

PULLMAN & COMLEY

Judge Robert L. Holzberg (Ret.)

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September 23, 2024

RFP Response Submitted Via Hand Delivery

Town of Bethany Board of Selectmen
c/o Vincent M. Marino
Bethany Town Attorney
657 Orange Center Road
Orange, CT, 60477

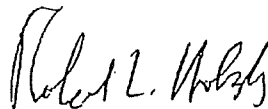
RE: Response to Request for Proposal

Dear Attorney Marino:

We are pleased to submit the following response to your recent solicitation for a proposed investigation into the response by the Town of Bethany (the "Town") and its employees and elected officials into allegations of sexual abuse of a minor by a Town employee.

Prior to submitting this proposal my investigative team members and I have carefully reviewed your solicitation and feel confident, as set forth in the attached proposal, that our experience and expertise in conducting independent investigations of this type will allow us to effectively and efficiently satisfy the goals outlined in your proposal.

Sincerely,



Robert L. Holzberg
Pullman & Comley, LLC

cc: Monte E. Frank

September 23, 2024

Town of Bethany RFP

Submitted to:

Town of Bethany Board of Selectmen
40 Peck Road
Bethany, CT 06524

and

c/o Vincent M. Marino
Bethany Town Attorney
657 Orange Center Road
Orange, CT, 06477

Prepared by: Judge Robert L. Holzberg (Ret.)

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Introduction

Pullman & Comley (Pullman) or (the “Firm”) is routinely engaged by local and state agencies including municipalities and Boards of Education as well as corporations and private charitable organizations to conduct impartial and independent investigations into a variety of misconduct, including allegations of sexual abuse and administrators’ response to those claims. In two notable examples, Judge Robert L. Holzberg (Ret.) was previously retained by the City of Stamford and its Board of Education to investigate allegations of sexual abuse by a high school teacher and school administrators’ response to those allegations; and by the Diocese of Bridgeport to conduct an investigation of its managerial response to allegations of sexual abuse of minors by Diocesan clergy over a nearly seven-decade period, including evaluating the responses of several nationally prominent cardinals and archbishops.

We pride ourselves in conducting these investigations with the highest degree of independence and in strict accordance with the facts we discover. Our commitment in all investigations is to be thorough, fair, diligent and sensitive to the victims, the public officials that retain us and the citizens they serve.

As set forth below, we have a demonstrated track record of conducting these investigations in a timely and cost-effective manner and utilizing the latest technology to assure our review is fair, impartial, comprehensive and economical.

Project Understanding and Approach

Based on our review of the Town’s solicitation plus media accounts of the incident we understand that the Town is seeking to have answered the following questions which can best be summarized by the now famous question of “What did town officials know, when did they know it and what did they do about it.” Specifically, we understand that the investigation will address the following process-related issues:

- a. What is the timeline for receipt of information by the Town, including Parks and Rec and education officials concerning the allegations that Mr. Mastrangelo abused a child or children while serving as a Parks and Rec after school counselor and employee of the Bethany Community School (BCS);
- b. What entity or persons received this information, from whom; and what persons or governmental bodies were advised of the allegations;

- c. What investigative efforts and disciplinary action were taken after receipt of such allegations and were appropriate state and local officials advised pursuant to relevant state or local laws;
- d. Was the public notified of the allegations in a timely manner;
- e. When was the First Selectwoman, now recused from this investigation, notified of the allegations concerning Mr. Mastrangelo;
- f. Did the First Selectwoman conceal the disclosure of the allegations against Mr. Mastrangelo, obstruct the investigation by Connecticut State Police (CSP) and/or Connecticut Department of Children and Families (DCF), or otherwise fail to properly discharge her duties as a result of her friendship with Mr. Mastrangelo's family;
- g. Did the Parks and Rec Commissioners and/or staff properly and timely discharge their obligations with respect to the Mastrangelo allegations;
- h. What is the justification, if any, for the Town's delay in informing the public of the Mastrangelo allegations;
- i. Depending on the findings of the investigation are there any recommendations or best practices that should be implemented to assure that future allegations of a similar nature are handled transparently and with full compliance with state and federal requirements.

Our approach will be thorough, systematic and fully responsive to the needs of the Town and the public. Our work will include familiarizing ourselves with the background leading to the request for an investigation, comprehensive electronic data collection, individual interviews and review of all relevant documents. With respect to phones, computers and other electronic devices, we will familiarize ourselves with the Town's electronic records retention policies. We may retain an outside consultant to conduct the imaging of electronics devices and subject that data to a sophisticated software analysis that will efficiently yield the email and text messages relevant to this investigation.

As part of this process, we will request that if not already issued, a litigation hold letter be directed to all Town and school officials. Once we have collected and analyzed all relevant paper and electronic data, we will commence interviews with those individuals and town officials who are or may be the subject of this investigation. We will provide so-called "Upjohn" warnings to all interview subjects advising them that we do not represent them and that if they wish to retain counsel they may do so. Given what we understand to be the open status of the criminal investigation(s) it may be that some potential interview subjects, including Mr. Mastrangelo, will decline to be interviewed due to Fifth amendment concerns. As a pre-condition to interviews with any Town employees or elected

officials we routinely request that either the Town attorney or chief elected official advise Town employees of the investigation and the duty to cooperate with the investigators.

Once the interviews are completed and data analyzed we will begin the process of reviewing all of the collected information analyzing it for the purpose of determining whether any additional investigative leads have been identified and arriving at tentative findings and conclusions which will be subject to a rigorous analysis by our team to assure that we have been thorough and that our preliminary conclusions are both fair and accurate. We will work closely with the Selectmen and Town Attorney to keep them apprised of the status of our investigation. We will provide the Town Attorney with strategies we have employed in prior investigations to assure that the questions and concerns raised by the public are addressed.

Firm Experience

Pullman & Comley was founded in 1919, and today is comprised of 90 attorneys organized into practice areas including: Business Organizations and Finance; Health Care; Labor, Employment Law and Employee Benefits; Litigation; Property Tax and Valuation; Public Finance; Real Estate, Energy, Environmental and Land Use; and Trusts and Estates, as well as various targeted practice sections, including the Investigations practice, that provide depth of experience and the flexibility to regroup for customized, solution-oriented service. The Firm has six offices, three of which are in Connecticut with additional offices in Massachusetts, New York and Rhode Island. Additional information regarding Pullman & Comley and its areas of practice may be found on the Firm's website at <https://www.pullcom.com/>.

Pullman is counsel to the state, many municipal and state agencies and authorities, as well as quasi-governmental bodies. This representation includes serving as bond counsel, town attorney and general counsel, labor counsel, board of education counsel, litigation counsel and environmental counsel for various towns, cities, boards, commissions, housing authorities, developmental agencies and regional authorities.

Throughout its history, Pullman and its attorneys have been involved in the public sector. Today, many members participate in the governance of state and municipal entities and serve on a number of governmental boards. Pullman is an active participant in the civic, charitable and political life of all Connecticut municipalities where it has offices and where its attorneys live and work. Firm attorneys are active in numerous nonprofit organizations and the firm is a routine financial contributor to many of these organizations.

Investigations

Pullman & Comley's Investigations practice provides clients ranging from large corporations to educational and religious institutions with diligent pursuit of facts in difficult situations, independent judgment in reporting, and sensitivity in dealing with all those involved in an inquiry. We provide independent investigations for matters requiring a public response, internal investigations to guide clients' policymaking and compliance, and preparatory investigations for clients' prosecution or defense of claims and charges.

Our investigations group consists of former judges and prosecutors, litigators with deep experience in fraud, regulatory, and corporate governance matters, and employment lawyers knowledgeable about a broad spectrum of employee misconduct issues. Together they can meet clients' investigatory needs in any industry and any size or complexity of organization or problem.

Among the areas in which our firm has conducted investigations are:

- Corporate fraud and embezzlement
- Alleged police and municipal corruption
- Sexual abuse and the managerial responses to it in organizations
- Employment discrimination
- Title IX violations in both universities and elementary and secondary schools

Many of these matters have involved highly controversial and potentially damaging events that have drawn significant press attention. In addition to the Stamford and Bridgeport Diocese investigations mentioned earlier, some examples include:

- Represented one of Connecticut's largest municipalities in an internal investigation into claims of retaliatory employment practices against the city's mayor and police command staff
- Investigated claims of fraud against shareholders by the officers and directors of a large specialty medical practice in connection with the acquisition of the practice by a national healthcare company
- On behalf of a board of education, investigated alleged improprieties in student standardized test scoring
- Investigated high-profile racial and religious discrimination claims against a road construction firm
- Conducted numerous investigations of Title IX complaints for universities and elementary and secondary schools in connection with student and employee disciplinary proceedings

- Conducted an investigation and subsequent litigation for a national veterans charity as a result of the embezzlement of \$1.4 million.
- Frequently provide training to client personnel and in-house lawyers on investigative techniques and related ethical issues

The hallmarks of our approach are impartiality, discretion, and thoroughness. We have a deep and energetic team capable of promptly addressing large-scale inquiries, and accustomed to representing clients in the public eye. We can draw on related technical skills including cutting-edge information management techniques to handle document-intensive matters, one of the state's foremost practices in the law of lawyering to advise clients on confidentiality matters, and extensive experience within the firm on Freedom of Information Act and public access questions.

Staff Plan & Qualifications

This investigation will be led by Judge Robert L. Holzberg (Ret.), who, as noted above, served as the lead investigator for the City of Stamford into allegations that a high school teacher sexually abused a student and that the Board of Education and school official failed to timely notify state and local officials of such allegations and to take immediate action in response to those allegations. (View the full report at: https://mediad.publicbroadcasting.net/p/wnpr/files/201505/stamford_report_with_exhibits_-_final_4-28-15_0.pdf.) He also was retained by the Diocese of Bridgeport to conduct a year-long investigation into the history of child sexual abuse by Diocesan priests. (View at <https://www.bridgeportdiocese.org/wp-content/uploads/2019/10/Report-on-Investigation-of-Clergy-Sexual-Abuse-of-Minors-in-the-Diocese-of-Bridgeport-with-Appendice.pdf>.)

Judge Holzberg's team will include attorney Monte E. Frank, co-chair of Pullman's Litigation practice; and attorney Melinda B. Kaufmann, former Hartford assistant corporation counsel who has led multiple investigations into allegations of sexual abuse and Title IX violations. Also assisting in the investigation will be second year associate Kimberly Catala and paralegal Patricia LeBel-Lasse, who was responsible for the collection and analysis of electronic data in the Diocese investigation.

Brief biographies of Pullman's team are detailed below; full biographies can be found in Attachment 1.

Robert L. Holzberg, Connecticut Superior Court Judge (Ret.)

MEMBER

B.A., Brown University; J.D., University of Connecticut School of Law

Judge Holzberg leads the Alternative Dispute Resolution (ADR) practice at Pullman & Comley, which is comprised of four retired judges and six AAA certified attorney arbitrators. He possesses extensive experience serving as a mediator and arbitrator in complex civil matters in state and federal court including personal injury, employment, construction, environmental, probate, insurance, intellectual property and commercial disputes. He retired from the bench in September 2012 after more than two decades of service as a Superior Court judge.



Judge Holzberg has significant experience in leading internal investigations, often sensitive and high profile in nature. In addition, as chair of the firm's Alternative Dispute Resolution Practice, he has earned a reputation for his skill in crafting settlements in some of Connecticut's highest profile and most complex cases and is one of the state's most sought-after mediators by both local and national counsel.

Monte E. Frank

MEMBER

B.A., magna cum laude, Cornell University; J.D., Cornell Law School

Mr. Frank is the co-chair of Pullman & Comley's Litigation practice. He represents business and municipal clients in the state and federal courts in Connecticut and before administrative agencies on a wide range of matters, using his thirty years of experience to help clients resolve problems as effectively and efficiently as possible. He regularly represents clients in complex and sophisticated litigation and construction matters, including mediation and arbitration in Connecticut and other states. He has handled numerous embezzlement investigations and litigation matters.



Melinda B. Kaufmann

COUNSEL

B.S., *summa cum laude*, University of Albany; M.S., The College of Saint Rose; J.D., Order of the Coif, William and Mary School of Law

A member of the firm's School Law and Labor and Employment practices, Ms. Kaufmann is ATIXA-certified and conducts Title IX investigations at both the K-12 and college and university level. Ms. Kaufmann has also served as a Title IX decision maker for educational institutions. She defends employers and their individual officers, agents and employees in federal and state courts and before federal and state agencies regarding various issues including: discrimination, retaliation and harassment claims under Title VI, Title VII, Title IX, Connecticut Fair Employment Practices Act, Americans with Disabilities Act, the Rehabilitation Act, Fair Labor Standards Act, whistleblower claims, constitutional claims under Section 1983, First Amendment, Uniformed Services Employment and Reemployment Rights Act and various employment-related tort claims. Ms. Kaufmann provides training to Title IX Coordinators, investigators and decisionmakers and often advises investigators and decisionmakers through the Title IX Complaint process.



Kimberly Catala

ASSOCIATE

B.A., *cum laude*, Emerson College; J.D., *summa cum laude*, Quinnipiac University School of Law

Ms. Catala is an associate in the firm's Labor and Employment, Education Law, and Litigation practices. Prior to joining Pullman & Comley, she served as a Judicial Law Clerk to Connecticut Supreme Court Justice Andrew J. McDonald's Chambers in Hartford.

During law school, Ms. Catala gained valuable experience through internships and externships at the Quinnipiac Law School Tax Clinic, New Haven Legal Assistance, and Judge Victor A. Bolden's Chambers



in Bridgeport, Connecticut, where she conducted research on a variety of legal issues, represented low-income individuals, performed client intakes, and prepared legal memoranda.

Patricia LeBel-Lasse
PARALEGAL

B.S., University of Bridgeport; A.S., cum laude, Sacred Heart University

Ms. LeBel-Lasse has more than thirty years of legal and business experience. She assists counsel with complex commercial and business disputes in a variety of areas in both federal and state courts. She has extensive trial and litigation support experience. In addition, as a member of the firm's Internal Investigations practice, she conducts fact gathering interviews with clients and relevant parties and helps to manage the fact gathering process. In her role, Patricia implements new business processes in the areas of electronic data discovery, litigation support and trial technology.



References

Kathryn Emmett
Former Corporate Counsel
City of Stamford
Attke2@gmail.com
(203) 249-0755

Anne McCrory
Former Chief Legal Officer
Diocese of Bridgeport
aeomccrory@gmail.com
(203) 913-3218

Holly Hollander
Assistant Superintendent
New Milford School District
50 East Street
New Milford, CT 06776
hollanderh@newmilfordps.org
(860) 354-3235 x 214

Additional references available upon request.

Schedule

PHASE 1:

Immediate 60 days: preliminary consultation with Selectmen and Town Attorney; initial data and document collection; review and analysis of electronic data and documents; schedule interviews with relevant personnel and witnesses.

PHASE 2:

60-75 days: conduct interviews; continuing analysis of data and documents; outreach to DCF and CSP.

PHASE 3:

75-100 days: prepare and edit first draft of report; review with Town Attorney.

PHASE 4:

100-115 days: prepare final report.

Fee Proposal

The following fee schedule represents Pullman & Comley's municipal hourly rates and were used to create the estimated cost proposal of \$53,350.00. Additional work required would be proposed based on this schedule.

Pullman & Comley Rates	Hourly Rate
30 partner hours @\$495 per hour	\$14,850.00
40 counsel hours @\$400 per hour	\$16,000.00
20 associate hours @\$300 per hour	\$ 6,000.00
75 paralegal hours @\$220 per hour	\$16,500.00

Attachments

1. Attorney Biographies

Attachment 1



Robert L. Holzberg

Member

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Robert L. Holzberg, Connecticut Superior Court Judge (Ret.), leads the Alternative Dispute Resolution (ADR) practice at Pullman & Comley, which is comprised of four retired judges and six AAA certified attorney arbitrators. He possesses extensive experience serving as a mediator and arbitrator in complex civil matters in state and federal court including personal injury, employment, construction, environmental, probate, insurance, intellectual property and commercial disputes. He retired from the bench in September 2012 after more than two decades of service as a Superior Court judge.

Judge Holzberg has earned a reputation for his skill in crafting settlements in some of Connecticut's highest profile and most complex cases and is one of the state's most sought-after mediators by both local and national counsel. He is widely regarded as creative and persistent in devising practical solutions to difficult legal problems, and is respected for his ability to establish relationships of trust with counsel and their clients. As an arbitrator, Judge Holzberg brings the same patience, organization and legal and analytical skills that were his hallmark for almost 23 years as a trial judge and he has been consistently recognized for his skills as a mediator and arbitrator. Since 2022, he has been ranked in the Mediators - USA - Nationwide category by *Chambers USA, America's Leading Lawyers to Businesses*. *The Best Lawyers in America* named Judge Holzberg Hartford "Lawyer of the Year" in the area of Mediation in 2018 and 2022; Hartford Lawyer of the Year - 2021 in the area of Arbitration; and Hartford Lawyer of the Year - 2024 in both the Arbitration and Mediation categories. He is equally proud that under his leadership, Pullman & Comley's ADR practice has been recognized for its accomplishments, including as 2023 Litigation Department of the Year - Arbitration and Mediation by ALM/Law.com New England Legal Awards; and as the top ADR provider in New England in 2020 by ALM publications.

Judge Holzberg also has significant experience in leading internal investigations, often sensitive and high profile in nature. He was retained by the Roman Catholic Diocese of Bridgeport to conduct a year long investigation into alleged clerical sexual abuse of minors and the Diocese's response to those allegations. He also led an internal investigation on behalf of one of Connecticut's largest municipalities into alleged failure of city's board of education, teachers and administrators to report alleged student sexual abuse and other misconduct by a teacher.

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Robert L. Holzberg

Retired Judge Holzberg was appointed to the Superior Court in 1990 by Governor William O'Neill. While on the bench he served as the presiding judge for civil matters in the Middlesex, New Britain and Waterbury judicial districts. He has received several awards, including the Connecticut Defense Lawyers Association 2019 President's Award for Excellence. In 2018, the Middlesex County Bar Association held a formal recognition ceremony and unveiled Judge Holzberg's portrait to honor his years of service on the bench and acknowledge the respect he earned among the state's top legal officials. He was also honored with the 2011 Connecticut Bar Association's Henry J. Naruk Award, given to a member of the judiciary who epitomizes long-term, dedicated and conscientious service to the community, possesses the highest integrity, and has made substantial contributions to the administration of justice in Connecticut. In 2005 he received the Hon. Robert F. Zampano Award for Excellence in Mediation and in 1998 received the Connecticut Trial Lawyers Association Judicial Award.

Before his appointment to the bench, he was on the faculty of the University of Connecticut School of Law and also served as an Assistant Public Defender in the Office of the Chief Public Defender.

Retired Judge Holzberg is a frequent speaker and author on the topic of mediation and arbitration and internal investigations. He has been an invited speaker on ADR strategies for the Practising Law Institute, the Connecticut Bar Association, Connecticut Trial Lawyers Association, the Connecticut Defense Lawyers Association and the Hartford County Bar Association.

Practice Areas

Alternative Dispute Resolution
Investigations
Litigation

Bar and Court Admissions

Connecticut
U.S. Court of Appeals for the Second Circuit
U.S. District Court, District of Connecticut

Education

University of Connecticut School of Law, J.D., 1978
B.A., Brown University, 1974

Robert L. Holzberg

Publications

Notes From the Judge: Keys to a Successful Mediation
Connecticut Law Tribune, 04.01.2021

Alternative Dispute Resolution Mock Mediation of Commercial Landlord and Tenant Dispute
11.04.2020

Pre-Suit Mediation: An Alternative to the Alternative
Connecticut Law Tribune, 12.07.2015

It's 5 O'Clock and the Whistle Blows
Connecticut Law Tribune, 12.16.2014

To Mediate or Not to Mediate - That Is Not The Question
Connecticut Law Tribune

10 Tips For a Successful Mediation
Connecticut Law Tribune, 06.24.2013

Professional Affiliations

Middlesex County Bar Association - past president

Community Involvement

Connecticut Legal Services - former member, Board of Directors

Connecticut Law Tribune - former editorial board member

Middlesex County Bar Association - past president and former member, Board of Directors

Honors & Recognitions

Listed in *Chambers USA, America's Leading Lawyers to Businesses* in the area of Mediators - USA - Nationwide since 2022

Named Hartford "Lawyer of the Year" by *The Best Lawyers in America* in the area of mediation in 2022 and 2024; Named in the area of arbitration in 2021 and 2024

Connecticut Defense Lawyers Association President's Award recognizing his outstanding and distinguished service to the bar - 2019

Robert L. Holzberg

Selected by *The Best Lawyers in America* as the 2018 Hartford "Mediation Lawyer of the Year"

Listed in *The Best Lawyers in America* in the area of mediation since 2016; listed in the area of arbitration since 2017

In 2016, was voted "The Best" Individual Arbitrator by the readers of the *Connecticut Law Tribune*

Selected to the *Connecticut Super Lawyers* list since 2014 in the area of alternative dispute resolution

Professionalism and Civility Award from the Connecticut Chapter of the American Board of Trial Advocates - November 2014

Connecticut Bar Association Henry J. Naruk Award - 2011

Hon. Robert F. Zampano Award for excellence in mediation - 2005

Connecticut Trial Lawyers Association Judicial Award - 1998



Monte E. Frank

Member

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Monte E. Frank is the co-chair of Pullman & Comley's Litigation practice. He represents business and municipal clients in the state and federal courts in Connecticut and before administrative agencies on a wide range of matters, using his thirty years of experience to help clients resolve problems as effectively and efficiently as possible. He regularly represents clients in complex and sophisticated litigation and construction matters, including mediation and arbitration in Connecticut and other states.

Monte is an advocate for democracy reform, working to improve our elections, and bring accountability to government. He serves on the America Bar Association's Advisory Commission to the Task Force on Democracy by presidential appointment. He also brings a wealth of knowledge to gun violence issues. He serves as a Special Advisor to ABA's Committee on Gun Violence, and chairs its policy subcommittee. He has successfully presented many resolutions to the House of Delegates, and has worked on amicus briefs to the United States Supreme Court. For many years, he appeared on television, radio and in newspapers for his work on violence prevention, including CNN, MSNBC, NPR, WCBS, *USA Today*, and *The Washington Post*. He has written numerous op-ed pieces on gun violence, coauthoring many with United States Senators and members of Congress that have been published by Connecticut, national and international media outlets, including *The Guardian* and *The Hill*, where he was a contributor. He has also authored numerous op-ed pieces on election reforms in the Hartford Courant and the New Haven Register. Monte has lectured at Cornell Law School and has sat on many panels at the Connecticut Legal Conference, the University of Connecticut School of Law, Quinnipiac Law School and The National Council of Bar Presidents.

Monte is an active member of the legal community; serving in leadership roles at both the state and national level. Monte is a past president of both the Connecticut Bar Association (CBA) and the New England Bar Association. He previously served as president-elect and vice-president of the CBA. He represents Connecticut in the American Bar Association's House of Delegates. In 2018, Monte ran for Lieutenant Governor.

An avid cyclist, Monte competes on the road and in mountain bike and cyclocross races throughout the Northeast and Canada. He represented the United States at the 2013 and 2017 World Maccabiah Games in Israel and has won six medals, including four silver medals and two bronze medals. He founded and led Team 26 on the Sandy Hook Ride on Washington (2013-2019).

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Monte E. Frank

Practice Areas

Litigation; Labor and Employment Law

Bar and Court Admissions

Connecticut

U.S. District Court, District of Connecticut

U.S. Court of Appeals for the Second Circuit

Education

Cornell Law School, J.D., 1993

Cornell University, B.A., *magna cum laude*, 1990

Publications

Bar Leadership During a Time of Crisis
American Bar Association, 12.10.2020

Professional Affiliations

Governor Lamont's Ranked-Choice Voting Working Group - Vice Chair
Connecticut Bar Association - past president; Federal Judiciary Committee - chair; past co-chair, COVID-19 Task Force and its Federal and State Judicial Subcommittee; Policing Task Force; past chair, Diversity and Inclusion Committee; past chair (2014-2016), Legislative Policy and Review Committee; past chair (2015-2016), Council of Bar Presidents; Board of Governors; House of Delegates
American Bar Association - House of Delegates; chair of Standing Committee on Gun Violence, chair of Policy Subcommittee; Advisory Commission to the Task Force for American Democracy
New England Bar Association - past president
American Bar Foundation Fellow
Connecticut Bar Foundation Fellow
Federal Bar Council - Second Circuit Courts Committee
Greater Danbury Bar Association - past president
Judicial District of Danbury - attorney trial referee, factfinder and arbitrator, 2000 - 2018

Monte E. Frank

National Conference of Bar Presidents - Executive Council and Diversity and Inclusion Committee
State of Connecticut Supreme Court - Commission on Judicial Compensation

Community Involvement

Connecticut Voters First – Advisory Board
Forward Leadership Circle
Serve America Movement (SAM)
Connecting Through Literacy: Incarcerated Parents, Their Children, and Caregivers (CLICC) – Board of Directors
Jewish Federation Association of Connecticut (JFACT) – Board of Directors
Team 26 - founder

Honors & Recognitions

Selected to the *Connecticut Super Lawyers* list since 2010 in the areas of Business Litigation. Also selected in the areas of State, Local & Municipal Litigation, and Employment & Labor Litigation for multiple years since 2010
Listed in the *Best Lawyers in America* since 2013 for his work in the area of Business Litigation and Commercial Litigation for 2023 and 2024
Named as a "Litigation Star" and "Labor and Employment Star - Northeast" by *Benchmark Litigation* (2017-present) in the areas of Labor and Employment and Litigation
Listed in *Chambers USA - America's Leading Lawyers for Business*, 2009-2017 in the area of Commercial Litigation
Named a Moffly Media Top Lawyer in Fairfield County, 2021 and 2023 - Civil Law and Litigation
The Campaign to Keep Guns Off Campus - 2021 Honoree
Danbury Bar Association 2013 Pro Bono Award - recognized for pro bono representation of several families deeply affected by the tragedy in Newtown and of an individual in connection with the 9/11 Victims' Compensation Fund
New Leaders of the Law Award for Overall Achievement Fairfield County, *Connecticut Law Tribune*, 2003



Melinda B. Kaufmann

Counsel

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Melinda B. Kaufmann is a knowledgeable advisor who assists boards of education and employers with understanding and applying the myriad of changing laws that affect their business. When it becomes necessary, she is a powerful advocate both in court and before administrative agencies. Clients appreciate her unique knowledge and insight into the challenges faced by their schools and organizations. In addition to her law degree, Melinda has a Master's Degree in Special Education and taught special education and mathematics for five years.

Melinda successfully defended a board of education in the first special education federal jury trial in the country. Boards of Education appreciate her extensive experience representing them before state and federal agencies, including the Connecticut Commission on Human Rights and Opportunities, the Equal Employment Opportunity Commission, the State Board of Mediation and Arbitration, the State Board of Labor Relations, and in arbitrations before American Arbitration Association arbitrators. She also represents boards of education before the U.S. Department of Education Office of Civil Rights on claims of disability and race/national origin discrimination and the Connecticut State Department of Education and is certified as a Civil Rights Investigator Three through ATIXA.

Melinda defends employers and their individual officers, agents and employees in federal and state courts and before federal and state agencies regarding various issues including: discrimination, retaliation and harassment claims under Title VI, Title VII, Title IX, Connecticut Fair Employment Practices Act, Americans with Disabilities Act, the Rehabilitation Act, Fair Labor Standards Act, whistleblower claims, constitutional claims under Section 1983, First Amendment, Uniformed Services Employment and Reemployment Rights Act and various employment-related tort claims. Melinda routinely negotiates collective bargaining agreements.

A sought after speaker and trainer, Melinda frequently provides employee training on topics such as sexual harassment, special education, Section 504 of the Rehabilitation Act, student discipline, discrimination, the ADA, the Family Medical Leave Act and the Family Education Rights and Privacy Act. She frequently trains school district employees on Title IX.

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Melinda B. Kaufmann

Practice Areas

School Law

Labor, Employment Law & Employee Benefits

Labor and Employment Counseling and Training

Labor and Employment Litigation

Investigations

Public and Private Union-Management Relations

Colleges, Universities and Independent Schools

Education Law

Title IX Investigations and Compliance

Experience

- Prevailed on summary judgment at the Federal District Court when a non-tenured teacher claimed her contract was not renewed because of her ethnicity.
- Successfully defended through the Federal Court of Appeals for the Second Circuit a board of education accused of discriminating and retaliating against an administrator in violation of the Americans with Disabilities Act when it demoted the administrator.
- Successfully defended, through the Federal Court of Appeals for the Second Circuit, a board of education against a claim of national origin by a teacher who had been terminated for cause.
- Successfully defended, through the Federal Court of Appeals for the Second Circuit, a board of education against a claim of disability discrimination after it terminated an employee who was found to be under the influence of alcohol during work hours.
- Prevailed on summary judgment against a claim by a teacher who alleged her employment was not renewed because of whistleblower activity.
- Defense of employers against claims of employment discrimination based on age, race, national origin, pregnancy, disability, gender and gender orientation, before the Connecticut Commission on Human Rights and Opportunities and the Equal Employment Opportunity Commission.
- Defended employers in federal and state court involving claims of discrimination including age, race, disability, retaliation, First Amendment rights of employees, whistleblower claims, and constitutional claims brought pursuant to 42 U.S.C. Section 1983.
- Successfully defended boards of education against grievances brought to arbitration involving employee discipline, denials of transfer, lack of employee parking, contract interpretation and other conditions of employment.

Melinda B. Kaufmann

- Defense of employers before the Federal Occupational Health and Safety Administration.
- Provided employers with training on preventing sexual harassment in the workplace.
- Advised employers on all aspects of the employment relationship including employee discipline, accommodating employees with disabilities, the application of the Family Medical Leave Act.
- Defense of employers before the State Board of Mediation and Arbitration and the State Board of Labor Relations.
- Collectively bargained contracts with unions representing various non-certified public employees.

Bar and Court Admissions

Connecticut

Pennsylvania

U.S. District Court, District of Connecticut

U.S. District Court, Middle District of Pennsylvania

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Third Circuit

Education

William and Mary School of Law, J.D., *Order of the Coif*, 1998

The College of Saint Rose, M.S., 1990

University of Albany, B.S., *summa cum laude*, 1989

Publications

It's 2020: New York Federal Court Holds That New Title IX Regulations Apply Retroactively
The Connecticut Conference of Independent Colleges, 12.04.2020

Employees Lose Exempt Status Under FLSA: Motor Carrier Exemption Amended to Include Only Commercial
Application
Connecticut Law Tribune, 08.2006

Melinda B. Kaufmann

Alerts and Newsletters

Developments from the 2024 Session of the Connecticut General Assembly Affecting Schools (and Public Employers)

08.21.2024

Professional Affiliations

Connecticut School Attorneys Council - past-president

Connecticut Women's Hall of Fame - trustee

ATIXA - certified Civil Rights Investigator Three



Kimberly Catala

Associate

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Kimberly Catala is an associate in the firm's Labor and Employment, Education Law, and Litigation practices. Prior to joining Pullman & Comley, Kimberly served as a Law Clerk to Connecticut Supreme Court Justice Andrew J. McDonald in Hartford. Kimberly graduated first in her class, *summa cum laude*, from Quinnipiac Law School. Kimberly served as the Executive Managing Editor of the Quinnipiac Law Review.

During law school, Kimberly gained valuable experience through internships and externships at the Quinnipiac Law School Tax Clinic, New Haven Legal Assistance, and interning with United States District Court Judge Victor A. Bolden in Bridgeport, Connecticut, where she conducted research on a variety of legal issues, represented low-income individuals, performed client intakes, and prepared legal memoranda. She also interned at New Haven Legal Assistance.

Before beginning her legal career, Kimberly was an AP Language and Literature teacher at Achievement First Amistad High School and Arch Bridge School at Wellspring and also served in Teach for America Corps.

Practice Areas

Labor, Employment Law & Employee Benefits
Litigation
Education Law
Colleges, Universities and Independent Schools
School Law

Clerkships

Judicial Law Clerk for Connecticut Supreme Court Justice Andrew J. McDonald

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Kimberly Catala

Education

Quinnipiac University School of Law, *summa cum laude*, 2023
Emerson College, B.A. in Theatre Education, *cum laude*, 2015



Patricia LeBel-Lasse

Paralegal

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Patricia LeBel-Lasse is a paralegal in the firm's Litigation Department with more than thirty years of legal and business experience. She assists counsel with complex commercial and business disputes in a variety of areas in both federal and state courts. She has extensive trial and litigation support experience. In addition, as a member of the firm's Internal Investigations practice, she conducts fact gathering interviews with clients and relevant parties and helps to manage the fact gathering process. In her role, Patricia implements new business processes in the areas of electronic data discovery, litigation support and trial technology.

Patricia served as a public member of the State of Connecticut's Judicial Review Council for a term of four years (2013-2017). She currently serves as a member of the firm's Technology Committee and is a Certified E-Discovery Specialist (CEDS).

Practice Areas

Litigation, Internal Investigations

Education

University of Bridgeport, B.S.
Sacred Heart University, A.S., *cum laude*

Professional Affiliations

Women in eDiscovery
International Legal Technology Association
Association of Certified E-Discovery Specialists - Global Advisory Board
National Federation of Paralegals Associations, Inc.
The Central Connecticut Paralegal Association, Inc. - treasurer
Organization of Legal Professionals

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Patricia LeBel-Lasse

The Greater Bridgeport Bar Association (GBBA) - Food Drive coordinator
Connecticut Bar Association