

DOCKET NO. HHD-CV-24-6187917-S : SUPERIOR COURT
LISA PIEPUL : J.D. OF HARTFORD
V. : AT HARTFORD
CURALEAF, LLC : MARCH 3, 2026

MEMORANDUM OF DECISION ON DEFENDANT'S MOTION FOR SUMMARY

JUDGMENT (Entry No. 112.00)

In this action, the plaintiff, Lisa Piepul, alleges that she was wrongfully terminated from her employment with the defendant, Curaleaf, LLC, in violation of the Connecticut Fair Employment Practices Act, General Statutes § 46a-60 (b) (1) (CFEPA). Before the court is the defendant's motion for summary judgment and the plaintiff's objection thereto. For the reasons set forth below, the court grants the defendant's motion for summary judgment.

FACTS

This action arises from the plaintiff's termination of employment and the defendant's alleged failure to accommodate her disability. The plaintiff, Lisa Piepul, was terminated from her employment with the defendant, Curaleaf, LLC, on December 9, 2022. On July 11, 2024, the plaintiff filed her single count complaint alleging disability discrimination in violation of General Statutes § 46a-60 (b) (1).

In her complaint, the plaintiff alleges the following facts: The defendant operates a cannabis growing, packaging, and distribution facility. On or about December 21, 2020, the plaintiff was hired as a Manufacturing and Production Manager. The plaintiff suffers from moderate to persistent asthma; in March 2022, due to ongoing breathing issues, the plaintiff provided a doctor's note to the defendant which endorsed a change in her work environment. The

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defendant approved intermittent FMLA leave between April 24, 2022, and October 23, 2022, which the plaintiff used when her asthma was particularly symptomatic. At this time, the defendant also allowed the plaintiff to work off the production floor four days per week for a limited time period.

In August 2022, the plaintiff's medical provider completed the defendant's medical inquiry form for a reasonable accommodation¹ and attested that she could perform the essential functions of her job with reasonable accommodations. On September 7, 2022, the plaintiff went out on continuous FMLA leave, which was approved and originally scheduled to last until November 28, 2022. On November 15, 2022, the plaintiff submitted a second medical inquiry form for reasonable accommodation and an updated doctor's note stating that she was able to perform her essential job functions. The note listed her only restriction as working one day a week in production and four days in the front office, which could be increased to two days in production per week if the plaintiff could tolerate it.

As the originally scheduled return-to-work day approached and then passed, the plaintiff repeatedly reached out to the defendant and its agents but received no concrete answers until a December 9, 2022 meeting. In that meeting, the plaintiff was informed of her termination and the defendant's refusal to accommodate her disability on the grounds that her role required her to be in the production area at all times. Afterwards, the plaintiff exhausted her administrative remedies and timely commenced this present action.

On August 15, 2025, the defendant filed their motion for summary judgment and accompanying memorandum of law against the plaintiff's sole failure to accommodate claim. In

¹ The full title for the medical inquiry form was "Medical Inquiry Form in Response to Team Member's Request for a Reasonable Accommodation under the ADA or Applicable State Law."

support of the motion, the defendant submitted: 1) excerpts from the plaintiff's deposition transcript, 2) the job summary and duties of a Production Manager, 3) numerous email chains and letters between the plaintiff and the defendant or their agents, and 4) two medical inquiry forms regarding the plaintiff's requests for reasonable accommodations. The plaintiff filed an objection to summary judgment on January 29, 2026, and attached two exhibits: 1) the plaintiff's full deposition transcript and 2) the plaintiff's Commission on Human Rights and Opportunities (CHRO) complaint. On February 6, 2026, the defendant filed a reply. On February 9, 2026, the parties were heard for oral argument.

DISCUSSION

"Summary judgment is a method of resolving litigation when pleadings, affidavits, and any other proof submitted show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law. . . . The motion for summary judgment is designed to eliminate the delay and expense of litigating an issue when there is no real issue to be tried. . . . However, since litigants ordinarily have a constitutional right to have issues of fact decided by a jury . . . the moving party for summary judgment is held to a strict standard . . . of demonstrating his entitlement to summary judgment." (Citation omitted; footnote omitted; internal quotation marks omitted.) *Grenier v. Commissioner of Transportation*, 306 Conn. 523, 534-35, 51 A.3d 367 (2012).

"In deciding a motion for summary judgment, the trial court must view the evidence in the light most favorable to the nonmoving party." (Internal quotation marks omitted.) *Graham v. Commissioner of Transportation*, 330 Conn. 400, 414-15, 195 A.3d 664 (2018). "The party seeking summary judgment has the burden of showing the absence of any genuine issue [of] material facts which, under applicable principles of substantive law, entitle him to a judgment as

a matter of law . . . and [if the movant meets their burden] the party opposing such a motion must provide an evidentiary foundation to demonstrate the existence of a genuine issue of material fact. . . . A material fact . . . [is] a fact which will make a difference in the result of the case.” (Internal quotation marks omitted.) *Doe v. West Hartford*, 328 Conn. 172, 191–92, 177 A.3d 1128 (2018).

The defendant argues that summary judgment should be granted because there is no genuine dispute of material fact that the plaintiff failed to establish a prima facie case for a failure to accommodate under CFEPa. In particular, even with reasonable accommodations, the plaintiff cannot perform the essential functions of her job. The plaintiff counters that: 1) the essential functions test is outdated because the 2017 amendment to § 46a-60 specifically defines “reasonable accommodation” to encompass the accommodation the plaintiff requested and 2) even if the essential functions test is operative, there remains a genuine issue of material fact as to whether she can perform the essential functions of her job.

I. The Essential Functions Test

General Statutes § 46a-60 (a) provides, in relevant part that: “As used in this section: . . . (2) “Reasonable accommodation” means, but is not limited to, being permitted to sit while working, more frequent or longer breaks, periodic rest, assistance with manual labor, job restructuring, light duty assignments, modified work schedules, temporary transfers to less strenuous or hazardous work, time off to recover from childbirth or break time and appropriate facilities for expressing breast milk. . . .” The definition of “reasonable accommodation” was inserted into the statute by the legislature in Number 17-118 of the 2017 Public Acts.

Both prior to and following the 2017 amendment, courts in this jurisdiction have applied the essential functions test in evaluating a reasonable accommodations claim. “In order to

establish a prima facie case for a reasonable accommodation claim, the plaintiff must produce enough evidence for a reasonable jury to find that (1) he is disabled within the meaning of the [statute], (2) he was able to perform the essential functions of the job with or without a reasonable accommodation, and (3) [the defendant], despite knowing of [the plaintiff's] disability, did not reasonably accommodate it.” (Internal quotation marks omitted.) *Stubbs v. ICare Management, LLC*, 198 Conn. App. 511, 527–28, 233 A.3d 1170 (2020) quoting *Barbabosa v. Board of Education*, 189 Conn. App. 427, 437–38, 207 A.3d 122 (2019); see also *Kovachich v. Dept. of Mental Health & Addiction Services*, 344 Conn. 777, 802, 281 A.3d 1144 (2022); *Castelino v. Whitman, Breed, Abbott & Morgan, LLC*, 233 Conn. App. 467, 475 n.7, 342 A.3d 245, cert. denied, 353 Conn. 914, 344 A.3d 155 (2025).

The definition of “reasonable accommodation” under § 46a-60 (a) (2) does not supersede the established essential functions test. By its own terms, this definition applies exclusively when “used in this section.” The term appears within § 46a-60 in two places: §§ 46a-60 (b) (7) and 46a-60 (d) (1). The former declares that it is a discriminatory practice for an employer to discriminate against a woman in her employment because of her pregnancy. The latter mandates that an employer provide written notice of the right to be free from such discrimination. Accordingly, the definition of reasonable accommodation concerns only pregnancy and does not override the existing essential functions test.

As further proof that the legislature’s 2017 amendment was limited to the protection of pregnant workers, P.A. 17-118, entitled “An Act Concerning Pregnant Women In The Workplace,” focused specifically on pregnancy-related protections. Sections 46a-60 (a) (2), 46a-60 (b) (7) and 46a-60 (d) (1) were all enacted under P.A. 17-118. If the legislature in 2017 had intended the definition of reasonable accommodation to apply more broadly to include claims of

discriminatory practices against a person's physical disability, it could have incorporated the term in § 46a-60 (b) (1).² Furthermore, the Appellate and Supreme Courts have consistently applied the essential functions test following P.A. 17-118. This court will follow the clear legislative and appellate guidance and apply the essential functions test.

II. Application of the Essential Functions Test

As identified above, "[i]n order to establish a prima facie case for a reasonable accommodation claim, the plaintiff must produce enough evidence for a reasonable jury to find that (1) [s]he is disabled within the meaning of the [statute], (2) [s]he was able to perform the essential functions of the job with or without a reasonable accommodation, and (3) [the defendant], despite knowing of [the plaintiff's] disability, did not reasonably accommodate it." (Emphasis added.) *Stubbs v. ICare Management, LLC*, supra, 198 Conn. App. 527–28.

"The term essential functions, . . . is generally defined . . . to mean the fundamental duties to be performed in the position in question, but not functions that are merely marginal." (Internal quotation marks omitted.) *Castelino v. Whitman, Breed, Abbott & Morgan, LLC*, supra, 233 Conn. App. 481. "Under this standard, a court must give considerable deference to an employer's judgment regarding what functions are essential for service in a particular position

Ultimately, however, the question whether a task constitutes an essential function depends on the totality of the circumstances." (Internal quotation marks omitted.) *Id.*, 481–82. "The court must

² General Statutes § 46-60 (b) (1) provides that: "(1) For an employer, by the employer or the employer's agent, except in the case of a bona fide occupational qualification or need, to refuse to hire or employ or to bar or to discharge from employment any individual or to discriminate against any individual in compensation or in terms, conditions or privileges of employment because of the individual's race, color, religious creed, age, sex, gender identity or expression, marital status, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability, physical disability, including, but not limited to, blindness, status as a veteran, status as a victim of domestic violence, status as a victim of sexual assault or status as a victim of trafficking in persons."

conduct a fact-specific inquiry into both the employer's description of a job and how the job is actually performed in practice, in which it draw[s] all inferences in favor of the non-moving party.” (Internal quotation marks omitted.) Id., 482. “The court may consider, among other things, written job descriptions, the amount of time spent on the job performing the function, and the consequences of not requiring the plaintiff to perform the function.” (Internal quotation marks omitted.) Id.

In the present action, the defendant has met its burden of proof by showing there is no genuine dispute of material fact. Specifically, the plaintiff cannot establish a prima facie case for a reasonable accommodation claim because she could not perform all the essential functions of her job, with or without reasonable accommodations. The sole accommodation requested by the plaintiff was to work away from the production area and within the front office four days a week, with a possibility of reducing this to three days if tolerated. The plaintiff, however, admitted and suggested multiple times that overseeing employees was an essential function of her job and that she could not perform that function while stationed in the front office.

In the plaintiff's first medical inquiry form regarding her reasonable accommodation, when asked to what extent her disability prevents her from performing the essential functions of her job, the plaintiff, in her own handwriting, stated, “I can perform most of my essential job functions with the exception of in person overview of the workflow. The other functions can be done up front or by viewing the cameras.” The plaintiff then reiterated a similar sentiment in her second medical inquiry form by stating, “I am able to perform my essential job functions when not in the production area with the exception of in-person overview of the workflow. This along with the other functions can be performed from the administration area.” Additionally, in an email sent by the plaintiff following her temporary accommodation away from the production

area, she stated, “My director Kristen has . . . been very accommodating by allowing me to work particular days in the Admin area where I don’t have this issue and can perform a good portion of my job, but as the Production Manager it is a bit hard to manage from afar, so I feel as though I am not being fair to her or to my staff”

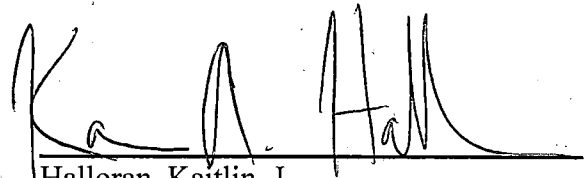
Beyond these admissions, the written job description of the plaintiff’s role listed numerous duties which would require a physical presence in the production area. These duties included: cleaning and maintaining equipment and processing the facility following current good manufacturing practices; overseeing production by reviewing production schedules; studying and clarifying specifications; calculating requirements; assembling and accurately weighing materials and supplies; monitoring the volume and quality of output and adjusting tasks when necessary to ensure production throughput targets are met; and monitoring employee performance daily to ensure that overall product quality and company safety standards are consistently executed. While the plaintiff alleges in her deposition that her job description has changed—disputing that her role included cleaning and maintaining equipment or overseeing employees closely—she does not object to the other duties listed and stated they were similar to her original job responsibilities. Accordingly, the defendant has met their burden of proof.

After the defendant met their burden of proof, it became the plaintiff’s burden to establish a genuine issue of material fact. The plaintiff failed to meet this burden; therefore, the defendant is entitled to judgment as a matter of law. The only evidence submitted by the plaintiff was a full transcript of the plaintiff’s deposition—excerpts of which the defendant had already submitted—and the plaintiff’s CHRO complaint. Neither of these disputes the fact that the plaintiff cannot

perform all essential job functions, with or without reasonable accommodation.³ The plaintiff did not submit any evidence to challenge her prior omissions in her medical inquiry paperwork or her emails, nor was there any evidence to challenge the other job duties listed which would require in-person attendance on the production floor. The plaintiff has failed to establish an essential element of her failure to accommodate claim. See *Stubbs v. ICare Management, LLC*, supra, 198 Conn. App. 527–28.

CONCLUSION

Accordingly, for the reasons stated above, the defendant's motion for summary judgment is granted.



Halloran, Kaitlin, J.

³ The plaintiff, in her opposition to summary judgment, does not cite any evidence raising an issue of fact as to whether she could perform all essential functions of her job. The memorandum solely challenges the applicability of the essential functions test—a challenge the court has already found to be without merit. On page ten of the opposition, the plaintiff asserts that she was “capable of performing all of her job duties within the confines of her requested accommodation.” Yet, the plaintiff did not cite any evidence to support this assertion, nor has the court found any, especially when considering the plaintiff's omissions. See Entry No. 118.

Checklist for Clerk

Docket Number: HHD-CV24-6187917-S

Case Name: Lisa Piepul v. Curaleaf, LLC

Memorandum of Decision dated: 3/3/26

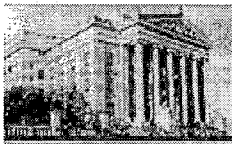
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**HHD-CV24-
6187917-S**

PIEPUL, LISA v. CURALEAF, LLC

Prefix: HD4

Case Type: M90

File Date: 07/11/2024

Return Date: 07/30/2024

Case Detail | **Notices** | **History** | **Scheduled Court Dates** | **E-Services Login** | **Screen Section Help** | **Exhibits**

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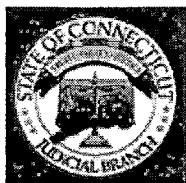
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Case Information

Case Type: M90 - Misc - All other
Court Location: HARTFORD JD
List Type: JURY (JY)
Trial List Claim: 09/03/2024
Last Action Date: 02/06/2026 (The "last action date" is the date the information was entered in the system)

Disposition Information

Disposition Date:
Disposition:
Judge or Magistrate:

Party & Appearance Information

Party Party Details

P-01 LISA PIEPUL

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**No
Fee
Party
Category**

Plaintiff

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File Date: 07/29/2024

Defendant

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- Documents, court orders and judicial notices in electronic (paperless) civil, housing and small claims cases with a return date on or after January 1, 2014 are available publicly over the internet.* For more information on what you can view in all cases, view the [Electronic Access to Court Documents Quick Card](#).
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