

State of New Hampshire



PERSONNEL APPEALS BOARD

State House Annex
Concord, New Hampshire 03301
Telephone (603) 271-3261

APPEAL OF REED BAGETIS Docket #89-T-6 Ruling on Appellant's Discovery Requests and Department of Corrections Response

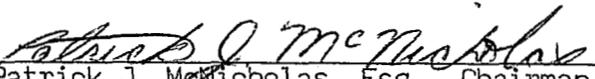
January 2, 1990

A quorum of the Personnel Appeals Board (McNicholas and Johnson) met Wednesday, December 6, 1989, to consider responses filed by the parties in the above captioned appeal. John G. Vanacore, Esq., representing the appellant, submitted a single original of a discovery request entitled "Appeal of Termination of Reed Bagetis by Commissioner of Corrections". Attorney Michael Brown, on behalf of the Department of Corrections, filed an original and three copies of the State's response to same.

The Board has made every effort, through the scheduling of pre-hearing conferences and the issuance of pre-hearing orders to facilitate and effect the informal exchange of information between the parties. Appellant has provided no evidence of a good faith attempt to reach a stipulation on any discovery issues as had previously been ordered by this Board, or to secure signed releases from J.H. and W.T. as had been ordered by the Board at its August 16, 1989 pre-hearing conference. In the absence of such evidence, and until Appellant clearly demonstrates he has made a good faith effort to secure the aforementioned releases and to comply with the Board's verbal and written orders, this Board will not order the release of any further information from the Department of Corrections.

Appellant is hereby allowed ten calendar days from the date of this order within which to provide evidence of his good faith efforts to comply with the orders of this Board. Failure to respond will result in the denial of any and all outstanding requests for pre-hearing discovery, and the scheduling of hearing on the merits without further consideration of such discovery requests.

THE PERSONNEL APPEALS BOARD


Patrick J. McNicholas, Esq., Chairman


Robert J. Johnson, Member

cc: Michael K. Brown, Esq.
Staff Attorney, Department of Corrections

John G. Vanacore, Esq.

LEAHY, VANACORE, NIELSEN & TROMBLY

ATTORNEYS AT LAW
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PETER J. LEAHY
JOHN G. VANACORE

(603) 228-1180

KENNETH R. NIELSEN
RICK A. TROMBLY

August 23, 1990

Mary Ann Steele
Department of Personnel
State House Annex
Concord, NH 03301

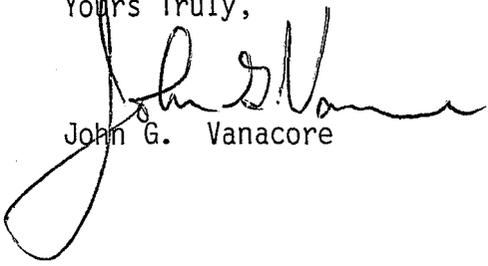
RE: Bagetis V. Department of Corrections

Dear Mary Ann:

Enclosed please find a copy of the settlement stipulations.

If you have any questions or comments, please do not hesitate to contact my office.

Yours Truly,


John G. Vanacore

JGV:/cg
cc. Atty. Michael Brown

RECEIVED
DIV. OF PERSONNEL
AUG 24 1 09 PM '90

APPEAL OF REED BAGETIS
DEPARTMENT OF CORRECTIONS

No: 89-T-6

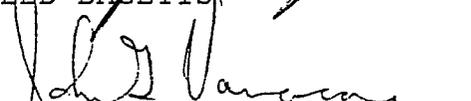
STIPULATION

1. Termination withdrawn.
2. Voluntary resignation as of 6/21/90.
3. One month suspension by agreement between the parties.
4. Full pay not to be less than THIRTY FIVE THOUSAND FIVE HUNDRED DOLLARS (\$35,500.00) to be paid within two weeks from the date of this Agreement.
5. REED BAGETIS denies all 'allegations contained within the Letter of Suspension as outlined in responsive letter to the Letter of 'Suspension.
6. This Stipulation to become part of Reed Bagetis' employee personnel file.

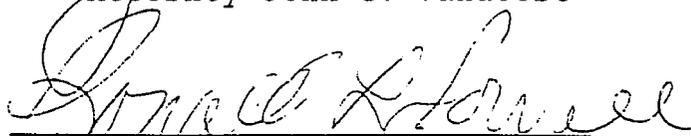
DATED: 7-25-90



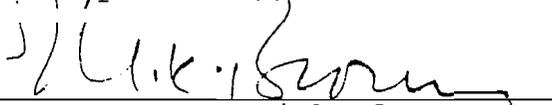
REED BAGETIS



Attorney John G. Vanacore



Ronald Powell, Commissioner
Department of Corrections



Attorney Michael Brown