

ORDER OF THE STATE PERSONNEL BOARD

FREDDIE L. MONTOYA,

Complainant,

vs.

COLORADO STATE UNIVERSITY AT PUEBLO,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on September 20, 2005. 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. Complainant's Appeal Brief
3. Respondent's Motion to Strike and Answer Brief
4. Complainant's Response to Respondent's Motion to Strike and Complainant's Reply Brief

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that Respondent's Motion to Strike Complainant's Exhibit A to his Appeal Brief and any reference thereto be GRANTED;

IT IS ALSO ORDERED that the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge be 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 _____ day of
September, 2005.

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. (2005), as provided in Section 24-50-125.4(3), C.R.S. (2005).

In the event the decision is appealed, pursuant to Section 24-4-106(11)(b), C.R.S. (2005), the party filing the appeal with the Court of Appeals must serve the Board with a copy of the Notice of Appeal at: 633 17th Street, Suite 1320, Denver, Colorado 80202-3604. Such will aide in the timely preparation of the record.

CERTIFICATE OF MAILING

This is to certify that on the _____ day of September, 2005, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

George C. Price Esq.



And in the interagency mail:

Vincent Morscher


