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4 Attorney for Defendant
Arizona State Personnel Board
5

6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

7 IN AND FOR THE COUNTY OF MARICOPA

8 SCOTT M. MCNAIR,)

9 Plaintiff,)

NO: LC 2003-000539-001

11 v.)

SEPARATE RESPONSE OF THE
ARIZONA STATE PERSONNEL
BOARD

12 MARICOPA COUNTY DEPARTMENT)
13 OF TRANSPORTATION, STATE OF)
ARIZONA PERSONNEL BOARD,)

14 KENNETH MEDLIN,)
15 TERRY PETERSON,)
JENNIPHER RAMSEY,)

16 Defendants.)
17 _____)

18 The Arizona State Personnel Board and its Member Defendants
19 answer Plaintiffs Complaint as follows:

20 I

21 Defendants admit that this appeal is made pursuant to Title 12

22 A.R.S.

23 II

24 Defendants deny the allegations of Paragraph II.
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III

As to Paragraph III, the Defendants allege the words of the statute speak for themselves, and if a trial de novo is authorized, the statute will so state.

IV

As to Paragraph 1V, the Defendants allege that the statute speaks for itself as to whether or not a trail by jury may be demanded.

v

The record of the proceedings will be forwarded to the Court.

VI

In response to Paragraph VI, Defendants allege Plaintiff is governed by the rules to amend.

VII

As to the statement of the case, the Defendants allege that the record on appeal is the best evidence of the truth of the allegations and, therefore, Defendants deny each and every allegation in conflict with the Record on appeal.

VIII

As to the hearing officer's findings, decision and reasons subject to review, the Defendants allege that the record on appeal is the best evidence of the truth of the allegations and, therefore, Defendants deny each and every allegation in conflict with the record on appeal.

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IX

Defendants deny the allegations of Paragraph IX.

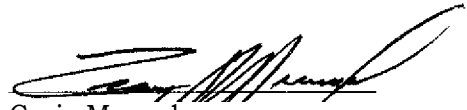
X

Defendants deny the allegations of Paragraph X.

XI

Defendants deny each and every allegation not admitted herein.

Dated this 26th day of June, 2003.



Craig Mousel
Attorney for the Arizona
State Personnel Board

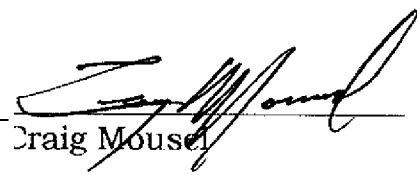
Copy of the foregoing
mailed this 2nd day of
July, 2003 to:

Scott M. McNair

[REDACTED]

[REDACTED]

Phoenix, Arizona [REDACTED]



Craig Mousel