

FST CV 08 4014450 S

SUPERIOR COURT
STAMFORD-NORWALK
JUDICIAL DISTRICT

:SUPERIOR COURT

TURN OF RIVER FIRE
DEPARTMENT, INC. and
MATTHEW MAOUNIS

2009 JUN 24 P 12:31

:JUDICIAL DISTRICT OF
STAMFORD/NORWALK

V.

CITY OF STAMFORD and
DANNEL F. MALLOY

: JUNE 24, 2009

MEMORANDUM OF DECISION

The plaintiff, Turn of River Fire Department, Inc. (TOR), a volunteer fire company located in the Turn of River section of Stamford, Connecticut sued the two defendants, City of Stamford and its Mayor, Dannel F. Malloy, for legal relief for money already budgeted for fire protection services in the Turn of River section of the City of Stamford for the current fiscal year July 1, 2008 through June 30, 2009 and for additional "money sufficient to sustain the company." The plaintiff, Matthew Maounis, also sued to prevent diversion of Stamford real estate taxes.

In the Plaintiff's Post-Trial Brief dated May 29, 2009 the plaintiffs requested "judgment awarding TOR payment of \$287,762 in tax dollars raised for TOR and equitable relief precluding the City and Mayor from diverting tax dollars paid by Chief Maounis for fire protection services to the Stamford Fire and Rescue Fire Department."

The court having found budgetary impropriety, a judgment will enter in favor of Turn of River Fire Department, Inc. as against the City of Stamford in the amount of \$287,762 in the form of an injunction, that the City of Stamford must raise and pay over to Turn of River Fire Department, Inc. said sum of \$287,762 on or before June 30, 2009.

Having entered the above injunctive relief, the plaintiff's, TOR, claims for a writ of mandamus and a declaratory judgment are denied.

A judgment is entered for the defendant, Dannel F. Malloy, on the claims made by the plaintiffs, Turn of River Fire Department, Inc. and Matthew Maounis.

The court having found that the plaintiff, Matthew Maounis, has taxpayer standing, the court further finds that the plaintiff, Matthew Maounis, has failed to sustain his burden of proof and the issues are found in favor of the City of Stamford on the plaintiff's, Matthew Maounis, claim for a declaratory judgment.

The clerk shall tax costs.

This Memorandum of Decision will be articulated at a later date by the undersigned in a written Memorandum of Decision in excess of twenty-five pages. This Memorandum of Decision dated June 24, 2009 is a final judgment. It is not an interlocutory judgment. P. B. § 61-1.

BY THE COURT

Kevin Tierney
Hon. Kevin Tierney
Judge Trial Referee

*Decision entered
In accordance
With the foregoing.
All counsel and/or
Pro se parties of
Record notified
This date.
Asmukhin
Assr Clerk
6/24/09*