

## **February 21, 2007 - Supreme Court chief justice nominee took on cardinal**

NewsDay, By JOHN CHRISTOFFERSEN, Associated Press Writer

NEW HAVEN, Conn. -- Appellate Court Judge Chase T. Rogers, nominated Tuesday to become the next chief justice of the Connecticut Supreme Court, was not afraid to take on New York Cardinal Edward Egan.

Rogers ordered Egan to testify in the 2005 civil trial of a Roman Catholic priest accused of molesting an altar boy when Egan was bishop of the Bridgeport diocese. Her order came after an attorney for the alleged victim said he had repeatedly asked the Archdiocese of New York to make Egan available for a deposition.

Church officials settled the case after Egan was ordered to testify.

"The people in front of her are going to be treated equally, whether they're in a high position or an ordinary person on the street," said state Sen. Andrew MacDonald, D-Stamford, co-chairman of the Judiciary Committee, which will hold confirmation hearings within the next few weeks. "She's not timid and I think that's the kind of judicial moxie that's very important in a good jurist."

A review of Rogers' rulings shows a willingness to tackle controversies, wherever they may lead. Lawmakers are carefully looking at those decisions as they weigh her nomination.

In another case, Rogers called Stanley Shenker, a former licensing agent for World Wrestling Entertainment, a "serial perjurer." She agreed to a WWE request to forward allegations of kickbacks that emerged in a civil case to federal authorities, leading to Shenker's guilty plea last month for participating in a \$1 million kickback scheme that defrauded WWE.

"There's so much perjury that goes on every day in civil cases that is not prosecuted and nothing is done about it," said Jerry McDevitt, WWE's attorney. "She took a bold stance against that. She showed a lot of courage."

In 2003, Rogers upheld the city of Norwalk's right to acquire a car dealership by eminent domain for an urban renewal project involving office buildings. A similar issue in New London sparked a national firestorm.

"I'm sure it would have been easy to duck this," said Thomas Bucci, attorney for the car dealer. "She's one jurist who is willing to take on not only potentially unpopular cases but very difficult cases whatever the outcome is."

Rogers also ruled in favor of a Sacred Heart University plan to build a high-rise dormitory in Bridgeport. She overruled the city wetlands board in 2001, saying local officials disregarded expert testimony in denying the project, which was strongly opposed by neighbors.

Gov. M. Jodi Rell nominated Rogers as the next chief justice Tuesday, more than six months after her first nominee withdrew amid controversy.

Rell had picked Justice Peter Zarella last year to replace retired Chief Justice William Sullivan, but Zarella asked that his name be withdrawn after state lawmakers learned Sullivan had delayed release of a ruling to help him win confirmation.

Sullivan, who was suspended for 15 days, apologized Wednesday for delaying the release of the ruling and acknowledged that his actions led to Zarella's appointment being derailed.

Rogers, 50, of New Canaan, has served on the appeals court for one year. An unaffiliated voter, she was first nominated to the Superior Court by former Gov. John G. Rowland in 1998 after more than 14 years with the Stamford law firm of Cummings & Lockwood.

If confirmed by the General Assembly, she would become the state's second female chief justice.

Associated Press writer Susan Haigh in Hartford contributed to this story.