STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2005G094(C)

ORDER OF THE STATE PERSONNEL BOARD

LYNN REDDEN and WILLIAM J. KABERLEIN,

Complainants,

vs.

DEPARTMENT OF LABOR AND EMPLOYMENT, UNEMPLOYMENT INSURANCE,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on December 19, 2006. During this public session, the Board considered the record on appeal, including but not limited to:

1. Initial Decision of the Administrative Law Judge;
2. Department of Personnel and Administration's Motion to Limit the Issue at Hearing or, in the Alternative, to Intervene;
3. Consolidation Order: Procedural Order Regarding Motion to Intervene;
4. Department of Personnel and Administration's Supplemental Status Report and Renewed Motion to Dismiss the Department of Personnel and Administration;
5. Order Granting Renewed Motion to Dismiss Department of Personnel and Administration as a Party;
6. Motion for Leave to File Brief of Amicus Curiae Department of Personnel and Administration;
7. Brief of Amicus Curiae Department of Personnel and Administration;
8. Respondent's Brief on Appeal;
9. Complainants' Objection to Department of Personnel's Motion for Leave to File Brief of Amicus Curiae;
10. Complainants' Request for Oral Argument;
11. Complainants' Answer Brief on Appeal;
12. Complainants' Answer Brief in Response to Department of Personnel's Amicus Curiae Brief;
13. Respondent's Reply to Complainants' Answer Brief on Appeal.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the Motion for Leave to File Brief of Amicus Curiae Department of Personnel and Administration is granted.

IT IS ALSO HEREBY ORDERED that Complainants' Request for Oral Argument is denied.

FINALLY, IT IS HEREBY ORDERED that the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge, are ADOPTED; and

IT IS FURTHER ORDERED that the Initial Decision of the Administrative Law Judge is adopted and made an Order of the Board.

Dated this 2 day of January, 2007.

John Zakhem, Board Chair
State Personnel Board
633 17th Street, Suite 1320
Denver, Colorado 80202-3604

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., as provided in Section 24-50-125.4(3), C.R.S.

In the event the decision is appealed, pursuant to Section 24-4-106(11)(b), C.R.S., the party filing the appeal with the Court of Appeals must serve the State Personnel Board with a copy of the Notice of Appeal at: 633 17th Street, Suite 1320, Denver, Colorado 80202-3604. In addition to serving the State Personnel Board with a copy of the Notice of Appeal, the party filing the appeal with the Court of Appeals must name the State Personnel Board as a party (appellee) to the appeal. Section 24-4-106(11)(d), C.R.S.

CERTIFICATE OF MAILING

This is to certify that on the 2nd day of January, 2007, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Howard M. Haenel, Esq.
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And via interoffice courier:

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~~Andrea C. Woods~~