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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)
10 Plaintiff,)
11 v.)
12 MARICOPA COUNTY DEPARTMENT)
OF TRANSPORTATION, STATE OF)
13 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 FOR
EVIDENTIARY HEARING

18 *Plaintiff has not set forth a number of "Issues to be Addressed" in*
19 *his Motion for Evidentiary Hearing. It appears that all of these issues can be*
20 *addressed by existing evidence and argument as opposed to additional*
21 *testimony. All may be argued in writing in the briefs by the parties.*
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23 Plaintiff has shown no area where additional testimony is
24 necessary, but has merely raised issues that may be adequately argued in the
25 briefs.

26 Based on the foregoing, it is respectfully requested that the request
27 for the evidentiary hearing be denied.
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Dated this 15TH day of March, 2004.



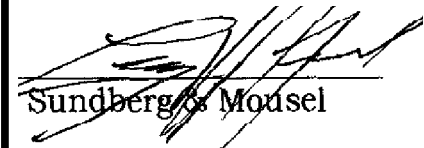
SUN & MOUSEL
Attorney for the Arizona
State Personnel Board

mailed this 15th day of
March, 2004, to:

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

Scott M. McNair
[REDACTED]
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