

Judiciary Committee
General Assembly
Legislative Office Building
300 Capitol Avenue
Hartford, CT 06106

January 15, 2015

Dear Members of the Judiciary Committee:

This letter seeks the support of the members of the Judiciary Committee to vote in opposition (“Nay”) of the appointment of the Honorable Taggart Adams to the position of trial judge referee for an eight year term.

Judge Adams is scheduled for a public hearing on Friday, January 16, 2015.

In 2009, Judge Adams was the Chief Administrative Judge in Stamford. According to public records, Judge Adams was appointed to the bench in 1999 and his second term is set to expire on March 9, 2015.

At some point in time since 2007, Judge Adams became a trial judge referee (when he was required to retire from the ranks of Superior Court judges when he turned 70).

It is unknown as to the legal authority of the Chief Justice to appoint trial judge referees automatically at the age of 70.

This letter, and the accompanying documents posted on the judiciary website, outlines detailed allegations of the abuse of judicial authority dating back to five years ago with Judge Taggart Adams.

The “wanton”, “reckless” or “malicious” conduct by any public official in the State of Connecticut, including members of the judiciary, can no longer be considered acceptable.

The members of the judiciary must be held accountable for their conduct on the bench as noted in the Canons of Judicial Conduct which were significantly strengthened and became effective on January 1, 2011.

The legislative judiciary committee has a fiduciary obligation to thoroughly review the evidence provided to them via transcripts and exhibits to determine whether Judge Adams should continue in his position based upon the conduct detailed in this complaint.

It should be noted that all transcripts relevant to this complaint have been posted on the judiciary website under “public hearings” for the date of January 23, 2013

The Specific Allegations in this Complaint Concerning Judge Taggart Adams:

1. **Failure/refusal of Judge Taggart Adams to enforce Practice Book 1-22 (b) as the Chief Administrative Judge in Stamford when a judicial complaint was filed on November 18, 2009 citing allegations of improper conduct by three judges under his administration.**

Practice Book Rule §1-22 (b)

“A judicial authority is not automatically disqualified from sitting on a proceeding merely because an attorney or a party to the proceeding has filed a lawsuit against the judicial authority or filed a complaint against the judicial authority with the judicial review council. When the judicial authority has been made aware of the filing of such a lawsuit or complaint, he or she shall so advise the attorneys and parties to the proceeding and either disqualify himself or herself from sitting on the proceeding, conduct a hearing on the disqualification issue before deciding whether to disqualify himself or herself or refer the disqualification issue to another judicial authority for a hearing and decision.”

Facts and supporting documents provided to the Judiciary Committee for proof of Allegation 1:

1. On the date of November 16, 2009, notarized complaints forms (Exhibit 1) were filed with the Judicial Review Council, alleging non-compliance with specific Canons of Judicial Conduct.

The three judges cited were Judge Marylouise Schofield, Judge Michael Shay and Judge Robert Malone.

A letter dated November 10, 2009 (Exhibit 2) outlined the basis of the allegations set forth in the “form” complaint.

All three judges report to Chief Administrative Judge Taggart Adams, who on the above date was serving as the Chief Administrative Judge of G.A. #1 in Stamford.

2. On or about, November 18, 2009, acknowledgment letters were sent by mail to the complainant (Exhibit 3).

As is required by law (Exhibit 4), certified letters were sent to Honorable Marylouise Schofield, Honorable Michael Shay, and Judge Robert Malone by Executive Director of the Judicial Review Council, Peter A. Clark that a complaint had been received alleging various areas of non-compliance with the Canons of Judicial Conduct.

3. Alleged in the complaint letter dated November 10, 2009 (Exhibit 2) was that the three judges were refusing to order compliance from the Plaintiff, Suzanne Sullivan (nee Nowacki), and her Attorney Kevin F. Collins in accordance with court orders issued on June 15, 2009 by Judge Michael Shay.

The missing documents from the 2006, 2007 and 2008 federal tax returns of Suzanne Sullivan involved income of over \$14,000 of annual foreign dividend income derived from an undeclared source on Form 1116 of the federal tax returns

Exhibit 5 are the selected pages of Form 1116 excerpted from the full exhibits.

Exhibit 6 is the list of handwritten exhibits considered full or ID, on the hearings sheet summary.

Noted at the top of the handwritten List of Exhibits form are the dates of the hearings in which these exhibits were entered: September 16, 2009; (Novack, J.), September 24, 2009 (Novack, J.) and December 2, 2009 (Adams, J.) on docket FST FA 04-0201276S.

The November 10, 2009 letter (Exhibit 2) provides details on an IRS Whistleblower case which had been opened in July 2009.

In a hearing conducted in Stamford, on August 3, 2009 (a full certified copy of the transcript of the August 3 hearing is posted on the judiciary committee website for review.), Michael Nowacki, identified himself as a federal whistleblower with the IRS.

Judge Malone was advised by the defendant in that hearing that he could not consider granting a "confidentiality" order which would infringe on my rights as a federal whistleblower.

Judge Malone on August 3, 2009 advised at the end of the hearing that he would not issue any orders with which the defendant would be uncomfortable.

On August 10, 2009 Judge Malone ordered (Exhibit 7) the compliance with the court orders of Judge Shay be delivered no later than September 10, 2009, but issued a protective order indicating discovery items could not be disclosed to any other party until which point in time that that evidence was placed into to the Court and is part of the public record in any lawful manner” (see point 11).

4. About 3,000 pages of documents were delivered to the defendant on the afternoon of September 10, 2009.
5. In those documents were a Chase bank statement of Suzanne Sullivan’s dated April 9, 2008, in which a wire transfer of \$100,000, with a \$15.00 foreign wire transfer fee noted (Exhibit 8).
6. Fair and equitable hearings were presided upon by Judge Stanley Novack, on the dates of April 7, 2009, July 7, 2009, September 16, 2009 and September 24, 2009 and September 30, 2009.
7. Due to scheduling conflicts with Attorney Kevin Collins (plaintiff’s counsel), and the presiding judge’s calendar, it was determined the next hearing on September 30, 2009 would be deferred to early December—with Judge Novack scheduled to preside.
8. After placing the exhibits into the public record, and having heard testimony from Suzanne Sullivan on September 24, 2009 (which was inconsistent with the evidence in hand concerning the foreign dividend income on Form 1116 of the federal tax return), a hearing date was sought Motion of Contempt (Motion 199) filed on July 2, 2009 regarding the failure to comply with the original orders of Judge Shay to produce full and complete sets of documents.
9. On October 13, 2009, Judge Shay refused to hear the Motion for Contempt, indicating that it should be updated and heard by Judge Malone, who issued the original protective order.
10. On October 13, 2009, Motion 217 (Exhibit 9) was filed, a Contempt Motion (Motion calendared as 217). The motion was properly served and calendared in Stamford.
11. **Motion 217 was never heard in the Stamford Court, despite having been marked ready on 19 different occasions for hearing between October 13, 2009 and January 07, 2013 when Judge Jane Emons declared the Motion “stale”.**

12. On November 2, 2009, Judge Marylouise Schofield was on the bench. Various other Motions were attempted to be heard on that date. Defendant was ill and needed to go to a scheduled doctor appointment. Following that appointment, I had previously scheduled a date to retrieve my files for inspection from my former attorney for family matters, Attorney Thomas Parrino.
13. At some point in time, Attorney Collins received information from Attorney Edward Nusbaum which indicated I was in the Nusbaum and Parrino offices.
14. Attorney Collins then was permitted to address Judge Schofield in an ex parte manner, making false statements to Judge Schofield about the nature of my illness. Judge Schofield ordered me to appear at 9am on November 3, 2009.
15. Such ex parte conversations in which Attorney Collins made misrepresentations to the bench is common in the Stamford courthouse.
16. Despite the disruption to my business schedule, I was required to attend the hearing conducted by Judge Schofield which was also attended by Attorney for the Minor Child Veronica Reich. Attempts to put on the record, copies of my Doctor Bill from the prior day, the prescription provided etc. were not allowed as evidence to be placed on the court record.
17. In addition, a court proceeding was held by Judge Schofield on November 9, 2009.
18. On November 23, 2009, after the judicial grievance was filed, it was apparent to me that Judge Schofield was incensed that my allegations set forth in a judicial review complaint were entered into the record of the legal proceedings—which is required by Practice Book Rule 1-22 (b). Judge Schofield was asked to recuse herself from the proceeding that day.
19. Instead, it did not take long for Judge Schofield to retaliate.
20. Not only did Judge Schofield on November 23, fail to follow the guidelines set forth in Practice Book Rule 1-22 (b), she furthermore indicated that she would not “recuse” herself from the proceeding that day.
21. Attorney Collins made comments on the transcript of November 23, seeking a “mistrial” on all of the hearings conducted by Judge Stanley Novack.
22. No such “verbal motions” (see Exhibit 10 for comments on Recusals and Mistrials from the Chief Law Librarian of Connecticut, Lawrence Cheeseman) are

noted in the Connecticut Practice Book for a mistrial which could be entertained to declare a mistrial on another judge's proceedings.

23. An email was sent by Attorney Jeff Diamond, the case flow coordinator in Stamford that a hearing was set forth for December 2, 2009 with Judge Taggart Adams.
24. After reporting to Judge Adams on December 2, 2009, a clerk came out and indicated the parties were to proceed to Judge Schofield's courtroom.
25. In the third floor courtroom of presiding family court Judge Marylouise Schofield, she declared all of the proceedings being conducted by Judge Grogins a "mistrial" and ordered us to proceed to Judge Taggart Adams courtroom.
26. In the full transcript posted of the proceeding of Judge Adams on the judiciary's website.
27. Attorney for the Minor Children, Veronica Reich, was excused from the hearing in Judge Adams courtroom.
28. Attorney Reich then went to Judge Schofield's chambers, failed to file papers as required in the Court Clerk's Office, and filed an "emergency" ex parte order to modify custody.
29. The transcript of Judge Adams on December 2, 2009 hearing is posted for purposes of providing substantiation of the sequence of events to support the allegations in the next section

II. On the date of December 2, 2009, The Honorable Taggart Adams violated his oath of office by denying Michael Nowacki due process and equal protection clause of the 5th, 9th, 14th Amendment to the Constitution and Practice Book Rule 4-5

- 1A. On or about the date of March 9, 1999, the Honorable Taggart D. Adams took the following oath of office pursuant to Chapter 4, C.G.S. 1-25:
"You do solemnly swear (or affirm, as the case may be) that you will support the Constitution of the United States, and the Constitution of the state of Connecticut, so long as you continue a citizen thereof, and that you will faithfully discharge, according to law, the duties of the office of Superior Court Judge to the best of

your abilities, so help you God.”

2B. On the date of December 2, 2009, Judge Taggart Adams, failed to protect the well defined “liberty” interests of the Defendant Michael Nowacki to be a parent in State of Connecticut. Such liberty interests are well defined in the **Troxel v. Granville** 530 U.S. 57 (2000) (Exhibit 11):

“The liberty interest at issue in this case, the interest of parents in the care, custody and control of their children-is perhaps the oldest of the fundamental liberty interest recognized by the Court.”

Additional legal support for the constitutional rights of parents to be subject to the Due Process and Equal Protection Clause of the Fourteenth Amendment, the First Amendment, the Fifth Amendment and Ninth Amendment (as an un-Enumerated right to familial associations) are provided in Exhibit 12.

3B. It is alleged in this letter to the judiciary committee members (who also take a similar oath of office) that the use of an ex parte order filed by the Attorney for the Minor Children, filed with Judge Schofield while the Defendant was in the courtroom with Judge Taggart Adams on December 2, 2009, constitutes an egregious example of an abuse of authority and a violation of his Oath of Office, inasmuch as a due process and equal protection right is defined in the 14th Amendment.

4B. It is alleged the lack of proper notice provided to the Defendant on the date of December 2, 2009, denied the Defendant his defined rights to challenge the lack of enforcement by Judge Adams of Practice Book Rule 1-22 (b) and a right to a hearing to remove Judge Schofield from making decisions in the docket on FST FA 04 0201276S.

5B. Furthermore, it is alleged in this complaint alleged that Judge Taggart Adams on December 2, 2009, knowingly and willfully conspired in the orchestration of the filing of the ex parte orders by Attorney Reich and did so in a “malicious” manner which also denied the two children their rights to ‘informed consent” concerning the filing of such a motion.

6B. Finally, it is alleged that Judge Taggart Adams refused to allow the Defendant to a fair trial, by obstructing the Defendant’s right build an “appealable” record of evidence on the date of December 2, 2009 by “threatening to excuse the witness” when the Defendant Began to ask questions regarding the source of foreign dividend income and the foreign asset contained in the federal tax returns of Suzanne Sullivan (Exhibit .

This foreign dividend income and foreign asset were not declared on the Plaintiff’s financial affidavit (Exhibit13) referenced in the exhibits filed on December 2, 2009.

III. Judge Taggart Adams, and Judge Marylouise Schofield is alleged in this complaint to the Judiciary Committee to have abridged C.G.S. §46b-56a(b) (2007).

1A. C.G.S. §46b-56a(b) states (Exhibit 14):

“There shall be a presumption, affecting the burden of proof, that joint custody is in the best interests of a minor child where the parents have agreed to an award of joint custody or so agree in open court at a hearing for the purpose of determining the custody of the minor children of the marriage.”

2B. It is an indisputable fact, that the parents agreed to share the joint legal and physical custody of the children in a stipulation dated January 20, 2005 which was incorporated into the orders for dissolution of the marriage on the

date of June 29, 2005 (Tierney, J.).

Both parties were canvassed under oath by their attorneys on the date of June 29, 2005 and agreed the separation agreement and the parenting plan were “fair, equitable and in the best interests of the children.”

3B. The interjection of AMC Attorney Reich into the legal proceedings by filing an “emergency” Motion for Order for a Custody Modification (Exhibit 15).

C.G.S. § 46b-129a(2)(2007) states: “The primary role of any counsel for the child including the counsel who also serves as guardian ad litem, shall be to advocate in accordance with the Rules of Professional Conduct.”

The Rules of Professional Conduct provide the right of children of sufficient age (the Nowacki children were 15 and 13 at the time) to be entitled to representation within the operation of the Rules of Professional Conduct, which in re: Tayquon H. 76 Conn. App. 693, 821 A.2d 796 (2003) stated:

“...which, in pertinent part obligate counsel to abide by a client’s decisions concerning the objectives of representation.” (Exhibit 15—A Guide to Resources in the Law Library Section 2.2 Attorney for the Minor Children).

The Nowacki children have insisted they never knew in advance that AMC Reich Intended to sever the joint legal and physical custody with their father on the date Attorney Reich filed the papers on December 2, 2009. (Exhibit 16).

Note that Attorney Reich did not file the “Emergency” Motion for Custody Modification with the clerk’s office, as there was no “time stamp” on the document. This illustrates another ex parte communication with Judge Schofield.

The burden of proof standard cannot be established in an ex parte proceeding in which one party provided “testimony” and was not subject to cross examination.

The moving party for a Modification of Custody was established by Suzanne Sullivan in Motions filed in June 2009 through her counsel, Attorney Kevin F. Collins.

At the beginning of his hearing on financial issues, Judge Adams clearly indicated that he was not intending on addressing the custody issues.

4B. The lack of candor in the courtroom of Judge Adams was captured in his directing the Parties in the transcript of December 2, 2009, directing the parties at 2pm to report to Judge Schofield’s courtroom.

5B. At 2pm, this loving and devoted father’s nearly daily contact with his two children was severed without a due process hearing. The children are now past the age of eighteen and see their father without the interference of family court.

6B. The supervised visitation order suggested this father would have to pay a complete stranger money to spend time with his children. This was just another attempt to humiliate the father in front of his children.

7B. This orchestration of a “custody coup” in Stamford is not an isolated incident except in cases in which there are substantial parental assets which can be accessed through the GAL and AMC appointees, along with the attendant psychological evaluations, reunification therapists, and others who the courts maintain an authority to appoint and force payments by parents without any sense of restraint.

IV. Judge Taggart Adams and his lieutenants in family court in Stamford Including at the time, Judge Marylouise Schofield, Judge Michael Shay, Judge Robert Malone and Judge William Wenzel, engaged in aiding and abetting federal estate and inheritance tax fraud by refusing to order the production of the source of foreign dividend income and the foreign asset producing that income listed on the federal tax return of Suzanne Sullivan.

4A. The refusal of the court to hear Motion 217.0, a contempt motion, for failing to produce documents to reveal the source of foreign dividend income, provides significant validation to the allegation.

4B. It was clear from hearings conducted in September by Judge Stanley Novack, that Suzanne Sullivan's explanation of that dividend income (from shares of Toyota and Novartis which provided de minimus dividend income based upon the annual Neuberger and Berman statements placed into evidence) would have produced less than \$1,000 of that dividend income annually.

4C. The mere mention of the Swiss Bank Corporation to Attorney Kevin Collins sent Attorney Collins into "objection orbit" in Judge Novack's courtroom. When the issue of the foreign dividend income came up for explanation in the sworn testimony of Suzanne Sullivan, Judge Adams curtly and unceremoniously on pages 33 and 34, that the foreign dividend income was in evidence as Exhibit 4 (this is Exhibit 6 in the judiciary committee documents).

4D. Judge Adams would not allow questions as to whether that foreign dividend income in the tax returns was reflected in the financial affidavit referenced as Exhibit 13 in the judiciary committee's documents.

4E. Exhibit 17—Timeline for the Mulligan/Sullivan sequestration of J&J stock at the Swiss Bank Corporation.

4F. Exhibit 18—Wire transfer from the Swiss Bank Corporation for \$132,100 from the Trustee of the Estate of Jane O'Donnell Mulligan dated January 18, 2005. The Swiss Bank Corporation merged with the Union Bank of Switzerland in 1998, and SBC accounts still existed?

4G Exhibit 19—The Last Will and Testament of Jane O'Donnell Mulligan—in this document are references to J&J stock and a loan of \$342,000 to be repaid with an offsetting number of shares to be provided to Suzanne Sullivan's mother, Patricia Mulligan Sullivan. Also included was the Last Will and Testament of Richard V. Mulligan, who acquired the zero priced shares of J&J while employed at J&J as Executive Vice President, Worldwide, Human Resources, a member of the Board of Directors at J&J, and described as a close personal confidant of Robert Wood Johnson.

4H Exhibit 20—The Revocable Trust of Jane O'Donnell Mulligan which provides a generational skipping option to the inheritance of Patricia Mulligan Sullivan.

4I. Exhibit 21—The letter from the New Jersey tax authority acknowledging my federal whistleblower case dated September 2009.

4J. Exhibit 22—The letter from the New Jersey tax authority dated July 7, 2010 which validates that there were no zero priced shares of J&J declared as part of the probate process of Jane Mulligan's Estate. However, due to the obstructions of discovery of the source of the foreign dividend income, there was no way to demonstrate that the foreign dividend income was emanating from the zero

priced shares of J&J held at the Swiss Bank Corporation or now UBS.

4K. Exhibit 23—Is the Memorandum of Decision of the Honorable Taggart Adams resulting from the hearing of December 2, 2009.

4L Exhibit 24—is a detail of the amounts outstanding from the reconciliation which was not considered part of sworn testimony and therefore not subject to inclusion of that evidence in the appeal that followed.

4M The appeal on this matter was per curium—meaning there was no articulation of the decision of Judge Adams and therefore not subject to a petition for certification to the Supreme Court

4N It should be noted a Motion for Modification based upon a substantial change of circumstances was filed on May 14, 2010, the date before the next reconciliation was due. Despite marking that Motion for Modification ready on more than a dozen occasions, Judge Jane Emons ruled the Motion for modification “stale” and threatened me with incarceration in January 2013. I hired the well known civil rights advocate, Attorney John R. Williams, who put Suzanne Sullivan on the witness stand and started to “dismantle” the quarterly reconciliations and “fraudulent expenses” filed by Suzanne Sullivan and Attorney Kevin Collins and a “settlement” was made.

4O. Following that settlement, my contributions to the children’s expenses were reconfigured to 23% and the college education funding allocation was amended to 50% for each parent.

4P. The children are now aged 20 and 18 and now see their father on a regular

basis now that the family court has no jurisdiction.

V. In refusing to hear the Motion for Contempt filed on October 14, 2009, Judge Taggart Adams protected Attorney Kevin Collins from exposure in the complaints filed with the Statewide Bar Counsel for his role in filing knowingly false financial affidavits involving the failure to disclose a foreign asset and foreign dividend income.

5A. Attorney Collins had two grievances filed against him. In the second one, the grievance panel concluded that because Attorney Collins was not found in contempt, that the grievance panel did not believe there was a probable cause to conduct a public hearing for violations of the Rules of Professional Conduct.

If a court refuses to hear a Motion for Contempt and fails to enforce its own discovery motions, then the dishonesty is reinforced which marks the legal profession in family courts in Connecticut.

5B. As for Attorney for the Minor Children, Veronica Reich's misconduct, the Statewide Bar Counsel has reported to me that there has never been a sanction issued following a probable cause hearing for a violation of the Rules of Professional Conduct for an attorney GAL or AMC in the State of Connecticut. The protection of lawyers by lawyers has created a systematic denial of the rights to parents in the State of Connecticut who are assigned GALs and AMCs who have no accountability for delivering "honest services".

Meetings have recently been held at both the Department of Justice in New Haven and at the Office of Chief State Attorney, to seek the prosecution of the

AMC and GAL industry under the provisions of the “Honest Services Fraud Act” Incorporated in the RICO Statutes at Title 18 U.S.C. § 1346.

It is also known that there are a number of open IRS Whistleblower dockets which have been opened to investigate the “private contractor” work done by GALs and AMCs to determine if income received from court orders is being properly reported by those who have been assigned as court appointees.

A federal lawsuit is still pending in California filed against the San Diego Bar Association seeking class action damages for similar conduct by AMCs, GALs and members of the family court system in San Diego County pursuing an award for damages for “honest services fraud.”

Conclusions and Recommendations to the Judiciary Committee

Based upon a preponderance of evidence standard, there is reason to believe that the Conduct of Judge Taggart Adams, in the orchestration of a “custody coup” and the failure to have conducted a hearing required by law on the issuance of any “ex parte” order, that the judiciary committee must reject the re-appointment of Judge Taggart Adams to the position of trial judge referee.

There are important issues raised about whether proper court rules were enforced upon the filing of a judicial grievance to avoid, rather than promote, “judicial retaliation” when serious matters of federal estate and inheritance tax fraud were raised.

The number of constitutional and civil right abridged on December 2, 2009 was the beginning of a series of due process and equal protection violations of Title 42 Section 1983.

The Rooker-Feldman Doctrine, which is often cited to limit federal court jurisdiction when matters involving parental rights have been abridged, tends to disrespect other Federal Court decisions which support parental rights as fundamental

“liberty” interests.

This legislative judiciary committee of 45 members is comprised of a super-majority of lawyers who have never cast more than nine votes in opposition to the appointment or re-appointment of a judge.

If this judiciary committee is going to create meaningful family court reform, It must first consider the Oath of Office all of you have taken to support the Constitution of the United States.

Allowing judges to sever all communications between a parent and child, absent abuse or neglect, is to endorse the powers of the state and its family court’s judiciary to place a standard of oversight on children who are impacted by divorce which is discriminatory because similar standards are not applied to parents in traditional family settings.

A careful review of the case law cites provided in Exhibits 11 and 12, would provide ample legal support that the conduct of Chief Administrative Judge Taggart Adams, and his failure to properly protect fundamental due process rights on December 2, 2009, should result in a rejection of Governor Dannel Malloy’s re-nomination of Judge Taggart Adams to the bench as a trial judge referee.

Respectfully Submitted,

Michael J. Nowacki
319 Lost District Drive
New Canaan, CT. 06840
mnowacki@aol.com

I