

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2007G073

ORDER OF THE STATE PERSONNEL BOARD

BARBARA PRIDEMORE,

Complainant,

vs.

DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on September 18, 2007. During this public session, the Board considered the record on appeal, including but not limited to:

1. Amended Dismissal Order;
2. Complainant's Opening Brief;
3. Respondent's Answer Brief;
4. Complainant's Reply Brief.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that Complainant's information sheet is accepted as timely.

IT IS FURTHER ORDERED that, based on extenuating circumstances, including, but not limited to, the lateness with which Respondent served its mandatory disclosures on Complainant, and the Board's determination that neither party suffers prejudice by a reversal, the Amended Dismissal Order is REVERSED and REMANDED to the Administrative Law Judge ("ALJ"). Notwithstanding Board Rule 8-50(C), the ALJ will consider the case on its merits based upon both of the parties' information sheets and render a preliminary recommendation.

Dated this 1st day of
October, 2007.



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 / day of October, 2007, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD** in the United States mail, postage prepaid, addressed as follows:

Teresa Zoltanski
Colorado Federation of Public Employees
1580 Logan Street, Suite 310
Denver, Colorado 80203

And in interagency mail to:

Eric Freund
Assistant Attorney General
Civil Litigation and Employment Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203

