

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2007G089

ORDER OF THE STATE PERSONNEL BOARD

BARBARA KIRKMEYER,

Complainant,

vs.

DEPARTMENT OF LOCAL AFFAIRS,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on November 20, 2007. During this public session, the Board considered the record on appeal, including but not limited to:

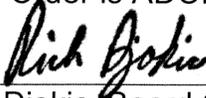
1. Order of Dismissal;
2. Complainant's Opening Brief;
3. Notice of Errata in Complainant's Opening Brief;
4. Respondent's Answer Brief;
5. Complainant's Reply Brief;
6. Request for Oral Argument;
7. Respondent's Response to Complainant's Request for Oral Argument.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the Request for Oral Argument submitted by counsel for Ms. Kirkmeyer to the Board on November 14, 2007 and the Respondent's Response to Complainant's Request for Oral Argument, received by the Board on November 16, 2007, shall be stricken from the record as untimely, pursuant to Board Rule 8-51(A).

IT IS FURTHER ORDERED that the Dismissal Order is ADOPTED.

Dated this 23rd day of
November, 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 23 day of November, 2007, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD** in the United States mail, postage prepaid, addressed as follows:

Frank & Finger, P.C.
Post Office Box 1477
29025 D Upper Bear Creek Road
Evergreen, Colorado 80437-1477

Vincent Morscher
Assistant Attorney General
Employment Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203

Amanda Whitaker