

<b>RETURN DATE: SEPTEMBER 26, 2017:</b>	:	<b>SUPERIOR COURT</b>
<b>SEAN M. MCHUGH</b>	:	<b>J.D. OF MIDDLESEX</b>
<b>VS.</b>	:	<b>AT MIDDLETOWN</b>
<b>DAVID D. CHAPMAN and</b>	:	
<b>MCHUGH, CHAPMAN &amp; VARGAS,</b>	:	
<b>LLC</b>	:	<b>AUGUST 31, 2017</b>

**VERIFIED COMPLAINT FOR DISSOLUTION OF  
LIMITED LIABILITY COMPANY  
AND APPOINTMENT OF RECEIVER**

1. The plaintiff, Sean M. McHugh (“McHugh”), is an individual residing at 42 Oak Hill Terrace, Haddam, Connecticut, and is an attorney at law licensed to practice in Connecticut.

2. The defendant, David D. Chapman (“Chapman”), is an individual residing at 37 Weiss Road, Haddam, Connecticut, and is an attorney at law licensed to practice in Connecticut.

3. The defendant, McHugh, Chapman & Vargas, LLC (the “Firm”), is a Connecticut limited liability company and law firm with an office and place of business at 160 Washington Street, Middletown, Connecticut. The Firm, which has six (6) attorneys, concentrates its practice on plaintiffs’ personal injury and worker’s compensation cases, and currently serves several hundred clients with at least as many pending cases.

4. The Firm, which at the time was named McHugh & Chapman, LLC, was organized by an Articles of Organization filed with the Connecticut Secretary of State on or about December 18, 2006.

5. McHugh is a member of the Firm, and claims to be the sole member of the Firm. Aside from maintaining a large caseload, McHugh is a principal “rainmaker” at the Firm, is understood by most of the Firm’s clients to be their attorney in the cases pending, handles most of the problems or concerns that clients raise, and has significant management responsibility for the operation of the Firm.

6. McHugh’s wife, Lori McHugh, is an attorney at law licensed to practice in Connecticut, and is an employee of the Firm. Lori McHugh manages the Firm’s personal injury practice, and has significant additional management responsibilities for the operation of the Firm.

7. Chapman claims to be a 1/3 member of the Firm (the “Claimed Interest”). McHugh contends that Chapman is merely the owner of any economic interest in the firm, and any legal or equitable interest that Chapman owns in the Firm does not constitute a membership interest.

8. Chapman claims to have voted his Claimed Interest in the Firm to authorize the commencement of proceedings in this court, in the name of the Firm and against McHugh, captioned McHugh, Chapman & Vargas, LLC v. McHugh, Connecticut Superior Court, Judicial District of Middlesex at Middletown, CV-17-5009315-S (the “Chapman Case”). In his proposed complaint in the Chapman Case, Chapman has alleged that McHugh “has diverted profits of [the Firm] for his own personal use.”

9. On August 15, 2017, this court conducted an evidentiary hearing in connection with a motion to dismiss filed by McHugh in the Chapman Case. The hearing did not conclude. At the end of the court day, the parties, attorneys and witnesses

gathered in and near the caseflow office for the purpose of scheduling the second day of the hearing.

10. In the room immediately outside the caseflow office, in the presence of a judicial marshal and a paralegal for McHugh, Chapman aggressively stormed past the paralegal and toward McHugh, and heatedly told McHugh “F\*\*\* off, I am going to kick your ass” (the “Courthouse Incident”).

11. In recent months preceding the Courthouse Incident, Chapman has committed repeated acts of physical and verbal intimidation directed at McHugh and/or Lori McHugh at the Firm’s office, including the following:

(a) in late May of 2017, as McHugh was passing Chapman’s office, Chapman, with a furious and hateful facial expression, purposely pushed his office door with great force into McHugh, striking his shoulder;

(b) on or about June 28, 2017, displaying an upraised middle finger, Chapman told McHugh that he intends to “destroy” McHugh, that he hates McHugh and Lori McHugh, and hopes that they both die; and

(c) in early August of 2017, Chapman came up behind Lori McHugh while she was looking at her phone and deliberately dropped a large, heavy box at the back of her ankles.

12. Prior to the Courthouse Incident, McHugh had been informed that Chapman had told Amado Vargas, another attorney at the Firm, that Chapman was not interested in a negotiated resolution of the Chapman Case because Chapman’s objective was to “destroy” McHugh.

13. The Courthouse Incident, compounded by Chapman's previous expressions of animus and acts of aggression toward McHugh and Lori McHugh, has caused McHugh a great deal of stress and fear for his and Lori's physical safety, to the point that being at the Firm's workplace or any other place in proximity to Chapman causes McHugh significant anxiety and psychological distress. These same issues have created a hostile workplace environment and have caused Lori McHugh to be fearful and reluctant to work at the Firm's office or to be in proximity to Chapman. Both McHugh and Lori McHugh remain committed to serving their hundreds of clients, who are entitled to the continued service of their legal needs by their chosen counsel.

14. Under the circumstances, it is no longer practicable for Chapman and McHugh, or for Chapman and Lori McHugh, to practice law together, in keeping with their duties to their clients.

15. Under the circumstances, the daily work of the attorneys, servicing the needs of the Firm's many clients, is greatly and unnecessarily challenged, and major decision-making for the Firm is effectively paralyzed.

16. Under the circumstances, it is not reasonably practicable to carry on the Firm's activities and affairs, which provides cause for judicial dissolution of the Firm pursuant to C.G.S. §34-267(a)(4)(B).

**WHEREFORE**, the plaintiff seeks the following relief:

1. Dissolution of the LLC, pursuant to C.G.S. §34-267(a)(4)(B);
2. The appointment of a temporary and permanent receiver of the Firm;
3. Costs; and
4. Such other and further relief as the court deems equitable and just.

**PLAINTIFF,  
SEAN M. MCHUGH**

By: 

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His Attorneys

**VERIFICATION**


STATE OF CONNECTICUT        )  
  )  
COUNTY OF HARTFORD        )        ss Wethersfield

Being duly sworn, I, Sean M. McHugh, do hereby depose and say:

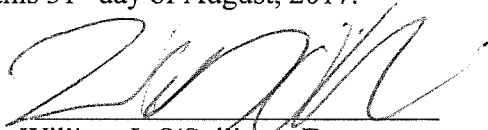
1. I am over the age of eighteen, and understand the obligations of an oath.
2. I have personal knowledge of the factual allegations stated in the foregoing

Verified Complaint.

3. To the best of my knowledge and belief, all of the factual allegations in the Verified Complaint are true.

  
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Sean M. McHugh

Subscribed and sworn to before me, this 31<sup>st</sup> day of August, 2017.

  
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William J. O'Sullivan, Esq.  
Commissioner of the  
Connecticut Superior Court