

DOCKET NO. NNH-CV-18-6078502-S : SUPERIOR COURT
INTERNATIONAL ASSOCIATION OF
FIRE FIGHTERS, LOCAL 825 : J.D. OF NEW HAVEN
v. : AT NEW HAVEN
UNIFORMED PROFESSIONAL :
FIRE FIGHTERS ASSOCIATION OF
CONNECTICUT : AUGUST 13, 2018

MOTION TO STRIKE REVISED AMENDED COMPLAINT

Pursuant to Connecticut Practice Book § 10-39, the Defendant, UNIFORMED PROFESSIONAL FIRE FIGHTERS ASSOCIATION OF CONNECTICUT (hereinafter the “State Union”), hereby respectfully moves this Court to strike the Plaintiff’s, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 825 (hereinafter the “Local Union”), Revised Amended Complaint, filed May 25, 2018 (hereinafter the “Complaint”), in its entirety. The Complaint is legally insufficient in that the Plaintiff has failed to name the following necessary or indispensable party to this action: International Association of Firefighters (hereinafter the “National Union”), international headquarters located at 1750 New York Avenue, NW, Washington, DC.

The National Union has an interest in this litigation as the allegations set forth in each and every count of the Complaint asserts that the Local Union disassociated from the State Union. The Local Union and the State Union are both members of the National Union, which provides a specific procedure in its Constitution and By-Laws that must be followed by the Local Union in order to disassociate from the State Union. Additionally, the State Union incorporates, by reference, the aforementioned procedure into its own Constitution and By-Laws. In effect, the Court is being asked by the Local Union to interpret and apply, or altogether disregard the

provisions of the National Union's Constitution and By-Laws in this action, without the National Union being provided with notice or an opportunity to be heard.

Moreover, the Local Union has filed a Motion for Temporary Injunction which, if granted, will preclude the National Union from hearing charges currently pending before it, which charges allege several violations of the National Union's Constitution and By-Laws. Any determinations made by the Court with respect to these issues would seriously affect and prejudice the rights of the National Union. Furthermore, the Local Union apparently recognizes that the National Union has an interest in this action as it has attached a portion of the National Union's Constitution and By-Laws to its Complaint as an exhibit. (see Exhibit A to the Complaint). A detailed discussion of the foregoing issues is set forth more fully in the accompanying Memorandum of Law in Support of this Motion to Strike.

WHEREFORE, for the foregoing reasons, the Defendant's Motion to Strike should be GRANTED.

THE DEFENDANT,

BY: _____


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CERTIFICATION

The foregoing was sent on the above date, via regular mail and/or via email to the

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