

DOCKET NO. WWM-CV15-6009136 S

MELANIE PEREZ	:	SUPERIOR COURT
<i>Plaintiff</i>	:	
	:	
v.	:	JUDICIAL DISTRICT OF WINDHAM
	:	AT PUTNAM
STATE OF CONNECTICUT	:	
JUDICIAL DEPARTMENT	:	
<i>Defendant</i>	:	November 19, 2015

ANSWER AND SPECIAL DEFENSES

The Defendant State of Connecticut Judicial Department submits its answer and special defenses as follows:

1. As to paragraph 1, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
2. Paragraph 2 is admitted.
3. Paragraph 3 is admitted.
4. As to Paragraph 4, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
5. As to Paragraph 5, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
6. As to Paragraph 6, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
7. Paragraph 7 is admitted.
8. Paragraph 8 is admitted.
9. Paragraph 9 is admitted.
10. As to Paragraph 10, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.

11. Paragraph 11 is admitted.
12. As to Paragraph 12, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
13. As to Paragraph 13, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
14. As to Paragraph 14, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
15. As to Paragraph 15, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
16. As to Paragraph 16, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
17. As to Paragraph 17, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
18. As to Paragraph 18, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof. As to the third sentence of Paragraph 18, that sentence is denied.
19. Paragraph 19 is denied.
20. Paragraph 20 is denied.
21. The portion of paragraph 21 that reads "On 'or about October 1, 2102, Mark Ciarcello visited Plaintiff's work site . . . to determine what accommodation would be made for Plaintiff's disability" is admitted.
22. Paragraph 22 is denied.
23. Paragraph 23 is denied.

24. Paragraph 24 is denied.
25. Paragraph 25 is admitted to the extent that the defendant provided the plaintiff with a Cap Tel phone at her request. As for the remainder Paragraph 25, the defendant is unable to admit or deny the capability of the Cap Tel phone system specifically regarding the plaintiff and therefore leaves the plaintiff to her proof.
26. Paragraph 26 is admitted to the extent that the plaintiff "advised" the defendant that her physician recommended a quiet workspace area for the plaintiff.
27. As to Paragraph 27, the defendant has insufficient knowledge to admit or deny and therefore leaves the plaintiff to her proof.
28. Paragraph 28 is denied.
29. Paragraph 29 is admitted.
30. Paragraph 30 is denied.
31. Paragraph 31 is denied.
32. Paragraph 32 is denied.
33. Paragraph 33 is denied.
34. Paragraph 34 is denied.
35. Paragraph 35 is denied.
36. Paragraph 36 is denied.
37. Paragraph 37 is denied.
38. Paragraph 38 is denied.
39. Paragraph 39 is denied.
40. Paragraph 40 is denied.

SPECIAL DEFENSES

FIRST SPECIAL DEFENSE

The plaintiff has failed to state a valid claim upon which relief may be granted.

SECOND SPECIAL DEFENSE

The defendant had legitimate non-retaliatory reasons for all actions taken with respect to the plaintiff.

THIRD SPECIAL DEFENSE

The defendant would have taken the same action(s) even in the absence of the plaintiff's alleged protected activity. See Vince v. Worrell, 1992 Conn. Super. LEXIS 2052 (Conn. Super. Ct. July 13, 1992) (citing Mt. Healthy City Board of Education v. Doyle, 429 U.S. 274, 284-85 (1977)).

FOURTH SPECIAL DEFENSE

The defendant reserves the right to assert additional special defenses as they become known through discovery.

DEFENDANT,

GEORGE JEPSEN
ATTORNEY GENERAL

BY: /s/ Josephine S. Graff
Josephine S. Graff
Assistant Attorney General
Juris No. 428723
55 Elm Street, P.O. Box 120
Hartford, CT 06141-0120
Tel.: (860) 808-5340
Fax: (860) 808-5383
E-mail: Josephine.Graff@ct.gov

CERTIFICATION

I hereby certify that on November 19, 2015 a copy of the foregoing Answer and Special Defenses was mailed, first class postage prepaid, to all parties of record as follows:

Magdalena Wiktor, Esq.
Madsen, Prestley & Parenteau, LLC
105 Huntington Street
New London, CT 06320
Tel: (860) 442-2466

/s/ Josephine S. Graff
Josephine S. Graff
Assistant Attorney General