Mr. Rick Lopes

Co-Chair, Joint Committee on Environment, Connecticut General Assembly

Legislative Office Building

Room 3200

300 Capitol Avenue

Hartford, CT 06106-1591

Email: rick.lopes@cga.ct.gov

Re: SB302 Affidavit of Truth and Demand

**Notice of Fault and Opportunity to Cure**

YOU ARE HEREBY NOTICED that you are in default of an opportunity to respond to the AFFIDAVIT OF TRUTH and DEMAND sent to you on \_\_\_\_\_\_\_\_\_ , 2023, via USPS Certified or Registered Mail# ­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, which was delivered to your office building on \_\_\_\_\_\_\_\_\_\_\_\_\_. That Affidavit is attached hereto and fully incorporated herein.

You were given the opportunity to rebut each point with which you disagreed, as well as to honor the demand stated in that Affidavit. This was part of an administrative due process to notify you of your lawful obligations as a government official, pursuant to your Constitutional oaths. Your failure to rebut and honor the demand in kind has resulted in your default. This means that you admit to the entire contents of the Affidavit and that you acknowledge your obligation to satisfy its demand.

A DEFAULT JUDGMENT is being sought against you, since you waived the right to answer by acquiescence, tacit admission, and failure to contest it with a proper rebuttal. See *Randone v. Appellate Court*, 5 C3d 536; *Mullane v Central Hanover Trust Co.*, 339 U.S. 306, 314; *Sniadach v. Family Finance Corp.*, 395 U.S. 337, 339; and *Melorich Builders v. Superior Court*, 160 Cal App 3d 931.

In the ABSENCE of such response, Affiant, ­­­­­­­\_\_\_\_\_\_\_\_\_\_\_ hereby inserts and records this Notice of Fault and Opportunity to Cure upon and against the above-named Respondent(s).

This Notice of Fault and Opportunity to Cure is the Affiant’s good faith offer to extend the time by an additional five (5) days from the date of its delivery to give you, the Respondent, an opportunity to cure your fault as described in the original affidavit. Notice to principals is notice to agents, and notice to agents is notice to principals. Should you, the Respondent, fail, refuse, or neglect to properly respond to this Notice of Fault and Opportunity to Cure, the Affiant will enter a Notice of Default upon you. After that, you will have no more chances to rebut the Affidavit and you will then be subject to the full penalties of the law.

All Rights Reserved,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[affiant name] Date

All Rights Reserved

By Certified/Registered Mail, Return Receipt [xxxx xxxx xxxx xxxx xxxx]

County of [county],

State of Connecticut,

I swear that on this\_\_\_\_\_day of [month], [year], the above named Affiant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , appeared before me, and of [his/her] own free will, signed this Notice of Fault and Opportunity to Cure.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

My Commission Expires:\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| cc in their personal and professional capacities: | |
|  | Ned Lamont, Governor, State of Connecticut, 210 Capitol Avenue, Hartford, CT 06106 |
|  | William Tong, Atty Gen, State of Connecticut, 165 Capitol Avenue, Hartford, CT 06106 |
|  | Susan Bysiewicz, Lieut Gov, State of Connecticut, 210 Capitol Avenue, Room 304, Hartford, CT 06106 |
|  | Bob Duff, Maj Ldr, State Senate, 300 Capitol Ave, Room 3300, Hartford, CT 06106-1591 |
|  | Kevin Kelly, Min Ldr, State Senate, Capitol Ave, Room 2803, Hartford, CT 06106-1591 |
|  | Martin Looney, Pres. Pro Temp, State Senate, 300 Capitol Ave, Room 3300, Hartford, CT 06106-1591 |
|  | Media and other interested parties |

**Certificate of Service:**

I certify that a true and correct copy of the foregoing Notice of Fault and Opportunity to Cure was sent via certified or registered mail on [date], to [Respondent and title] at the following address:

Rick Lopes

Legislative Office Building

Room 3200

300 Capitol Avenue

Hartford, CT 06106-1591

All Rights Reserved,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[affiant name], Affiant

[Affiant address]