STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2007B098

ORDER OF THE STATE PERSONNEL BOARD

ROBERT TODD GONSER,

Complainant,

vs.

DEPARTMENT OF TRANSPORTATION,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on February 19, 2008. 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. Briefing for Board Appeal;
3. Respondent's Answer Brief;
4. Order Granting Request for Revised Caption of Respondent's Amended Answer Brief;
5. Amended Briefing for Board Appeal.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that Complainant's Amended Briefing for Board Appeal is stricken for lack of timeliness.

IT IS FURTHER ORDERED that the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge are adopted, and that the Initial Decision of the Administrative Law Judge is adopted and made an Order of the Board.

Dated this 21 day of February, 2008.

Rich Djokic

Rich Djokic, 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 21st day of February, 2008, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Robert Todd Gonser
178 50th Ave. Place
Greeley, Colorado 80634

and in the interagency mail, to:

Brooke Meyer
Assistant Attorney General
Employment Law Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203

Andrea C. Woods