

Chief State Attorney Kevin T. Kane
300 Corporate Drive
Rocky Hill, CT

Deputy Chief State Attorney Leonard Boyle
300 Corporate Drive
Rocky Hill, CT

By Email on January 25, 2015

By Hand Delivery on January 25, 2015

January 23, 2015

Dear Attorney Kane and Attorney Boyle:

On January 16, 2015, a trial judge referee, the Honorable Thomas Parker, took a sworn oath at a legislative judiciary committee to testify to "the truth, the whole truth and nothing but the truth, so help me God, under the penalty of perjury".

This oath was administered at the legislative judiciary committee meeting conducted in the Legislative Office Building and televised on CT-N.

The same oath was administered to Judge Taggart Adams by Representative Dan Fox at the judiciary committee meeting on January 23, 2015.

This letter and accompanying sworn affidavit provides evidence, posted on the judiciary committee website under "public hearings testimony" which supports the allegation that both Judge Thomas Parker and Judge Taggart Adams committed perjury in portions of their testimony to members of the judiciary committee.

Therefore, this letter seeks that the Office of Chief State Attorney Office prepare an application for an arrest warrant for Judge Thomas Parker and Judge Taggart Adams for penalties for perjury defined in C.G.S. §53a-156.

Judges have no special "immunities" to deliver knowingly false testimony under oath to a judiciary committee in order to secure employment for another eight years in public office.

Black's law dictionary defines perjury as follows:

"The act or an instance of a person's deliberately making material false or misleading statements while under oath."

There are three sources which have been relied upon to substantiate the allegations set forth in this letter:

1. Publicly posted documents on the judiciary committee website which includes certified court transcripts.
2. Footage referenced and archived on CT-N of the judiciary committee hearings conducted on January 16, 2015 and January 23, 2015 (transcripts of these public proceedings have not yet been posted on the judiciary committee's website)
3. Sworn affidavits attached to this letter.

Based upon the "public hearing testimony" on January 16, 2015 at the judiciary confirmation hearings of Judge Thomas Parker, delivered by one litigant in a civil matter, Sylvester Traylor, the judiciary committee "tabled" the vote on Judge Parker customarily held following the public hearing.

On Friday, January 23, 2015, Senator Eric Coleman, co-chair of the legislative judiciary committee, announced during the meeting of the that Governor Dannel Malloy withdrew the nomination of Judge Parker.

Notwithstanding the actions of Governor Malloy, the issue of whether Judge Thomas Parker sworn testimony in which perjury is alleged on January 16, 2015, must be investigated by the Office of Chief State Attorney.

Similarly, on the date of January 23, 2013, Judge Taggart Adams was sworn in by Representative Dan Fox of the Judiciary Committee at approximately 2:19:47 on the CT-N archived footage.

Based upon the allegations set forth in a sixteen page letter filed with the judiciary committee's office on January 23, 2013, Judge Adams was asked to respond to questions posed primarily by Representative Minnie Gonzalez.

It is alleged in the sworn affidavit which accompanies this complaint that portions of the sworn testimony of Judge Taggart Adams were "deliberate" "material false" and "misleading" statements made to the judiciary committee.

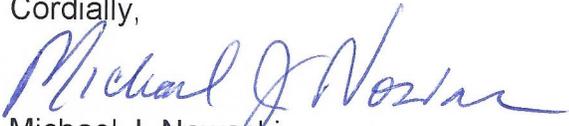
The investigation by the Chief State Attorney Office of these allegations of "perjury" is a matter of extreme public urgency.

We would seek the support of the Office of Chief State Attorney to consider taking every legal step available to them (including seeking an injunction) to ensure that Judge Taggart Adams confirmation as a trial judge referee is not placed before members of the General Assembly for a vote until this requested investigation is completed.

I am willing to meet with you and your investigators in person to assist in expediting the review of these allegations.

Documents filed with the judiciary committee are available online. Videos referenced on CT-N can be accessed through the On Demand feature on their website.

Cordially,



Michael J. Nowacki

319 Lost District Drive

New Canaan, CT 06840

mnowacki@aol.com

(203) 273-4296

cc: 16 page letter signed by Michael Nowacki dated January 15, 2015

Affidavit

Supporting Allegations of Violations of C.G.S. §53a-156

By

Honorable Thomas Parker and Honorable Taggart Adams

STATE OF CONNECTICUT

COUNTY OF FAIRFIELD

The undersigned, Michael J. Nowacki, having been duly deposed, hereby says:

1. I am over the age of 18 and am aware of the serious responsibilities of a Sworn Oath.
2. I have been a resident of New Canaan, Connecticut continuously since 1992 and am currently retired former executive of the CBS Television Network in New York.
3. On January 16, 2015, I watched the live “feed” of the judiciary committee hearing involving calendared judicial confirmations and re-appointment hearings on CT-N’s internet feed from my home in New Canaan.
4. On January 16, 2015, I watched the sworn testimony of Judge Thomas Parker on CT-N’s live “feed” and the public testimony of Sylvester Traylor.
5. Judge Thomas Parker’s testimony archived on CT-N can be found on the On Demand feature for video recorded on the Judicial Committee Public Hearing on Judicial Nominations.
6. It is alleged in this affidavit that portions of Judge Thomas Parker’s sworn testimony constituted statements which qualify as “perjury” and subject to criminal prosecution upon the application of a probable cause arrest warrant pursuant to C.G.S. §53a-156.
7. It is alleged in this affidavit that Judge Thomas Parker was asked by Representative Minnie Gonzalez and captured on CT-N to explain why Judge Parker grabbed the wrist of Sylvester Traylor.

Judge Parker responded, “It didn’t happen.”

Affiant, upon the review of court transcripts and other sworn affidavits posted on the judiciary committees website, asserts the above statement made by Judge Parker was blatantly false and constitutes grounds for "probable cause" for an arrest warrant for "criminal perjury".

8. In Mr. Traylor's public testimony archived on CT-N, he "self administered" an oath that his testimony to the judiciary committee and alleged that Judge Parker's testimony earlier constituted grounds for "perjury".
9. Included in the documents posted on the judiciary committee's website were sworn affidavits concerning the observed conduct of Judge Thomas Parker in the courtroom in various hearings conducted on the Traylor civil docket.
10. On January 16, 2015, I reviewed a published document authored by Mr. Traylor on the judiciary committee of the Connecticut legislature's website.
11. On the evening of January 16, 2015, I called Mr. Traylor and left my return telephone number.
12. On the morning of January 17, 2015, I spoke to Mr. Traylor to determine whether he had copies of the court transcripts referenced in documents submitted to the judiciary committee.
13. In the conversation we had on January 17, 2015, Mr. Traylor was provided information as to how to properly post documents for testimony with the legislative judiciary committee.
14. Mr. Traylor was also advised as to how to watch the On Demand feature of CT-N to review the recordings available there which would capture the "exact" language of the testimony of Judge Thomas Parker inasmuch as the published transcripts of the legislative judiciary committee meeting of January 16, 2015 would not be available for at least ten days.
15. Mr. Traylor filed additional documents with the legislative judiciary committee website for posting between January 18 and January 23 as "public testimony".
16. These documents are on line and can be reviewed by the Office of Chief State Attorney.
17. In a sworn affidavit dated January 21, filed by Judge Parker, he states that the court transcript of February 3, 2011 does not capture him grabbing the wrist of Mr. Traylor while sitting in the witness box.

18. The name of the court reporter is on the transcript of the February 3, 2011 hearing was Cheryl Straub. She was a witness to many of the proceedings conducted by Judge Thomas Parker and could corroborate that Judge Parker grabbed the wrist of Mr. Traylor inasmuch as "physical" activity and movements which would occur in any courtroom would not necessarily be captured in a written transcript.
19. On Friday, January 16, 2015, the public hearing agenda for judicial confirmation hearings to consider the re-appointment of Judge Taggart Adams was scheduled for Friday, January 23, 2015.
20. On Tuesday, January 16, 2015, a transcript of a December 2, 2009 hearing conducted by Judge Taggart Adams was sent by email to Deborah Blanchard, the administrator at the legislative judiciary committee's office.
21. On Wednesday, January 17, 2015, Deborah Blanchard sent an email which indicated that the other nine transcripts sent via email were not "relevant" to the re-appointment hearing scheduled for Friday, January 23, 2015 involving Judge Taggart Adams.
22. On Wednesday, January 17, I appealed the decision by administrator Deborah Blanchard to not publish the documents on the judiciary committee website via an email sent to Ms. Blanchard and to James Tracy, the executive director of the Legislative Management Office.
23. At 2:40 pm, on January 17, 2015, Mr. Tracy indicated in an email to me that the requested transcripts would be posted as requested, and he hoped the documents would be posted as public testimony on the judiciary website by 5pm.
24. The nine transcripts were not published on the judiciary committee's website by 5:00 on Wednesday, January 17, 2015.
25. The transcripts were posted on the judiciary website as requested during the course of the date of Thursday, January 18, 2015.
26. Additional documents, referenced as "exhibits" were sent via email to Ms. Blanchard, the administrator of the legislative judiciary committee on the evening of Thursday, January 18, 2015 after the close of regular business hours.
27. At approximately 6:50 am on Friday, January 23, 2015, a sixteen page document named, "Written Testimony of Michael Nowacki in Opposition to the Re-Appointment of Judge Taggart Adams" was sent to Ms. Blanchard for publication.

28. Mr. Traylor and I met in the lobby of the Legislative Office Building and Mr. Traylor introduced me to his former attorney, Edward Berdick.
29. At approximately 8:45 on Friday, January 23, 2015, I signed up at the offices of the legislative judiciary committee meeting to speak in the public hearing portion in opposition to the re-appointment of Judge Taggart Adams.
30. The attached 16 page letter (17th page was blank) was posted on the judiciary committee website under public hearing testimony by the time of my arrival.
31. Additional exhibits were posted on the judiciary's website by staff members of the legislative judiciary committee and were labeled Exhibits 1-24.
32. At approximately 9:30 am, a copy of the 16 page letter was provided to Attorney Melissa Farley, the external affairs director for the Connecticut judiciary and she was asked to provide a copy of the letter to Judge Taggart Adams.
33. Judge Taggart Adams was sworn in by the acting Chairman of the Judiciary Committee, Representative Dan Fox.
34. The published transcript of the judiciary committee meeting is not yet available as of the date of this affidavit.
35. However, archived footage exists on CT-N which captures a video-recording of the January 23, 2015 in the On Demand Section of the CT-N website under the title of "Judiciary Committee Public Hearing on Judicial and Board of Paroles Nomination Followed by Committee Meeting."
36. The CT-N archived footage is five hours and six minutes in duration and there were significant breaks in the proceedings of the judiciary committee on January 23, 2015.
37. The time references in this affidavit refer to the time stamps on the portions of the judiciary committee meeting which were recorded and archived for review on the CT-N website.
38. Following a prepared statement by Judge Adams which lasted less than two minutes, the questions from the judiciary committee members commenced at 2:21:34 on the CT-N archived footage. Judge Adams sworn testimony on the archived footage on CT-N ended at approximately 2:36:30.

39. When questioned by Representative Gonzalez of the legislative judiciary committee, Judge Adams claimed he did not have a copy of the "report" or "testimony" of "Mike Nowacki".
40. Judge Adams claimed he did not have a copy (a statement which may have been a misstatement of fact), so Representative Gonzalez handed a copy of the "report" to Judge Taggart Adams. The footage of this exchange of papers were captured on CT-N.
41. The judiciary committee meeting was called to recess, while "printed copies" of the "report" were made and distributed to the committee, even though the website of the judiciary committee clearly had published those documents.
42. Judge Adams indicated that a number of judges "recused themselves" in the family court from hearing motions and "there were no judges in family court in the Stamford/Norwalk jurisdiction who were not subject of a grievance."
43. The above statements, when taken together, of Judge Adams constitutes the grounds for perjury, defined in Black's Law Dictionary as:

"The set or an instance of a person's deliberately making material false statements while under oath.
44. Judge Stanley Novack conducted hearings on the date of April 7, 2009, July 7, 2009, September 16, 2009, September 24, 2009 and September 30, 2009.
45. At the end of the transcript published on the judiciary committee's website, on September 30, 2009, Judge Novack directed to the parties to get a new date to continue the proceedings.
46. Exhibits 1 and 2 published on the judiciary committee website validate three grievances dated November 16, 2009 were filed with the Judicial Review Council citing Canons of the Code of Judicial Conduct which were alleged to be violated.
47. A letter of November 10, 2009 was presented as Exhibit 2 in the postings published on the judiciary committee's website.
48. Judge Schofield did not "recuse herself" on the dates of November 23, 2009 or on December 2, 2009 when she declared a "mistrial" on the financial proceedings which were being conducted by Judge Novack.

49. In direct conflict with Judge Adams testimony Judge Novack, a family court trial judge referee in Stamford, did not did not recuse himself from the hearings he had conducted and was scheduled to conduct in early December 2009.
50. A Motion for Mistrial was never filed with Judge Stanley Novack by Attorney Kevin F. Collins in family court docket FST FA 040210276S. A Motion for Recusal was never filed by Attorney Kevin Collins in family court proceedings which would need to have been presented to Judge Novack.
51. The transcript of November 23, 2009 (filed with the judiciary legislative committee in the public hearing testimony) captures on page 3, Attorney Kevin F. Collins making the following statement:
- “So, I respectfully request that the matter be transferred and the pending hearing before Judge Novack be mistried.”
- Attorney Collins request captured in the November 23, 2009 transcript in a hearing conducted by Judge Schofield that the entire case be transferred to Middletown.
52. The sixteen page document posted in the judiciary’s website titled: “Written Testimony in Opposition to the Re-Appointment of Judge Taggart Adams” cited five allegations which represented abridgments of his responsibilities as Chief Administrative Judge.
53. Judge Adams was asked by Representative Minnie Gonzalez to respond to allegation #1 on page 2 which was read into the proceedings of the judiciary committee on January 23, 2015.
54. Judge Adams answer to the judiciary committee was false and misleading when he was asked to respond to the first allegation set forth on page 2, to the question raised which was whether Judge Adams, as the Chief Administrative Judge in Stamford, properly directed Judge Schofield to conduct a hearing required by Connecticut Practice Book Rule 1-22b before exercising a right as “presiding judge” to declare a mistrial as outlined in the attached copy of the “certified” transcript of December 2, 2009 on page 1:
- “THE COURT: It is my understanding that this matter commenced before Judge Novack for a number of days. And as the Presiding Judge, I am going to declare a mistrial. And this matter is now assigned to Judge Adams.”

55. Inasmuch as there is **no** record in any court proceeding that would validate Judge Stanley Novack recused himself from matters in the post judgment case involving Suzanne Sullivan and Michael Nowacki.

Therefore the statement made by Judge Adams that there was “no family judge in Stamford/Norwalk who wasn’t subject to a grievance” to hear the three matters sent to him as referenced in his testimony on January 23, 2015.

56. This statement noted in point 55 *supra*, by Judge Adams is alleged herein to be blatantly false and intended to mislead the judiciary committee and should be considered by the Office of Chief State Attorney as worthy of seeking an “probable cause” application for an arrest warrant for delivering “sworn testimony” which qualifies for prosecution pursuant to the application of C.G.S. 53a-156.

57. There is no court transcript which exists that can validate that Judge Schofield followed the procedures defined in Connecticut Practice Book Rule 1-22b, upon the filing of a grievance.

58. The Honorable Taggart Adams, did not accurately or truthfully answer the question about whether there was a “failure/refusal to enforce Practice Book Rule 1-22b” before Judge Schofield declared a mistrial.

59. The Honorable Taggart Adams also failed on January 23, 2015 in an accurate and truthful manner to respond to the question asked by Representative Minnie Gonzalez in regards to the allegation #2 referenced on page 6 of the document and referenced on CT-N recorded video.

60. The Honorable Taggart Adams may have “mis-heard” the third question posed by Representative Gonzalez which related to Mr. Nowacki “losing his children”.

61. Judge Adams responded that he could not offer any opinion on whether Mr. Nowacki lost his “case” not his “kids” as the question by Representative Gonzalez posed.

62. Senator Paul Doyle expressed some frustration at the process of not having had ample opportunity to review the documents filed on the website of the judiciary committee.

63. At approximately, 4:20:40 on the CT-N archived footage, “public testimony” commenced at the judiciary committee meeting of January 23, 2015. My testimony lasted until 4:33:17.

64. Judge Taggart Adams was noted to be leaving the judiciary committee hearing room in my opening comments, inasmuch as the cameras of CT-N, "showing a level of disrespect" to those members of the public who come to testify at such hearings.
65. My testimony before the judiciary committee alleged that Judge Adams in his "sworn" testimony contained statements which were disingenuous and rose to the level of perjury.
66. Despite a request to "table" the vote on the re-appointment hearing of Judge Adams in order to provide the opportunity for "due diligence" to review the letter of complaint, the exhibits attached and the transcripts provided on the judiciary committee's website, the committee conducted a vote at the end of the proceedings of January 23, 2015 meeting of the judiciary committee.
67. Affiant notified Attorney Melissa Farley, the external affairs director, in an email sent on Saturday, January 24, that a letter and a sworn affidavit citing allegations of perjury seeking an application for a "probable cause" arrest warrant would be applied for with the Office of Chief State Attorney on Monday, January 26, 2015.

I declare that to the best of my knowledge and belief in this sworn affidavit and additionally captured in the 16 page letter attached, the information herein is true, correct and complete.

Affiant Michael J. Moran

Executed this 26th day of January, 2015

Sworn and subscribed to me on the 24th day of January, 2015

Dean McCoy my commission expires on 09/30/2016

STATE OF CONNECTICUT
COUNTY OF FAIRFIELD

