UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

JANE MILLER, : NO.: 3:16-cv-00724 (AWT)

Plaintiff :

:

V.

THOMAS DUNKERTON, :

Defendant : OCTOBER 19, 2016

SUPPLEMENT TO DEFENDANT'S MOTION TO DISMISS

The defendant, Thomas Dunkerton, hereby submits this supplement to his Motion to Dismiss (Doc. 26), dated July 20, 2016.

As indicated in the defendant's Motion to Dismiss, the plaintiff, Jane Miller, had an appeal of the original State Court decision pending before the Connecticut Supreme Court. This appeal was recently dismissed as moot by the Connecticut Supreme Court. (See Respondent's Motion to Dismiss Appeal, S.C. 19621, dated July 29, 2016, attached as **Exhibit A**; Supreme Court State of Connecticut Order, S.C. 19621, dated September 20, 2016, attached as **Exhibit B**).

WHEREFORE, the defendant, Thomas Dunkerton, respectfully request that this Court grant his Motion to Dismiss (Doc. 26) and dismiss all claims directed towards him, as set forth in plaintiff's Complaint.

DEFENDANT, THOMAS DUNKERTON

By /s/ Katherine E. Rule

Thomas R. Gerarde (ct05640) Katherine E. Rule (ct27360) Winifred B. Gibbons (ct29997) Howd & Ludorf, LLC 65 Wethersfield Avenue Hartford, CT 06114-11921

Ph: (860) 249-1361 Fax: (860) 249-7665

E-mail: tgerarde@hl-law.com E-mail: krule@hl-law.com E-mail: wgibbons@hl-law.com

CERTIFICATION

This is to certify that on October 19, 2016 a copy of the foregoing Supplement to Defendant's Motion to Dismiss was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

Neil Marcus, Esq.
Alexander Copp, Esq.
Cohen and Wolf, P.C.
158 Deer Hill Avenue
Danbury, CT 06810
nmarcus@cohenandwolf.com
acopp@cohenandwolf.com

/s/ Katherine E. Rule

Thomas R. Gerarde Katherine E. Rule Winifred B. Gibbons