, and that Waterbury did not fit the profile of a non-hostile work environment. My counsel reiterated that New Britain, New Haven and Meriden were suitable locations, as had been the case since December 10, 2020 and had been asked for repeatedly. Counsel also informed the Judicial Branch that I was treating with

. Counsel also reminded the Judicial Branch that I had not been able to access the preference survey and asked that a paper copy be sent.

68. On August 17, 2021, counsel for the Judicial Branch informed my counsel that the Judicial Branch would be meeting on August 31, 2021 to decide my assignment. My counsel reiterated that the preference form was not provided. Counsel for the Judicial Branch asked to confirm that New Haven, Meriden and New Britain were still the locations of preference, which was confirmed by my counsel by email on August 18, 2021.

69. On September 2, 2021, not otherwise having heard back from the Judicial Department, I received a written notification of my assignment to Waterbury. My counsel informed the Judicial Branch of this fact. Counsel for the Judicial Branch informed my counsel that the letter was sent as standard operating procedure based on my last assignment, that the Judicial Branch “was still working on this matter” and that he would get back to my counsel on or about September 14, 2021.

70. On October 12, 2021, I received a letter from the Judicial Department, signed by Chief Court Administrator Carroll, that *falsely stated* the following: “Since November 2019, you have been on an extended absence based on various health issues. The Judicial Branch has requested medical documentation related to the reasons for your absence and your ability to return to the bench, but has not received information that would explain your current or future ability to perform your judicial duties.”

71. The October 12, 2021, letter continued with the following: “In accordance with my obligations under _____, I am directing you to be _____, at the expense of the Judicial Branch, to determine

72. On October 12, 2021, my counsel wrote to counsel for the Judicial Branch and expressed shock and dismay that the Judicial Branch never contacted me to discuss the status of the decision-making, or the materials sent to the Judicial Branch over the past year before sending the October 12, 2021 letter, and asserted that the Judicial Branch was not acting in good faith by virtue of the false statement made regarding me.

73. On October 13, 2021, the Judicial Branch claimed that the _____ would provide an independent opportunity by the Judicial Review Council to review the question of reasonable accommodation, despite the fact there is no statutory process for the Judicial Review Council to consider this issue in the absence of a disability retirement application. My counsel

communicated this to counsel for the Judicial Branch and claimed that this tactic to seek an examination on a pretext as stated in the letter was harassing and retaliatory.

74. On October 13, 2021, through counsel, I responded with an eight-page letter, attached hereto as Exhibit E and incorporated by reference, recounting the history of communications as set forth in this Affidavit. Through counsel, I objected to being asked to submit to an invasive medical examination at the hands of the Judicial Branch when there had been no discussion of the reports of [REDACTED] and when there was no indication that a [REDACTED] would advance the process, particularly since I [REDACTED] that demonstrated that there was no issue on that front interfering with my ability to perform the essential functions of the judge position.

75. The October 13, 2021 letter also asserted that there was no basis for an [REDACTED] as section [REDACTED] was limited to mental illness or infirmity and that based on the reports of [REDACTED], there was no issue of mental illness or infirmity. The [REDACTED]

[REDACTED]. In closing the letter, we asked the Judicial Branch to assign me to a location based on the reports previously submitted or provide an explanation for their refusal to do so.

76. On October 14, 2021, counsel for the Judicial Branch emailed my counsel to state the Judicial Branch would consider my counsel's letter and respond "if warranted."

77. On October 25, 2021, the Judicial Branch responded citing the October 6, 2020 report of _____ as the basis for the Chief Court Administrator's demand that I submit to a _____. In that response, the Judicial Branch falsely claimed "the basis for their conclusion that she needs to be assigned to a different geographical location is unclear in the context of the report and the nature of Judge Bruno's judicial responsibilities."

78. The claim that there was a lack of clarity in the October 6, 2020 report was false and continued to be a pretext for retaliation and disability discrimination. Here is what the October 6, 2020 report stated as its conclusion and recommendation for reasonable accommodations:

79. On October 27, 2021, my counsel advised the Judicial Branch that my response would be submitted following the review of the October 25, 2021 letter by

80. Just prior to submitting my response through counsel, following consultation with
, and on November 9, 2021, the Judicial Branch
informed me that it had received a Freedom of Information request from a
reporter Kevin Rennie who sought information concerning my attendance and

communications regarding my performance. Although I was able to claim invasion of privacy to prevent the release of the October 12, 2021 letter that falsely claimed I had not provided information to the Judicial Branch for over a year, the Judicial Branch released information indicating that I had been on sick leave since November of 2019 that depicted me in a negative light. Although the reporter, Kevin Rennie, had been informed that since October 2020 I had been requesting reasonable accommodations that would allow me to return to workplace, the reporter left that fact out of the negative article that was published in the Hartford Courant online on November 19, 2021 and in the newspaper on November 22, 2021 under the headline "*Superior Court Judge Alice Bruno Has Not Shown Up for Work in Two Years.*"

81. On November 16, 2021, my counsel responded to the October 25, 2021 letter from the Judicial Branch with a report of . A copy of the letter is attached hereto as Exhibit F and incorporated by reference. The report stated that the demand for a was "unwarranted" and asserted that the October 25, 2021 letter "misrepresented" the content of their October 2020 report. The November 2021 response from **D** , attached hereto as Exhibit G, states the following:

82. On November 16, 2021, through counsel, I informed the Judicial Branch that no reasonable person would cite to § 51-45b as authority for a mental fitness examination based on the medical information that had been provided to the Judicial Department. Rather than have a meeting to discuss the accommodation sought and the rationale for that accommodation, the Judicial Branch had abandoned the good faith interactive process by seeking an unwarranted medical examination. My counsel reminded the Judicial Branch of the ongoing duty to engage in the interactive process to find a solution that would allow me to return to work, whereas the Judicial Branch seemed poised to seek medical information that would prevent me from returning to work. Counsel also pointed out that the Judicial Branch's refusal to discuss the points being made in prior communications so that it could continue to focus on its demand for an unwarranted medical examination was inconsistent with the obligations imposed

on the Judicial Branch by *Curry v. Allan S. Goodman, Inc.*, 286 Conn. 390, 416 (2008).

83. In the November 16, 2021 letter from my counsel, I informed the Judicial Branch that whereas I had submitted medical records that supported the accommodations I sought, the Judicial Branch had cited no medical evidence, other than misrepresenting the medical report of _____, to the contrary that would support its demand for a _____. I also offered to share copies of _____.

84. My counsel asserted in his November 16, 2021 letter that to the extent that the Judicial Branch relied upon the reports of _____, that reliance was misplaced and was indicative of bad faith. Counsel asserted that the Judicial Branch's letter offered no support for the compelled examination other than medical records of my physicians that were being misrepresented. The letter stated, "Accordingly, we reject the notion that a compelled examination by the 'hired gun,' physician of choice of the Judicial Branch does not constitute both an invasion of privacy and harassment. This is especially the case given that a _____ will not provide any information helpful to this process where the medical issue has been framed in terms of _____."

85. In the November 16, 2021 correspondence, my counsel again disagreed that the reports of _____ left many open questions and pointed to the prior communications of the Judicial Department, as late as September 2021, wherein the Judicial Branch had been open to discussions regarding the accommodation I sought, but the Judicial Branch never attempted to discuss the working conditions of any of the assignments that I sought. Thus, any lack of clarity was based on the Judicial Branch's failure to participate in any meaningful way in the good faith interactive process. My counsel's letter stated, "In our view, using the report of _____ –

_____ to assist us in identifying an accommodation for Judge Bruno – to support a claim for a medical examination that is unwarranted and not supported by any information within the possession of the Judicial Branch constitutes compelling evidence of bad faith." My counsel once again urged the Judicial Branch to discuss accommodating me, and even proposed employing a former Judge of the Superior Court who is a respected mediator in Connecticut to act as a mediator in this case to assist in facilitating the accommodation discussions.

86. On November 23, 2021, counsel for the Judicial Branch informed me through counsel that Chief Court Administrator Carroll declined to pursue a facilitated discussion regarding my request for reasonable accommodation and insisted that I attend the examination with _____ because the Judicial Branch wanted additional information regarding my "ability to perform judicial functions."

87. On December 1, 2021, through counsel, I informed the Judicial Branch that based on its reply it was evident that the Judicial Branch had rejected the most

recent report of _____ pointing out that the Judicial Branch had misrepresented their reports, without explanation, and that the Judicial Branch's insistence on an unwarranted _____ was testament to the Judicial Branch's failure to engage a good faith interactive process. My counsel's letter stated: "To consistently deny the assertions of fact in my letters and state that you will not respond to them (as if such a response is not required or deserved) while interposing such denials is not participating in the interactive process envisioned by *Curry v. Allan S. Goodman, Inc.*, 286 Conn. 390, 416 (2008)." A copy of the letter is attached as Exhibit H and incorporated by reference.

88. My counsel's December 1, 2021 letter continued by making the point that the obligation to engage in a good faith discussion mandated that the Judicial Branch explain the reasoning for its claim that it required a _____ to determine if I could perform judicial functions when it possessed information from my doctors that said I could function with reasonable accommodations as had been set forth in the October 6, 2020 medical report. Counsel then posed the following questions:

- a. Given that _____ have provided thorough reports explaining Judge Bruno's symptoms and reasonable steps that could be taken to return her to a judicial assignment, what specific information does the Judicial Branch need to make the decision to assign Judge Bruno to one of the three locations and the dockets that we have suggested?

- b. Does the Judicial Branch dispute the diagnosis made by _____ ? Does the Judicial Branch possess any information documenting a medical review of the information provided _____, if so, will the Judicial Branch share such information as part of this process?
- c. What is the medical basis for the assertion that a _____ will provide “information about her ability to perform judicial functions”? The answer to this inquiry is especially significant in light of the fact that Judge Bruno

As noted in my November 16, 2021 letter, these reports confirm

_____, please explain the medical evidence that the Judicial Branch possesses that supports the claim that an additional _____ will provide information that responds to the medical

proof we have provided through

Please provide a copy of any such medical documentation.

- d. Assuming there is a justifiable and legitimate medical reason to warrant a follow-up

as mentioned in my November 16,

2021 letter and still provide the Judicial Branch with the information it seeks.

89. On December 6, 2021, Chris Powell, a columnist for the Manchester Journal Inquirer, published an article online and in the newspaper with the headline, “*Why 2 Years of Concealment and Expensive Inaction on Judge?*” In the article, the columnist posed the question of whether the Judicial Branch provides for unlimited sick time. The opinion piece began by posing the following question: “Do state judges in Connecticut have unlimited sick and vacation time? That is the implication of the case of Superior Court Judge Alice Bruno, who, Hartford Courant columnist Kevin Rennie revealed three weeks ago, has not shown up for work for two years but nevertheless has been paid her full salary, totaling more

than \$340,000 since she disappeared.” Once again, the article failed to mention that I have been prevented from returning to the workplace because the Judicial Branch has refused to discuss accommodating me by assignment to a supportive judicial district. This article subsequently appeared in syndicated and independent newspapers in the State of Connecticut on December 7, 2021, including The Day newspaper in New London, the Connecticut Post and The New Haven Register, under the headline, “*Why 2 years paying an AWOL Judge?*”.

90. Had the Judicial Branch acted promptly to assign me to a location that was supportive based on the information provided by October 2020 as supplemented by my input on December 10, 2020, these articles, and the original Kevin Rennie article in the Hartford Courant, would never have been published and my reputation would not have been adversely impacted.
91. On December 6, 2021, the Judicial Branch responded to my counsel’s December 1, 2021 letter. Unfortunately, the Judicial Branch continued to misrepresent the status of our discussions by claiming that the Judicial Branch had already granted requests for accommodation that were not in dispute, such as being allowed to use voice recognition software.
92. The Judicial Branch also falsely claimed that it had accommodated me by “an assignment within the geographical parameters requested,” which was a reference to the assignment in Waterbury, under Judge Ficeto, which, as previously explained, was the one location in Connecticut that proved

problematic for reasons stated herein. For the better part of a year the Judicial Branch informed me that it would favorably consider my assignment to New Britain, New Haven or Meriden, but then refused to do so without any explanation or discussion.

93. The Judicial Branch further stated in the December 6, 2021 letter that the “ongoing discussion relates to [my] insistence that [I] be assigned to the judicial district(s) of [my] choosing.” Based on this last point, the Judicial Branch justified the need for an evaluation that “will provide information related to her overall ability to perform judicial duties.” Thus, it became even more apparent that the Judicial Branch refused to consider an assignment of me to a supportive location as a reasonable accommodation because the Judicial Branch rejected its complicity in being the cause of the hostile work environment imposed on me in 2018 and 2019. So, the Judicial Branch refused to acknowledge the validity of

, as described, being legitimate and capable of accommodation without undue hardship.

94. Given the in the possession of the Judicial Branch provided by , the Judicial Branch’s questioning of my overall ability to perform judicial duties lacked any support whatsoever, yet by doing so the Judicial Branch has effectively expanded the inquiry beyond my request for specific accommodation to a fitness for duty examination. Fitness for duty examinations constitute medical inquiries that are prohibited under the ADA,

unless such an examination or inquiry is shown to be job-related and consistent with business necessity.

95. An examination of the case law on this subject of prohibited medical inquiries shows that the business necessity standard is “quite high,” is not to be confused with mere expediency, and there must be genuine reason to doubt whether an employee can perform job-related functions to support such a request.

96. Furthermore, the ADA prohibits employers from using medical exams as a pretext to harass employees or to fish for nonwork-related medical issues. The employer must show that the examination or inquiry genuinely serves the asserted business necessity and that the request is no broader or more intrusive than necessary. The ADA also requires individualized assessment of an individual’s condition.

97. Given that the only question appears to be whether it is reasonable for the Judicial Branch to insist that I be assigned to Waterbury despite the medically supported reasons that I should not, as set forth in the report and letters from _____, the Judicial Branch’s seeking an examination of my “overall ability to do the job” is clearly broader and more intrusive than necessary under the individualized circumstances of my case.

98. The Judicial Branch’s reliance on my own doctors’ reports to support the Judicial Branch’s position in this interactive discussion, when the reports are being misrepresented by the Judicial Branch, does not fulfill the obligation to discuss with me why the Judicial Branch decided – apparently sometime in September

Haven, New Britain or Meriden other than because I declined to be assigned to Waterbury under Judge Ficeto.

101. As further proof that the Judicial Branch is abusing the right to make medical inquiries under the ADA, the Judicial Branch's December 6, 2021 letter continued with a switch from its prior rationale for the

102. In response to my counsel's questions, as set forth in the December 1, 2021 letter and related in detail above, the Judicial Branch responded as follows, but without providing any additional

it sought:

a. In response to the inquiry: what specific additional information is required to assign me to one of the three locations, the Judicial Branch refused to specify and stated only that

b. When asked if the Judicial Branch disputed the

, and whether the Judicial Branch possessed any information documenting a medical review of information provided: the Judicial Branch responded, "the Branch does not have the medical expertise to confirm or dispute the diagnosis" made but nevertheless the

Judicial Branch relied upon the reports to seek as

.

- c. In response to my inquiry as to the medical basis for the assertion that a

,” the Judicial Branch provided no new

information or medical support for the

that referred to

multiple conditions. In that respect the response was no different and

provided no new information from a medical point of view contrary to

.

- d. In response to my inquiry suggesting that if there was a legitimate medical reason for a would the Judicial Branch allow a follow-up

That concern was communicated to the Judicial Branch and ignored. Had the Judicial Branch been acting in good faith, Chief Court

Administrator Carroll would have agreed to the compromise request to have

103. Based on the foregoing, it is evident that the Judicial Branch is more interested in obtaining information that it could use to try to support the claim that I am unable to function as a judge, rather than being interested in finding a reasonable accommodation that would allow me to return to a supportive Judicial District in order to work as a Judge of the Superior Court.

104. According to the website of the State of Connecticut Judicial Department, “The Judicial Branch is committed to providing the public with equal access to its facilities, proceedings, programs and materials, consistent with the Americans with Disabilities Act, or the ADA.,” with a link to the language of the statute 42 U.S.C. § 12101, *et. seq.*

105. The website of the State of Connecticut Judicial lists “ADA Policy” as a prominent feature of the site and directs the reader to a .pdf entitled Americans with Disabilities Act Policy (“the ADA Policy”), a copy of which is attached hereto as Exhibit I, and the terms of which are incorporated by reference. The ADA Policy was prepared by the State of Connecticut Office of Government Accountability. The ADA Policy states the Judicial Branch is “committed to providing reasonable accommodations to qualified persons with

disabilities” and this commitment “includes following the mandates of the Americans with Disabilities Act of 1990...”

106. Under the Judicial Branch’s ADA Policy the request for accommodation should be made to the ADA Coordinator for the Judicial Department, the Human Resources Office, or the employee’s manager or supervisor, and the Judicial Branch “will reasonably accommodate the employee with a disability unless the accommodation would impose an undue hardship on the Judicial Branch.

107. There has never been any claim by the Judicial Branch that the accommodations I requested would impose an undue hardship on the Judicial Branch.

108. According to Connecticut General Statutes § 46a-69, “It shall be a discriminatory practice to violate any of the provisions of sections 46a-70 to 46a-78, inclusive.”

109. According to Connecticut General Statutes § 46a-70a(a), “The Judicial Branch shall develop and implement an equal employment opportunities plan pursuant to federal law that commits the Judicial Branch to a program of equal employment opportunities in all aspects of personnel and administration. *The Chief Court Administrator shall be responsible for developing, implementing and filing the plan with the Commission on Human Rights and Opportunities.*” (emphasis added).

110. According to Connecticut General Statutes § 46a-70a(b), “The Judicial Branch shall comply with the provisions of ... subsections (a) and (c) of section 46a-77 ...”

111. According to Connecticut General Statutes § 46a-77(c), “Each state agency shall comply in all of its services, programs and activities with the provisions juof the Americans with Disabilities Act (42 USC 12101) to the same extent that it provides rights and protections for persons with physical or mental disabilities beyond those provided for by the laws of this state.”

112. As noted, the ADA prohibits medical inquiries unless warranted by business necessity which has been defined to be a bar that is quite high. Yet, at the direction of the Chief Court Administrator, as shown by the October 12, 2021 letter, the Human Resources Office and the ADA Coordinator have failed to apply the ADA Policy.

113. The Chief Court Administrator has failed to implement the ADA policy of the Judicial Branch by failing to engage in a good faith effort to accommodate the disabilities identified in the reports of as evidenced by the refusal to consider assigning me to a Judicial District that is conducive to the medical health issues that I have been suffering from because of the toxic work environment that I had been subjected to between 2018 and November of 2019 but could have overcome with an assignment to a supportive work environment. The Chief Court Administrator has denied me a reasonable accommodation.

114. The Chief Court Administrator has failed to implement the ADA policy of the Judicial Branch by demanding that I submit to an unwarranted and

115. Connecticut General Statutes 46a-60, et. seq. provides that it shall be a discriminatory practice for an employer to discriminate against any individual in

the in terms, conditions or privileges of employment because of the individual's sex, present or past history of mental disability, intellectual disability, learning disability, and physical disability.

116. Connecticut General Statutes 46a-60 states “ ‘Reasonable accommodation’ means, but is not limited to, being permitted to sit while working, more frequent or longer breaks, periodic rest, assistance with manual labor, job restructuring, light duty assignments, modified work schedules, temporary transfers to less strenuous or hazardous work, time off to recover from childbirth or break time and appropriate facilities for expressing breast milk.”

117. As a result of all that has been alleged it is clear that the Judicial Branch has violated the Connecticut Fair Employment Practices Act, Connecticut General Statutes § 46a-60, et. seq. (“CFEPA”) and §§ 46a-69 and 46a-70a(a), 46a-70a(b) and 46a-77(c) by failing to engage in the interactive good faith process required by the Connecticut Supreme Court in *Curry v. Allan S. Goodman, Inc.*, 286 Conn. 390 (2008), and by the ADA, resulting in the failure to provide me with an accommodation that was reasonable both on its face and in practice, by insisting on a medical inquiry and examination that is intrusive and unwarranted as a condition of the interactive good faith discussions, and by retaliating against me because I sought a reasonable accommodation for disability and opposed discrimination on the basis of disability.

118. The Chief Court Administrator and the Judicial Branch have acted with reckless indifference to my rights under CFEPA and the ADA.

119. As a result of the Judicial Branch's violation of CFEPA and §§ 46a-69 and 46a-70a(a), 46a-70a(b) and 46a-77(c), the Judicial Branch has caused me to suffer economic and non-economic damages, including severe emotional distress, harm to reputation and loss of enjoyment of life's activities.

120. As a result of the Judicial Branch's violation of CFEPA and §§ 46a-69 and 46a-70a(a), 46a-70a(b) and 46a-77(c), the Judicial Branch has caused me incur attorneys' fees to protect my rights under law.

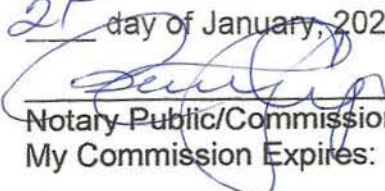
Dated at New Britain, CT this 21st day of January, 2022.



Alice A. Bruno
Judge, Superior Court

Subscribed and sworn to before me this

21st day of January, 2022



Notary Public/Commissioner of the Superior Court
My Commission Expires:



BETTY A CYR
NOTARY PUBLIC
STATE OF CONNECTICUT
MY COMM. EXP. 12-31-2022



REDACTED

EXHIBIT B



STATE OF CONNECTICUT
JUDICIAL BRANCH

CHAMBERS OF
PATRICK L. CARROLL III
CHIEF COURT ADMINISTRATOR

231 CAPITOL AVENUE
HARTFORD, CT 06106

December 29, 2021

Dear

Sincerely,

A handwritten signature in dark ink, appearing to read "Patrick L. Carroll III". The signature is fluid and cursive, with a large initial "P" and a stylized "C".

Hon. Patrick L. Carroll III
Chief Court Administrator

APPENDIX A



STATE OF CONNECTICUT
JUDICIAL BRANCH

CHAMBERS OF
PATRICK L. CARROLL III
CHIEF COURT ADMINISTRATOR

231 CAPITOL AVENUE
HARTFORD, CT 06106

October 12, 2021

Dear

Sincerely,

A handwritten signature in dark ink, appearing to read "Patrick L. Carroll III".

Hon. Patrick L. Carroll III
Chief Court Administrator

APPENDIX B

MADSEN, PRESTLEY & PARENTEAU, LLC

Representing Individuals in Employment and Benefits Law and Litigation

Attorneys At Law
Hartford · New London

105 Huntington Street
New London, Connecticut 06320
Telephone: (860) 442-2466
Facsimile: (860) 447-9206

Jacques J. Parenteau
jparenteau@mppjustice.com

December 10, 2021

VIA EMAIL: gjiran@goodwin.com

Gabriel Jiran, Esq.
Shipman & Goodwin, L.P.
One Constitution Plaza
Hartford, CT 06103

Re: ,

Dear Mr. Jiran:

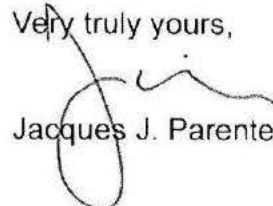
I am writing in response to your letter of December 6, 2021. Today marks the one year from the date when I emailed you with the docket assignment and locations for Judge Bruno and yet the Judicial Department has failed and refused to act in good faith and accommodate our client.

Gabriel Jiran, Esq.
December 10, 2021
Page 2 of 2

Please ask the Judicial Department to share my letter with the Judicial Review Council in the event the Chief Court Administrator decides to move forward with that process has threatened.

Thank you for your attention to this matter.

Very truly yours,



Jacques J. Parenteau

JJP/vaw
cc: Honorable Alice Bruno

APPENDIX C



Law Office of Eric R. Brown

Labor, Employment, & Workers' Compensation Law

Eric R. Brown
Law Office of Eric R. Brown
P.O. Box 615
Watertown, CT 06795
888-579-4222
Eric@TheLaborLawyer.com
www.TheLaborLawyer.com
Offices in Farmington and Waterbury

January 31, 2020

Re: Hon. Alice A. Bruno -

Dear Attorney

Thank you for your kind attention.

Very truly yours,

A handwritten signature in cursive script, reading "Eric R. Brown".

Eric R. Brown

cc: Hon. Alice Bruno
Hon. Elizabeth Bozzuto

REDACTED

EXHIBIT C

MADSEN, PRESTLEY & PARENTEAU, LLC

Representing Individuals in Employment and Benefits Law and Litigation

Attorneys At Law
Hartford · New London

105 Huntington Street
New London, Connecticut 06320
Telephone: (860) 442-2466
Facsimile: (860) 447-9206

Jacques J. Parenteau
parenteau@mppjustice.com

October 14, 2020

CONFIDENTIAL EMPLOYMENT MATTER

VIA FEDERAL EXPRESS

Bradley Capon
State of Connecticut
Judicial Human Resources Department
90 Washington Street
Hartford, CT 06106

Re: *Judge Alice Bruno*

Dear Mr. Capon:

First, let me thank you for your assistance and understanding regarding this highly sensitive matter that needs to be handled with strict confidentiality. I am enclosing the detailed report of _____, the _____ that have a long-standing relationship with Judge Bruno, which sets forth the medical and factual basis for the reasonable accommodation that Judge Bruno is seeking in order to perform the essential functions of her position as described in the regulations forwarded by the Judicial Department. A review of the information set forth in this report, much of which is supported by medical records of other treating physicians that were reviewed by _____ reveals that Judge Bruno's requests for accommodation have arisen because of mistreatment that she has been subjected to by the Chief Court Administrator and his Deputy. The refusals to allow Judge Bruno to seek medical care to treat various _____ conditions over a lengthy period of time and the disparaging remarks made if she did so are particularly concerning as such refusals appear to violate the Family & Medical Leave Act. Indeed, the hostility toward her conditions created a work environment that increasingly became more intolerable as the vicious cycle leading to failure to perform resulted in hospitalization _____ in November of 2019.

Bradley Capon
State of Connecticut
Judicial Human Resources Department
Page 2 of 2
October 14, 2020

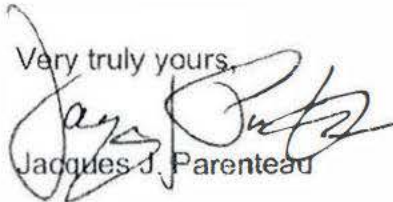
As you are aware from our prior phone conversations, I am concerned that the Chief Court Administrator and his Deputy will now be in the position to review and decide whether to afford Judge Bruno that accommodations that her medical providers require in order for Judge Bruno to successfully return to the workplace. My fear is that given the allegations and their personal involvement in causing Judge Bruno's condition, these managers will not be able to engage in a good faith interactive, problem-solving approach that is required by the Connecticut Supreme Court in these circumstances. As clearly expressed by the Court, "Once a disabled individual has suggested to his employer a reasonable accommodation, federal law requires, and we agree, that the employer and the employee engage in an "informal, interactive process with the qualified individual with a disability in need of the accommodation . . . [to] identify the precise limitations resulting from the disability and potential reasonable accommodations that could overcome those limitations." 29 C.F.R. § 1630.2 (o) (3)." *Curry v. Allan S. Goodman, Inc.*, 286 Conn. 390, 416 (2008).

Therefore, it continues to be my request that the Chief Court Administrator and his Deputy recuse themselves from consideration of the reasonable accommodations discussion that is to follow. There does not seem to be any other choice in the circumstances other than to involve the Chief Justice by having him appoint an appropriate decision-maker to resolve these issues, but we are willing to consider other proposals so long as strict confidentiality can be maintained.

Please let me know how the Judicial Department intends to proceed so that Judge Bruno will be aware of her options.

Thank you for your attention to this matter.

Very truly yours,


Jacques J. Parenteau

JJP/vaw
cc: Honorable Alice Bruno



CONFIDENTIAL

Jaques J Parenteau, Esq
Madsen, Prestley & Parenteau. LLC
105 Huntington Street
New London, CT 06320

October 6, 2020

CONFIDENTIAL MEDICAL INFORMATION

Re: Alice Bruno

Dear Attorney Parenteau,
You have asked us for a report re: .



CONFIDENTIAL



CONFIDENTIAL



CONFIDENTIAL

REDACTED

EXHIBIT D

Jaques J Parenteau, Esq
Madsen, Prestley & Parenteau. LLC
105 Huntington Street
New London, CT 06320



CONFIDENTIAL

November 1, 2021

Dear Attorney Parenteau,

You have asked us to address the need for .



CONFIDENTIAL

CONFIDENTIAL

REDACTED

EXHIBIT E




STATE OF CONNECTICUT
JUDICIAL REVIEW COUNCIL

February 14, 2022

Judge Alice Bruno
179 Vine Street
New Britain, CT 06052

Dear Judge Bruno,

Very truly yours,


Stephanie Roberge
Chairperson
Judicial Review Council

CC: Jacques Parenteau, Esq.