



State Employees Association of New Hampshire, Inc.

Local 1984, Service Employees International Union
AFL-CIO, CLC

NHDOP OCT 01 '99 PM 3:49

October 1, 1999

Ms. Mary Ann Steele
Executive Secretary
NH Personnel Appeals Board
25 Capitol Street
Concord, NH 03301

Re: Appeal of Suzanne Lemire, Docket #99-D-25

Dear Ms. Steele:

Please be advised that Ms. Lemire has stated to me that she no longer wishes to pursue her appeal in the above-captioned matter. Therefore, we are withdrawing the appeal on her behalf.

The SEA is in receipt of the Department of Health & Human Services Motion to Dismiss dated September 23, 1999. The SEA disagrees with the Department's position that the Personnel Appeals Board lacks jurisdiction to hear Ms. Lemire's case because Ms. Lemire is no longer a state employee. The Department refers to the Appeal of Higgins-Broderson, 133 NH 576, 1990, to support their position. The position of the SEA is that the Board does indeed have jurisdiction over Ms. Lemire's case, because it involved an application of the Personnel Rules which occurred *while Ms. Lemire was permanently employed by the State*.

In any event, the above-captioned matter is hereby withdrawn. If you have any questions or require additional information, feel free to contact me.

Sincerely,

Linda E. Chadbourne
Field Representative

cc: Suzanne Lemire
Sandra Platt
Virginia Lamberton