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SULLIVAN, C. J., concurring. I agree with the majority's conclusion in this matter except on the issue of statutory interpretation. My position on this issue continues to be the same as set forth in my concurrence in *Mandell v. Gavin*, 262 Conn. 659, 672, A.2d (2003), and in the dissenting opinion by Justice Zarella, in which I joined, in *State v. Courchesne*, 262 Conn. 537, 597, A.2d (2003).

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