

DOCKET NO.: HHD-CV-18-6088970-S : SUPERIOR COURT  
GLORIA FARBER, as Executor of the : J.D. OF HARTFORD  
Estate of HILLIARD FARBER  
V. : AT HARTFORD  
FORE GROUP, INC. and FOTIS DULOS : OCTOBER 24, 2019

**PLAINTIFF'S REPLY TO DEPONENT MICHELLE TROCONIS'S LATEST FILINGS**

Deponent's counsel has now served redacted documents in opposition to the motion to compel responses and a memorandum in opposition to plaintiff's motion to strike and supplemental motion in support of the motion to compel responses.

It does not appear that deponent's counsel has in any way challenged the fact that documents originally filed by Ms. Troconis's counsel were not properly served upon plaintiff's counsel. There is no exception in the Practice Book which allows a party to file documents under seal to avoid public disclosure and thereby avoid serving same on opposing counsel. That would defeat the most basic fundamental rules of procedural due process, let alone substantive due process. The redacted version of the motion to seal and redacted affidavit of Attorney Bowman do not cure the reason for the motion to strike. Plaintiff maintains that the motion to strike should still be granted,

in that deponent's counsel has violated the rules of the court which require service on opposing counsel.

If the deponent Troconis was going to take the position that she could invoke her Fifth Amendment rights on a wholesale basis, which a simple review of the deposition transcript will reveal, then she should have challenged Judge Shapiro's order, which makes it clear that it would be a question by question determination as to whether or not her Fifth Amendment rights could be properly invoked. The idea that Ms. Troconis wants to avoid the stigma of admitting to any relationship with Dulos is a fiction under the facts and circumstances. Plaintiff's counsel did not cite aspects of the arrest warrant for purposes of suggesting Troconis waived her Fifth Amendment rights, but to evidence that a relationship between Troconis and Dulos is well established. The argument that she would be able to avoid testifying in total completely undermines Judge Shapiro's order and effectively makes a mockery of the idea that she was obligated to be deposed.

For all the reasons previously set forth, including the fact that the court cannot and should not take into consideration the deponent's attorney's redacted version of documents, since the unredacted versions are presumably being offered to the court, yet opposing counsel does not have the benefit of

same. The court should not consider the memorandum in opposition to the motion to compel responses or the affidavit apparently supplied in connection therewith. Plaintiff urges the court to compel Ms. Troconis to answer questions about her involvement in the Fore Group, which are not in any way related to the facts or circumstances surrounding the pending charges.

PLAINTIFF,

By\_\_\_\_\_ /s/ \_\_\_\_\_

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**CERTIFICATION**

This is to certify that on the 24th day of October, 2019, a copy of the foregoing was served upon:

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-----/s/-----  
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