STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2008G004

ORDER OF THE STATE PERSONNEL BOARD

JOHN CONTE,

Complainant,

vs.

DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WILDLIFE, DESIGN ENGINEERING SECTION,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on April 15, 2008. 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 Closing Brief;
5. Motion to Strike;
6. Opposition to Motion to Strike.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the Motion to Strike is granted.

IT IS FURTHER ORDERED that the Amended Dismissal Order is adopted and made an Order of the Board.

Dated this 17th day of April, 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 18th day of April, 2008, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

John Conte
1580 Robin Hood Street
Lafayette, Colorado 80026

And in interagency mail:

Michelle Brissette Miller
Assistant Attorney General
Employment Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203

Andrea C. Woods