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DEPT. OF TRANSPORTATION v. WHITE OAK CORP.-DISSENT

ROBINSON, J., dissenting. I respectfully disagree with the majority's decision to reverse the judgment of the Appellate Court and direct that court to affirm the judgment of the trial court granting the application of the defendant, the White Oak Corporation, to confirm the arbitration award rendered in this highway construction dispute between the defendant and the plaintiff, the Department of Transportation. In my view, the Appellate Court properly determined that the arbitration panel lacked jurisdiction to render the award at issue because that award was predicated on claims that were barred by sovereign immunity, insofar as those claims were not properly before the panel pursuant to General Statutes § 4-61. See footnote 2 of the majority opinion. Ordinarily, I would write a comprehensive dissenting opinion with a thorough discussion of the applicable law and a detailed review of the record. The Appellate Court has, however, issued a comprehensive and well reasoned opinion, authored by Judge Gruendel, which provides a full explication of the complex record and governing legal principles in this case. See generally Dept. of Transportation v. White Oak Corp., 141 Conn. App. 738, 62 A.3d 599 (2013). In the interest of aiding in the discharge of this court's institutional obligation to provide timely decisions to litigants and the public, I adopt Judge Gruendel's excellent opinion as a complete statement of my reasoning for respectfully dissenting from the judgment of this court. See, e.g., Recall Total Information Management, Inc. v. Federal Ins. Co., 317 Conn. 46, 51, 115 A.3d 458 (2015) (per curiam) (adopting Appellate Court's "well reasoned opinion" as "the proper statement of the issue and the applicable law concerning that issue" because "it would serve no purpose for us to repeat the discussion contained therein").

Because I would affirm the judgment of the Appellate Court, I respectfully dissent.