

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2001G051

ORDER OF THE STATE PERSONNEL BOARD

ROBERT W. TERRY,

Complainant,

vs.

DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT,

Respondent.

The State Personnel Board (the "Board") met in public session on Tuesday, October 15, 2002. During this public session, the Board considered the record on appeal, including but not limited to:

1. Preliminary Recommendation of the Administrative Law Judge
2. Mandate - Order Set Aside and Case Remanded with Directions

After discussion of Board Rule R-8-38 regarding assessing attorney fees and costs against a party, and in particular, against an attorney, the Board voted to enter an order which comports with the remand from the Court of Appeals. The case is to be remanded to the Administrative Law Judge "for the purpose of allowing complainant and Hobbs an opportunity to present evidence on the issue of attorney fees."

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

Dated this _____ day of
October, 2002.

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

CERTIFICATE OF MAILING

This is to certify that on the ____ day of October, 2002, I placed true copies of the foregoing ORDER OF THE STATE PERSONNEL BOARD in the United States mail, postage prepaid, addressed as follows:

Larry F. Hobbs, P.C.
7220 West Jefferson Avenue, #115
Lakewood, CO 80235-2015

and in the interagency mail to:

Hollyce Farrell
Assistant Attorney General
Employment Section
1525 Sherman Street, 5th Floor
Denver, CO 80203
