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Sealed Cases To Be Reviewed

Some `Level 2s' Involve Prominent Corporate Leaders, Judges

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The state's judicial branch will review about 500 sealed civil and family cases, some involving high-profile corporate leaders and Superior Court judges, to determine whether more information about the cases should be released to the public.

Currently, only the parties' identities are public. Judges sealed the cases before July 2, 2003, when a rule was changed governing the practice. Known as "Level 2" files, they are different from the "Level 1" cases, which were withheld from the public entirely.

The Courant and The Connecticut Law Tribune sued the judicial department over the Level 1 - or "super sealed" - cases and a Superior Court judge ruled a few months ago that the identities of those parties should be revealed.

"The Level 2 cases were almost as troublesome as the Level 1 cases, and the department's decision to review them without intervention by the newspaper is a very positive development," said attorney Daniel Klau, who is representing The Courant and The Connecticut Law Tribune.

Among the parties whose cases have been sealed under the Level 2 status are Robert Selander, chief executive officer of MasterCard; Gerald Tsai, former chairman of the financial services firm Primerica Corp.; Paul Allaire, former CEO of Xerox; Peter Bijur, former chairman of Texaco; Vincent Camuto, founder of Nine West; and Arthur T. Anderson, a prominent Hartford businessman.

Judicial system insiders have also benefited from Level 2 secrecy. State Judges Nicola E. Rubinow, Linda K. Lager, Bruce L. Levin and Antonio C. Robaina all had their own divorce-court cases sealed, as have prominent New Haven criminal defense lawyer Hugh Keefe and East Hartford lawyer Brian J. Woolf, a former state banking commissioner.

There are also a number of sealed lawsuits against priests and the Roman Catholic church.

Newly appointed Supreme Court Chief Justice Chase T. Rogers announced the review. The process is expected to start in late May. Deputy chief court administrator Barbara Quinn will oversee the review.

In the announcement Friday, judicial department officials said they will use the same system that Judge Robert Beech used in reviewing the Level 1 cases.

That means reviewing the motions and sealing orders for each case and the judges who sealed the cases. The cases will be reviewed by the administrative judges in each of the nine court districts.

"Providing a mechanism for resolving the lingering public doubts regarding the validity of the sealing

orders in these cases is one of my top priorities," Rogers said in a written statement. "Openness and transparency are vital. However, the courts are required to consider whether the rights of the parties override the public's interest in accessing such information."

The review of each case will determine whether the sealing was proper; whether docket sheets which provide a chronology of the case can be made public; and whether the motions to seal the cases and the identity of the judge who approved the sealing should be disclosed.

In all 508 cases, the parties and their attorneys will be sent letters indicating the court will be making the motions to seal and the sealing orders available to the public unless they file an objection. If a party files an objection, a hearing will be held in open court to determine if the file should stay sealed.

"This will shine a light on the last sealed cases in the state," Klau said.

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