

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Carol A. Gaertner,

Appellant,

v.

Case No. 07-RED-03-0093

Ohio State University,

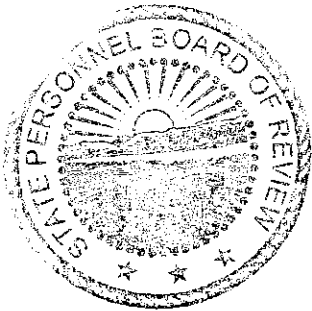
Appellee.

ORDER

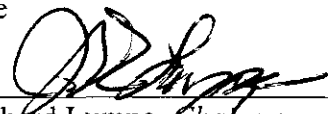
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

After a thorough examination of the record and a review of the Report and Recommendation of the Administrative Law Judge, along with any objections to that report which have been timely and properly filed, the Board hereby adopts the Recommendation of the Administrative Law Judge.

Wherefore, it is hereby **ORDERED** that the instant appeal be **DISMISSED** since Appellant failed to respond to the June 29, 2007 Procedural Order and Questionnaire as ordered by this Board, pursuant to O.A.C. § 124-9-05.



Lumpe – Aye
Booth – Aye
Tracy – Aye

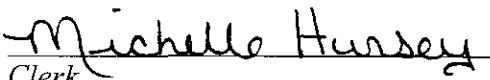


J. Richard Lumpe, *Chairman*

CERTIFICATION

The State of Ohio, State Personnel Board of Review, ss:

I, the undersigned clerk of the State Personnel Board of Review, hereby certify that the foregoing is ~~(the original)~~ a true copy of the original) order or resolution of the State Personnel Board of Review as entered upon the Board's Journal, a copy of which has been forwarded to the parties this date, August 28, 2007.



Michelle Hursey
Clerk

NOTE: Please see the reverse side of this Order **or** the attachment to this Order for information regarding your appeal rights.

82800

**STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW**

Carol A. Gaertner,

Case No. 07-RED-03-0093

Appellant

v.

July 24, 2007

Ohio State University,

Jeannette E. Gunn

Appellee

Administrative Law Judge

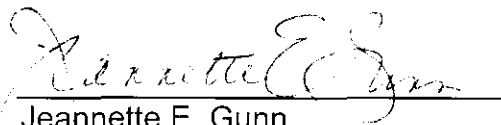
REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause comes on due to a review of the information contained in the record. On June 29, 2007, this Board issued a Procedural Order and Questionnaire, instructing Appellant to respond to the Questionnaire on or before July 16, 2007. A copy of the Procedural Order and Questionnaire was sent by certified mail to the parties, and Appellant signed for receipt of the item. To date, this Board has received no response from Appellant.

Pursuant to O.A.C. 124-9-05, this Board has the authority to order evidence taken in the form of questionnaires at any time prior to hearing. O.A.C. 124-9-05(C) provides that the failure to respond to a questionnaire may result in dismissal of a case, and Appellant was so notified in the Board's June 29, 2007, Procedural Order.

Therefore, as Appellant has failed to respond as ordered by this Board to its June 29, 2007, Procedural Order and Questionnaire, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED**, in accordance with O.A.C. 124-9-05.


Jeannette E. Gunn
Administrative Law Judge

:jeg