



CANDACE V. FAY
ATTORNEY & COUNSELOR AT LAW, PC

VIA EMAIL ONLY

April 11, 2019

Darin Callahan, Associate Corporation Counsel
125 East Avenue
Norwalk, CT 06851
dcallahan@norwalkct.org

Re: Removal of Fence at 69 Wall Street

Dear Attorney Callahan,

First, there has been no criminal behavior by Mr. Milligan. The property which you refer to in your letter of today's date has not been tampered with or damaged in any way, nor does Mr. Milligan have any intention of damaging any property. Mr. Milligan has every reasonable ground to believe that he had and has the right to erect the structure in question on the property owned by him. Further, Mr. Milligan had no intent to cause an interruption or impairment of service rendered to the public and had not caused any risk of interruption or impairment of service rendered to the public.

Second, the City of Norwalk and its agents obviously has access to the box while the placement of the unit is in dispute. In fact, Mr. Milligan contacted the Norwalk Department of Transportation yesterday via text message and specifically stated that he would provide immediate access to such box if, and when, such access was desired. Notably, there was a hinged gate that is easily accessible by a key, a copy of which was on its way to be deposited with the city when the City boldly and illegally destroyed Mr. Milligan's private property.

The City has used and abused its power. The City refused to ask questions or to inspect this structure in any way before it ripped it down. Perhaps, a site visit would have eviscerated the City's alleged concerns when it learned that this fence was not restricting access to the box in any way.

My client is not looking for a fight, however we do contend that the City of Norwalk illegally placed this box on private property and may have now engaged in criminal activity by destroying personal property, including the building at 69 Wall Street.

Lastly, Mr. Milligan will not be liable for any resources utilized by the City in the hasty and unnecessary removal of his properly placed fence.

Should you wish to discuss this matter, you have my permission to speak with my client directly.

Very Truly Yours,



Candace V. Fay, Esq.

cc: Thomas E. Kulhawik - Chief of Police, Norwalk Police Dept.
via Email - Tkulhawik@norwalkct.org
Harry W. Rilling - Mayor, City of Norwalk
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