

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 1 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



And in interagency mail to:

Eric Freund



A large black rectangular redaction box covering the signature of the certifier. Below the redaction, there is a faint, illegible handwritten signature.