

## Fotis Dulos' attorney asks judge to order release of missing New Canaan mother Jennifer Farber Dulos' medical records; Grandmother continues fight for custody of couple's five children

By NICHOLAS RONDINONE and DAVE ALTIMARI

Norm Pattis said Dulos' defense is exploring a "revenge suicide" theory.

Attorneys for Fotis Dulos are asking a judge to order the release of the medical records of his estranged wife, Jennifer Farber Dulos, arguing that they may shed light on her disappearance and help him fight criminal charges Dulos



Fotis Dulos with his legal team outside Superior Court in Stamford last month.

faces in connection with the case.

In a motion filed Wednesday in Superior Court in Stamford, Norm Pattis, Dulos' attorney, wrote: "The defendant seeks

information about the diagnosis and treatment Ms. Dulos received in the weeks before her disappearance as such information may shed light on what may have motivated her to disappear."

The motion said Dulos has possession of billing records that show \$14,000 worth of tests, blood work and other diagnostic treatment from February through April of this year. Pattis said they want to review the medical records so they can evaluate whether “Ms. Dulos, alarmed by her diagnosis and fearing that she might not be able to raise the children on her own, took steps to cause her own disappearance in such a way as to raise suspicions about Mr. Dulos.”

Meanwhile on Wednesday, attorneys for Farber Dulos and her mother, Gloria Farber, waged their own fight in court, filing a memorandum of law that seeks to allow Farber to maintain custody of the Dulos’ five children.

Fotis Dulos, 51, faces charges of hindering prosecution and tampering with evidence stemming from the ongoing investigation into the May 24 disappearance of Farber Dulos. The couple is embroiled in a contentious, two-year divorce and custody dispute.

In Wednesday’s motion filed by Pattis, he wrote that Farber Dulos, 50, told Dulos that “she would do anything she had to to make sure he did not get custody of their children.” Pattis’ motion seeking the medical records would compel Anthem Blue Cross to provide Farber Dulos’ medical information, including all billing records, for

review.

Farber Dulos was reported missing to New Canaan police on May 24 after she missed several appointments.

“Mr. Dulos denies any knowledge as to the whereabouts of Jennifer Dulos,” Pattis wrote.

Investigators last month charged Dulos, and his girlfriend, Michelle Troconis, in connection with Farber Dulos’ disappearance after they obtained surveillance footage that showed a man resembling Dulos throwing out contractor bags in trash cans along Albany Avenue in Hartford on the same day Farber Dulos went missing, court records said.

Inside the bags, investigators said they found items covered in Farber Dulos’ blood, court records said.

In a recent court hearing, Stamford/Norwalk State’s Attorney Richard J. Colangelo Jr. said that investigators also found Dulos’ DNA mixed with Farber Dulos’ blood in her New Canaan home.

Pattis has said Dulos’ defense is exploring a “revenge suicide” theory.

In Wednesday’s motion, he wrote that the evaluation of the medical records “is necessary to prepare a defense.”

Dulos’ defense team has hired

high-profile investigator Patrick McKenna to assist with the case.

Dulos, free on \$500,000 bail, has pleaded not guilty to the charges. He is scheduled to appear in Superior Court in Stamford on Aug. 2. Troconis is scheduled for a pre-trial hearing there on Thursday.

In the memorandum filed Wednesday by Anne C. Dranginis, an attorney for Farber, Dranginis argued that during divorce proceedings, the court determined that Dulos “is not a fit parent.” She objected to an earlier motion filed by Dulos’ lawyers to dismiss the grandmother’s motion to intervene in the custody battle on the grounds that the court lacks the jurisdiction to grant such relief.

Since Farber Dulos went missing, the five children have been staying with Farber. She was granted temporary custody by a probate judge. Dulos is barred from contacting them.

Dranginis wrote that the court does have jurisdiction and keeping the children with Farber would be in their best interest.

Dulos “is not a fit parent and there is more than ample evidence on which the Court can base that determination,” Dranginis wrote. Prior to Dulos’ arrest “and the subsequent immediate suspension of all access and contact to the children, the Court had vastly

circumscribed the defendant's access to the children, and has required that all such access be supervised by a professional supervisor."

Dranginis said though they shared custody of the children, Farber Dulos was "awarded final decision making authority, which inherently suggests the defendant was not fit to make such decisions."

Dranginis also referenced public comments Dulos and his attorneys have made about Farber Dulos since she went missing.

"No fit parent would make such statements in public about the mother of his children," Dranginis wrote in the memorandum. "He again has demonstrated his ability to prioritize his own needs over those of his children, and has disregarded the impact of those statements."

Earlier this month, Dulos' lawyer filed a motion for a stay on all proceedings in the custody case. ■