

**ORDER OF THE STATE PERSONNEL BOARD**

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KERBIN G. SHARP,

Complainant,

vs.

DEPARTMENT OF TRANSPORTATION,

Respondent.

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The State Personnel Board (the "Board") met in public session on Tuesday, May 20, 2003. During this public session, the Board considered the record on appeal, including but not limited to:

1. Initial Decision of the Administrative Law Judge on Remand
2. Complainant's Opening Brief
3. Respondent's Answer Brief
4. Complainant's Reply Brief

The Board voted to adopt the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge on Remand and to adopt the Initial Decision.

This order represents the affirmative vote of the following Board members: Ms. Garcia, Ms. Salkind, Ms. Siderius, and Ms. Lottner. Mr. Zakhem was absent.

Dated this \_\_\_\_\_ day of  
May, 2003.

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Joyce Lottner  
Board Chair  
State Personnel Board  
1120 Lincoln Street, Suite 1420  
Denver, CO 80203

## NOTICE OF APPEAL

Each party has the following rights:

1. To abide by this decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11), C.R.S. (2002), as provided in Section 24-50-125.4(3), C.R.S. (2002).

In the event the decision is appealed, the Board requests that a copy of the Notice of Appeal filed with the Court of Appeals also be filed with the State Personnel Board at: 1120 Lincoln Street, Suite 1420, Denver, CO 80203. Such will aide in the timely preparation of the record.

### CERTIFICATE OF MAILING

This is to certify that on the \_\_\_\_\_ day of May, 2003, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Michael A. Hug, Esq.  
515 Singing Hills Road, Suite 203  
Parker, CO 80138

And in the interagency mail, addressed as follows:

Carol M. Caesar  
First Assistant Attorney General  
Employment Section  
1525 Sherman Street, 5<sup>th</sup> Floor  
Denver, CO 80203

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