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4 Attorney for Defendant
Arizona State Personnel Board
5

6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
7
8 IN AND FOR THE COUNTY OF MARICOPA

9 SCOTT M. MCNAIR,)
10 Plaintiff,)
11 v.)
12 MARICOPA COUNTY DEPARTMENT)
OF TRANSPORTATION, STATE OF)
ARIZONA PERSONNEL BOARD,)
14 KENNETH MEDLIN,)
TERRY PETERSON,)
15 JENNIPHER RAMSEY,)
16 Defendants.)
17 _____)

NO: LC 2003-000539-001
SEPARATE RESPONSE OF THE
ARIZONA STATE PERSONNEL
BOARD TO MOTION TO
AMEND COMPLAINT

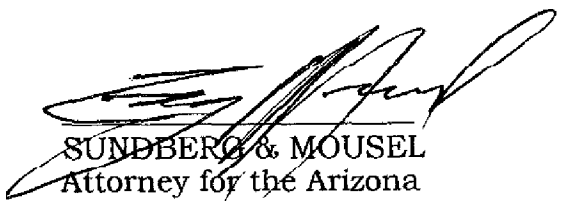
18 The Defendants, Arizona State Personnel Board and its Member
19 Defendants oppose the Motion to Amend on the twofold grounds that first, this
20 is an appeal and unless parties were parties initially, they cannot be added on
21 appeal since the appeal is based on the existing record and second, there is no
22 claim nor has there been, against the Board of Supervisors or its members,
23 said claim being against the Department of Transportation and its Members or
24 employees.
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1 Based on the foregoing, even though amendments are to be
2 liberally construed, there is no legal principle under which these amendments
3 should be granted.

4 Respectfully submitted this 15TH day of March, 2003.

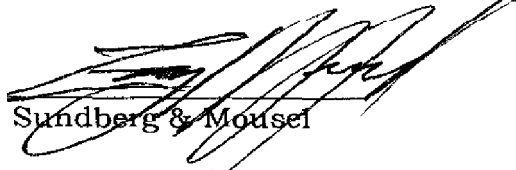

SUNDBERG & MOUSEL
Attorney for the Arizona
State Personnel Board

10 Copy of the foregoing
11 mailed this 15TH day of
MARCH, 2004 to:

12 Honorable Michael D. Jones
13 Maricopa County Superior Court
14 201 West Jefferson
15 Phoenix, Arizona 85003

16 Scott M. McNair
17 
18 Phoenix, Arizona 

19 Daniel R. Brenden
20 Maricopa County Attorney's Office
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