

SUMMONS - CIVIL

JD-CV-1 Rev. 10-09
 C.G.S. §§ 51-346, 51-347, 51-349, 51-350, 52-45a,
 52-48, 52-259, P.B. Secs. 3-1 through 3-21, 8-1

**STATE OF CONNECTICUT
 SUPERIOR COURT**

www.jud.ct.gov

See page 2 for instructions

- "X" if amount, legal interest or property in demand, not including interest and costs is less than \$2,500.
- "X" if amount, legal interest or property in demand, not including interest and costs is \$2,500 or more.
- "X" if claiming other relief in addition to or in lieu of money or damages.

TO: Any proper officer; BY AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby commanded to make due and legal service of this Summons and attached Complaint.

Address of court clerk where writ and other papers shall be filed (Number, street, town and zip code) (C.G.S. §§ 51-346, 51-350) 95 Washington Street, Hartford, CT 06105		Telephone number of clerk (with area code) (860) 548-2700	Return Date (Must be a Tuesday) November 9, 2010 Month Day Year
<input checked="" type="checkbox"/> Judicial District <input type="checkbox"/> Housing Session	<input type="checkbox"/> G.A. Number: Hartford	At (Town in which writ is returnable) (C.G.S. §§ 51-346, 51-349) Hartford	Case type code (See list on page 2) Major: M Minor: 50

For the Plaintiff(s) please enter the appearance of:

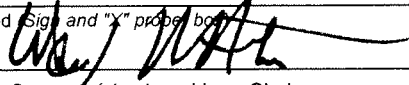

Name and address of attorney, law firm or plaintiff if self-represented (Number, street, town and zip code) Horton, Shields & Knox, P.C., 90 Gillett Street, Hartford, CT 06105	Juris number (to be entered by attorney only) 038478/027965
Telephone number (with area code) (860) 522-8338	Signature of Plaintiff (If self-represented)

Number of Plaintiffs: **1** Number of Defendants: **2** Form JD-CV-2 attached for additional parties

Parties	Name (Last, First, Middle Initial) and Address of Each party (Number; Street; P.O. Box; Town; State; Zip; Country, if not USA)	
First Plaintiff	Name: Martha Dean Address: 15 Ensign Drive, Avon, CT 06001	P-01
Additional Plaintiff	Name: Address:	P-02
First Defendant	Name: George C. Jepsen Address: 31 Barnum Place, Ridgefield, CT 06877	D-50
Additional Defendant	Name: The Secretary of the State Address: 30 Trinity Street, Hartford, CT 06106	D-51
Additional Defendant	Name: Address:	D-52
Additional Defendant	Name: Address:	D-53

Notice to Each Defendant

- YOU ARE BEING SUED.** This paper is a Summons in a lawsuit. The complaint attached to these papers states the claims that each plaintiff is making against you in this lawsuit.
- To be notified of further proceedings, you or your attorney must file a form called an "Appearance" with the clerk of the above-named Court at the above Court address on or before the second day after the above Return Date. The Return Date is not a hearing date. You do not have to come to court on the Return Date unless you receive a separate notice telling you to come to court.
- If you or your attorney do not file a written "Appearance" form on time, a judgment may be entered against you by default. The "Appearance" form may be obtained at the Court address above or at www.jud.ct.gov under "Court Forms."
- If you believe that you have insurance that may cover the claim that is being made against you in this lawsuit, you should immediately contact your insurance representative. Other action you may have to take is described in the Connecticut Practice Book which may be found in a superior court law library or on-line at www.jud.ct.gov under "Court Rules."
- If you have questions about the Summons and Complaint, you should talk to an attorney quickly. **The Clerk of Court is not allowed to give advice on legal questions.**

Signed (Sign and "X" proper box) 	<input checked="" type="checkbox"/> Commissioner of the Superior Court <input type="checkbox"/> Assistant Clerk	Name of Person Signing at Left Wesley W. Horton	Date signed 10/26/2010
If this Summons is signed by a Clerk: a. The signing has been done so that the Plaintiff(s) will not be denied access to the courts. b. It is the responsibility of the Plaintiff(s) to see that service is made in the manner provided by law. c. The Clerk is not permitted to give any legal advice in connection with any lawsuit. d. The Clerk signing this Summons at the request of the Plaintiff(s) is not responsible in any way for any errors or omissions in the Summons, any allegations contained in the Complaint, or the service of the Summons or Complaint.			For Court Use Only
I certify I have read and understand the above:	Signed (Self-Represented Plaintiff)	Date	File Date
Name and address of person recognized to prosecute in the amount of \$250 Jane Dube, 71 Northam Road, Amston, CT 06231			
Signed (Official taking recognizance "X" proper box) 	<input checked="" type="checkbox"/> Commissioner of the Superior Court <input type="checkbox"/> Assistant Clerk	Date 10/26/2010	Docket Number

RETURN DATE: NOVEMBER 9, 2010

MARTHA DEAN : SUPERIOR COURT

vs. : JUDICIAL DISTRICT OF HARTFORD

GEORGE C. JEPSEN and
THE SECRETARY OF THE STATE : OCTOBER 26, 2010

VERIFIED COMPLAINT

1. The plaintiff, Martha Dean, is the candidate nominated by the Connecticut Republican Party for the position of Attorney General in the election to be held on November 2, 2010.

2. The defendant, George C. Jepsen, is the candidate nominated by the Connecticut Democratic Party for the position of Attorney General in the same election.

3. The Secretary of the State is the chief elections official of the State.

4. In order to hold the office of Attorney General, C.G.S. § 3-124 requires “at least ten years active practice at the bar of this state,” which means “a candidate must have ten years experience in litigating cases in court,” and “the attorney general must have some measure of experience in trying cases,” and “that the legislature wanted to ensure that the attorney general would have both the legal status required to appear in court on behalf of state officers and agencies – namely, admission to the bar – *and* the practical experience to litigate effectively,” as explained by the Supreme Court in *Bysiewicz v. DiNardo*, S.C. 18612, in an opinion issued on Friday, October 22, 2010.

5. On information and belief, much of defendant Jepsen’s professional career has been spent in non-legal political positions.

6. In addition, also upon information and belief, most of defendant Jepsen's legal experience has been in of-counsel and in-house positions not involving litigation.

7. In addition, also on information and belief, defendant Jepsen is not admitted to the Court of Appeals for the Second Circuit or admitted to the United States Supreme Court, and was only admitted to the U.S. District Court for Connecticut in 2009 and has no or very little experience litigating in Federal Court.

8. In addition, also on information and belief, the defendant Jepsen has spent the majority of his time living or working in Florida between 2004 and 2009, where, upon information and belief, he is not admitted to practice law.

9. On various dates throughout the campaign, defendant Jepsen has stated that:

"I don't have a background in litigation," "I'm not a litigator by background or nature," and "I'm not a litigator by background."

10. In light of defendant Jepsen's background and statements, there is a substantial question whether he is qualified to serve as Attorney General, as he does not appear to have sufficient litigation experience or court admissions to meet the requirements of C.G.S. § 3-124.

11. Pursuant to C.G.S. § 9-329b, this Court may issue an order removing a candidate from a ballot label if that candidate is improperly on the ballot.

12. The plaintiff will incur substantial injury in the loss of votes to what appears to be an unqualified opponent in the event her opponent were to win next week's election if defendant Jepsen's qualifications are not promptly adjudicated.

13. The voters will incur substantial injury if they cast a vote for defendant Jepsen and he is later disqualified.

14. The plaintiff has no adequate remedy. In light of the potential injury to the plaintiff's interests if her claims are not adjudicated until after the election, as well as the potential injury to the public's interest in choosing their attorney general at the ballot box rather than through appointment by the new Governor, and in avoiding voter confusion, expedited injunctive relief in favor of the plaintiff is warranted prior to the November 2, 2010 election.

15. For the reasons set forth in paragraph 14, above, declaratory relief in favor of the plaintiff also is warranted.

16. Notice will be given this date by certified mail, return receipt requested, to: the Connecticut Republican Party, 321 Ellis Street, Suite 501, New Britain, Connecticut 06051; the Connecticut Democratic Party, 330 Main Street, Hartford, CT 06103; the Attorney General, 55 Elm Street, Hartford, CT 06106; and Stephen E.D. Fournier, an Independent and Green Party Candidate for Attorney General, 74 Tremont Street, Hartford, CT 06105.

PRAYER FOR RELIEF

WHEREFORE the plaintiff seeks:

1. Temporary and permanent injunctive relief ordering the Secretary of the State to direct the removal of defendant Jepsen from the ballots for the November 2, 2010 election.
2. In the alternative, temporary injunctive relief enjoining the defendant Secretary of the State from certifying the result of the election until further notice of the Court.
3. In the alternative, temporary injunctive relief enjoining the election for Attorney General pending final resolution of the plaintiff's case.
4. A declaratory ruling that defendant Jepsen is not qualified for the position of Attorney General.

PLAINTIFF, MARTHA DEAN

By



Wesley W. Horton
Kimberly A. Knox
HORTON, SHIELDS & KNOX, P.C.
90 Gillett Street
Hartford, CT 06105
(860) 522-8338/fax (860) 728-0401

RETURN DATE: NOVEMBER 9, 2010

MARTHA DEAN : SUPERIOR COURT

vs. : JUDICIAL DISTRICT OF HARTFORD

GEORGE C. JEPSEN and
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VERIFICATION OF COMPLAINT

I, Martha Dean having read the foregoing Complaint, do hereby verify that it is true and correct to the best of my knowledge and belief.



MARTHA DEAN

Subscribed and Sworn to before me
this 26th day of October, 2010



Commissioner of the Superior Court
~~Notary Public~~
~~My Commission Expires:~~

RETURN DATE: NOVEMBER 9, 2010

MARTHA DEAN : SUPERIOR COURT

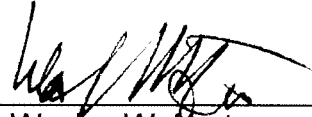
vs. : JUDICIAL DISTRICT OF HARTFORD

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APPLICATION FOR TEMPORARY INJUNCTION and ORDER TO SHOW CAUSE

Pursuant to Conn. Gen. Stat. § 52-471 et seq., the plaintiff, Martha Dean, hereby makes application for an order that the defendants be ordered to appear to show cause why the prayer for a temporary injunction in accordance with her Verified Complaint should not be granted.

PLAINTIFF, MARTHA DEAN

By 
Wesley W. Horton
Kimberly A. Knox
HORTON, SHIELDS & KNOX, P.C.
90 Gillett Street
Hartford, CT 06105
Juris No. 38478

RETURN DATE: NOVEMBER 9, 2010

MARTHA DEAN : SUPERIOR COURT
vs. : JUDICIAL DISTRICT OF HARTFORD
GEORGE C. JEPSEN and
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SUMMONS

To Any Proper Officer:

By authority of the state of Connecticut you are hereby commanded to summon the Defendants in the foregoing action to appear before the Superior Court for the Judicial District of Hartford at 95 Washington Street, Hartford, CT on October ____, 2010 at _____, then and there to show cause why a temporary injunction should not be issued against them as prayed for in the foregoing complaint, by serving in the manner provided by statute for the service of process a true and attested copy of the foregoing writ and verified complaint, application, order and this summons on the defendants no later than October ____, 2010.

Hereof fail not, but due service and return make in accordance with the order.

Dated at Hartford, Connecticut this ____ day of October, 2010.

Commissioner of the Superior Court

RETURN DATE: NOVEMBER 9, 2010

MARTHA DEAN : SUPERIOR COURT

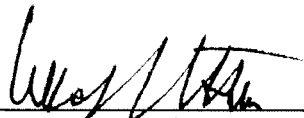
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MOTION FOR ORDER OF NOTICE

The plaintiff moves that the court order that notice of the pendency, and date and time of hearing, of this lawsuit be placed immediately on the judicial website.

PLAINTIFF, MARTHA DEAN

By 
Wesley W. Horton
Kimberly A. Knox
HORTON, SHIELDS & KNOX, P.C.
90 Gillett Street
Hartford, CT 06105
Juris No. 38478

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PROPOSED TEMPORARY INJUNCTION ORDER

Having duly considered the Plaintiff's Verified Complaint and Application for Temporary Injunction and Order to Show Cause, the Court finds that: (1) the plaintiff will suffer irreparable harm if the Secretary of the State is not ordered either (i) to remove defendant Jepsen from the ballots for the November 2, 2010 election or (ii) not to certify the result of the election until further order of this Court, or (iii) to postpone the election; (2) the plaintiff has no adequate remedy at law; and (3) the balance of the equities favors granting an injunction because the plaintiff will suffer greater harm if her application is denied than will the defendants if the application is granted.

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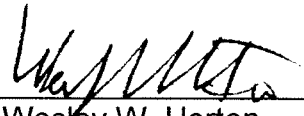
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REQUEST FOR WAIVER OF BOND

Pursuant to Conn. Gen. Stat. § 52-472, the plaintiff, Martha Dean, requests that the Court waive the bond requirement for the issuance of a temporary injunction. Good cause exists to waive the bond requirement because the defendants will not suffer money damages in this election case.

PLAINTIFF, MARTHA DEAN,

By



Wesley W. Horton
Kimberly A. Knox
HORTON, SHIELDS & KNOX, P.C.
90 Gillett Street
Hartford, CT 06105
(860) 522-8338/fax (860) 728-0401

ORDER

For good cause shown, the foregoing is hereby GRANTED/DENIED.

By the Court,
