

STATE OF MONTANA
BEFORE THE BOARD OF PERSONNEL APPEALS

IN THE MATTER OF UNIT DETERMINATION NO. 7-2008:

MONTANA PUBLIC EMPLOYEES)	Case No. 1197-2008
ASSOCIATION,)	
)	
Petitioner,)	
)	
vs.)	ORDER OF DISMISSAL
)	
MONTANA DEPARTMENT OF)	
JUSTICE, HIGHWAY PATROL,)	
)	
Respondent.)	

* * * * *

On August 4, 2010, the Petitioner, through its counsel, filed by e-mail a motion to dismiss the above matter. Accordingly, this matter is dismissed.

DATED this 5th day of August, 2010.

BOARD OF PERSONNEL APPEALS

By: 
GREGORY L. HANCHETT
Hearing Officer

* * * * *

CERTIFICATE OF MAILING

The undersigned hereby certifies that true and correct copies of the foregoing document were, this day, served upon the parties or their attorneys of record by depositing them in the U.S. Mail, postage prepaid, and addressed as follows:

Carter Picotte, Attorney
Montana Public Employees Association
P.O. Box 5600
Helena, MT 59604

The undersigned hereby certifies that true and correct copies of the foregoing document were, this day, served upon the parties or their attorneys of record by means of the State of Montana's Interdepartmental mail service.

Marjorie Thomas
Special Assistant Attorney General
Montana Department of Administration
P.O. Box 200127
Helena, MT 59620

DATED this 5th day of August, 2010.

Sandy Durcan

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* * * * *

The hearing officer held a status conference in this matter on July 30, 2010. Carter Picotte, attorney at law, represented the petitioner. Marjorie Thomas, agency legal counsel, represented the respondent. Petitioner's counsel advised the hearing officer that the petitioner would be filing a motion to dismiss no later than August 4, 2010 as the underlying issue in this case has been resolved by the district court decision in MEA v. Montana Dep't of Corrections, Case No. 226-2007. Accordingly, upon receipt of the petitioner's motion to dismiss, the matter will be dismissed. In the event no motion is received by August 6, 2010, this tribunal will dismiss the matter on its own accord based on the representations of the petitioner's counsel.

DATED this 2nd day of August, 2010.

BOARD OF PERSONNEL APPEALS

By: *Gregory L. Hanchett*
GREGORY L. HANCHETT
Hearing Officer

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Marjorie Thomas
Special Assistant Attorney General
Montana Department of Administration
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DATED this 2nd day of August, 2010.

Sandy Duncan