HEARING OFFICER, CAREER SERVICE BOARD, CITY AND COUNTY OF DENVER, STATE OF COLORADO

Appeal No. 23-01

FINDINGS AND ORDER

IN THE MATTER OF THE APPEAL OF:

GLORIA MARIA RICHARDSON, Appellant,

Agency: DENVER HEALTH AND HOSPITAL AUTHORITY.

INTRODUCTION

For purposes of these Findings and Order, Sara Cordova shall be referred to as "Appellant." Denver Health and Hospital Authority shall be referred to as the "Hospital" or "DHHA." The Rules of the Career Service Authority shall be abbreviated as "CSR" with a corresponding numerical citation.

A hearing on this appeal was held on June 6, 2001, before Robin R. Rossenfeld, Hearing Officer for the Career Service Board. Appellant was present and was represented by Thomas P. Mulvahill, Esq. Karla Pierce, Esq., Assistant City Attorney, represented the Hospital with Terence Shea appearing as the advisory witness.

The Hearing Officer has considered the following evidence in this decision:

The following witnesses were called by and testified on behalf of the Appellant:

Appellant, Elsie Sisneros

The following witnesses were called by and testified on behalf of the Department:

Sharon Salazar, Dr. Greg Gutierrez, Jim Garcia, Terence Shea

The following exhibits were offered and admitted into evidence on behalf of the Appellant:

B, C, G, H

The following exhibits were offered and admitted into evidence on behalf of the Agency:

Exhibits 1, 2, 3, 4, 5, 8, 11, 12, 13, 15, 17, 18

The following exhibits were admitted into evidence by stipulation:

Exhibits B, C, G, H, 1, 2, 3, 4, 5, 8, 11, 13, 15, 17, 18

The following exhibits were offered but not admitted into evidence and therefore not considered in this decision:

None

NATURE OF APPEAL

Appellant is appealing her written reprimand for alleged violations of CSR §§16-50 A. 1) and 13) and 16-51 A. 3), 5) 6) and 10) and is requesting it be removed from her file and that the denial of her sick leave on December 29, 2000 be reversed and she be reimbursed the one day back pay.

ISSUES ON APPEAL

Whether Appellant violated CSR §§16-50 A. 1) and 13) and 16-51 A. 3) 5), 6) and 10)?

Whether the Agency's action issuing the written reprimand alleged violations of CSR §§16-50 A. 1), and 13) and 16-51 A. 3), 5), 6) and 10) was arbitrary and capricious or otherwise contrary to rule or law?

If Appellant violated any provisions of CSR §§16-50 and 16-51, what is the appropriate sanction?

Whether Appellant should be awarded one-day sick leave and pay for December 29, 2000?

PRELIMINARY JURISDICTIONAL MATTERS

The Hospital filed a Motion to Dismiss on June 1, 2001. Appellant filed her response on June 4. The Hearing Officer considered the Motion at the commencement of the hearing on June 6. The Hearing Officer found that the cases cited by the Hospital in support of its position that Appellant failed to state a claim in her Notice of Appeal were found to be inapplicable to the instant case. The Motion to Dismiss was denied and the evidentiary hearing was conducted.

TESTIMONY

1. Appellant is the Administrative Coordinator/Business Services Manager for the Family Practice Clinic at La Casa /Quigg Newton Health Center. She has been at La Casa for five and a half years. She is responsible for the business services of 5.5 clerks. She manages the day-to-day business of the front-end of the Clinic's practice.

2. The management team at La Casa consists of Greg Gutierrez, M.D., as the team leader, Sharon Salazar, R.N., as the practice manager, Steven Bailey as facility manager, and Appellant as clinic administrator.

3. Dan Euell, Chief Operating Officer, was her direct-line supervisor until February 2000. In June 2000, Terence Shea, R.N., M.P.A., Director of Nursing, became Appellant's off-site supervisor. Appellant testified that it was a little out of the norm for her to have a supervisor who was an R.N.

4. During 2000, Appellant was frequently absent from work due to her mother's illness and other family problems. Sometimes Appellant would ask for the leave as family sick leave ("F") or sick leave ("S") and other times as family medical leave ("SF"). See Exhibit 3, generally.

5. Only leave designated as "SF" counts as family medical leave. Leave designated as "F" or "S" counts only as regular sick leave.

6. According to Appellant, she misdesignated the following leave during 2000:

Date	Hours	Actual Notation	Correct Designation
2/28-29	16	SFAM[1]	SFML[2]
3/1-3/3	24	SU[3]	SFML
4/6	8	SU	VU[4]
5/31	8	SU	VU
7/5	8	SFAM	SFML
7/17-20	25	SFAM	VU
10/13	8	SU	SFAM

(See Exhibits H and 3)

7. Appellant subsequently corrected the July 17-20 absence from family sick leave to vacation leave. (See Exhibits H and I)

8. In addition to the sick leave noted above, Appellant took sick leave on January 10, February 8, March 14, August 25, November 9-16 (non-continuous), and December 29. (See Exhibits H, 3 and 4)

9. According to Appellant. Mr. Euell had permitted Appellant to ask for sick leave for a medical appointment on the day of the appointment. Mr. Shea asked Appellant to submit her request in advance.

10. When Mr. Shea became Appellant's supervisor in June 2000, he developed a work plan for her. The following was included within the plan:

> Time
> 1. All sick calls, vacation requests, and family medical leave will be reported to Steve Bailey and Greg Gutierrez or Sharon Salazar as soon as the leave time is needed. Vacation requests are to be made two weeks in advance in writing. This time is to be coordinated with the leadership team so that at least one person of the leadership team is in the clinic each day.

(Exhibit 5, p. 1)

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[1] Sick Family (City)
[2] Sick used for FML
[3] Sick used
[4] Vacation used

11. Denver Health Employee Principles and Practices #4-122, relating to absenteeism, provides, in relevant part:

> 7. Generally, six occurrences of absence within a rolling twelve month period is considered excessive and will result in a verbal warning; however in some areas it may be necessary for the Corrective Action to be initiated upon a lower number of occurrences of absences, as determined by the manager of the department. Regardless of the number of absences that is defied as excessive, each subsequent occurrence of absence results in the issuance of Employee Corrective Action, up to and including termination. The twelve-month period begins with the first occurrence of absence, and is commonly referred to as a "rolling" twelve month period. Multiple consecutive days of absence are considered as one occurrence of absence.
>
> 8. Occurrence of absence are separated by a return to work and working at least one full shift, or are of a duration of five consecutive working days. In the event the employee is absent five consecutive working days, then the sixth day absent is considered the first day of an additional occurrence of absence.

(Exhibit 1. p. 2)

12. Appellant admitted during the hearing that she was aware of the Hospital's policy regarding excessive absences.

13. Appellant received a "Below Expectations" PEPR on October 3, 2000. It was subsequently changed to "Meets Expectations" because it was not filed with the CSA office in a timely manner. In the PEPR, Appellant received an "F" for her failure to adhere to agency policies and procedures regarding payroll sheets and other paperwork. (Exhibit 8. p. 4)

14. Another issue that concerned Mr. Shea was Appellant's alleged "favoritism" of some employees over others. This concern was addressed in the June work plan.

> Management
> 4. All staff are to be treated with equal respect and concern, staffs (sic) fears of retaliation will be eliminated by January 2001.

(Exhibit 5, p. 1)

It was also addressed in the PEPR.

> Recognizes positive behavior and contributions too (sic) the staff, using praise, appreciation and rewards.
>
> > You have recognized some of your staff for positive contributions, but others have perceived favoritism and feel that the behaviors of some team members are different in your presence then when you are not there. This is particularly true for the two staff you identify as

your lead staff. This is very concerning as they are part of the significant discontent in your team. This has been brought to your attention on several occasions during the past year and this situation has not changed. Outside of the clerical area, the other team members have consistently identified you as difficult to approach and not supportive. This is unacceptable for a leadership person on a team.

(Exhibit 8, p. 6)

15. The two staff referred to in the above paragraph are Elsie Sisneros and Darlene Castaneda.

16. Denver Health Employee Principles and Practices #5-106 provides, relevant part:

Family/Medical Leave

1. The Family/Medical Leave Act requires certain employers to provide up to 12 weeks of unpaid, job protected leave to "eligible" employees for certain family and medical reason. Employees are eligible if they have worked for Denver Health for at least one year and for at least 1,250 hours over the previous 12 months.

3. Procedures of taking Family/Medical Leave
   - Any employee requesting Family/Medical Leave should initiate the request for FML at least 14 days prior to the event, if possible, by contacting his or her supervisor.
   - The supervisor will initiate the paperwork by submitting a completed "Family/Medical Leave Request" form to the Benefits Department.
   - The Benefits Department will send the employee a letter outlining his or her rights under the Family/Medical leave Act and will send any supporting documentation required such as a "Health Care Provider Certification." A copy of the letter will be sent to the supervisor.

* * *

   - When the required documentation is received from the employee, the Benefits Department will issue a letter of approval or denial of Family/Medical Leave based on the information received or a letter of request for additional information. A copy of this letter will be given to the employee's supervisor.

(Exhibit 2, p. 5)

17. On December 14, 2000, two of Appellant's staff met with Appellant and Dr. Gutierrez. These staff members were informed that their requested leave without pay was denied. At approximately 10:30 p.m. that evening, one of the employees (Maria Quintana) left a message on Appellant's voice-mail indicating that her mother was hospitalized in California and that she was requesting FMLA. Appellant submitted the FMLA form for Ms.

Quintana on December 15.

18. Appellant testified that she filled out the FMLA form because it was not her decision whether to grant or deny FMLA. She testified that she believed that it was her responsibility as a supervisor to file the paperwork for the employee and then the Benefits Department would make the determination whether or not the employee was qualified to receive FMLA.

19. Ms. Quintana had not been employed by the Hospital for a long enough period to be eligible for FMLA. The leave was eventually denied. It was suspected by some of the witnesses that Ms. Quintana had not gone to California for a medical emergency. As Ms. Quintana never returned to the Hospital to work after December 14, this suspicion could not be confirmed or rebutted.

20. On December 14, Mr. Shea and Dr. Gutierrez met with Appellant to go over additional performance guidelines. Appellant was told that she was required to report her absences and her need to be out of the building on business to either Dr. Gutierrez or Ms. Salazar so they could insure proper coverage. She was also told that she was required to report her absences to Mr. Shea as her supervisor. She was told that she was not to call Ms. Sisneros or Ms. Castaneda when she was going to be absent since this looked like "favoritism" to other employees, a problem that had been pointed out to Appellant at least twice in the past.

21. On December 28, Appellant received a Verbal Warning about her management/leadership failures. (Exhibit 18)

22. On December 29, Appellant awoke ill. She claimed that she called Dr. Gutierrez's home between 7:00-7:30, that she got his voice-mail, and that she left a message.

23. Dr. Gutierrez testified that he did not receive a voice-mail message and that he checked with his wife, who denied having received the voice-mail message. He also testified that he has three small children who do not answer the phone and do not know how to retrieve messages from voice-mail.

24. Appellant did not call Dr. Gutierrez at the Clinic. She also did not call Ms. Salazar either at home or the Clinic.

25. Appellant called Elsie Sisneros at the Clinic and told her that she was not going to come in because she was ill. Appellant testified that she made this call because Ms. Sisneros came to work at 7:30 and worked in the front desk area that Appellant supervised. She also testified that she thought that this call complied with the instructions she had received from Mr. Shea.

26. The call to Ms. Sisneros was not made in conformity with Mr. Shea's instructions to Appellant on December 14.

27. Sometime later (at 8:35, according to Ms. Sisneros, or around 9:45, according to Ms. Salazar), Ms. Salazar came out to the front desk area looking for Appellant. At that time, Ms. Castaneda told her that Appellant had called in and had told Ms. Sisneros that she was going to be out ill. Ms. Salazar confirmed this information with

Ms. Sisneros.

28. On January 3, 2001, Mr. Shea issued a Written Reprimand for violations of CSR §§ 16-50 A.1) and 13) and 16-51 A. 3), 5), 6) and 10). The Written Reprimand was issued for her requesting FMLA for Ms. Quintana even though she had not been employed by the Hospital for the requisite one year, for her excessive use of sick leave, and for failing to follow instructions when calling in her sick leave on December 29 (i.e., not calling either Dr. Gutierrez or Ms. Salazar, and calling Ms. Sisneros instead). (Exhibit 15)

29. Appellant grieved the Written Reprimand. Mr. Shea denied it at Step One on January 18. (Exhibit C) It was denied by Dr. Gabow at Step Two. Appellant filed her appeal in a timely manner with the CSA on February 20. 2001.

DISCUSSION AND CONCLUSIONS OF LAW

Applicable Rules and Regulations

CSR Rule 16 governs discipline. CSR §16-10 sets out the purpose of the Rule:

> The purpose of discipline is to correct inappropriate behavior or performance. The type and severity of discipline depends on the gravity of the infraction. The degree of discipline shall be reasonably related to the seriousness of the offense and take into consideration the employee's past record. The appointing authority or designee will impose the type and amount of discipline she/he believes is needed to correct the situation and achieve the desired behavior or performance.
>
> The disciplinary action taken must be consistent with this rule. Disciplinary action may be taken for other inappropriate conduct not specifically identified in this rule.

CSR §16-20, Progressive Discipline, provides in relevant part:

1) In order of increasing severity, the disciplinary actions which an appointing authority or designee may take against an employee for violation of career service rules, the Charter of the City and County of Denver, or the Revised Municipal Code of the City and County of Denver include:
   a) Verbal reprimand, which must be accompanied by a notation in the supervisor's file and the agency file on the employee;
   b) Written reprimand, a copy of which shall be placed in the employee's personnel file kept at Career Service Authority;
   c) Suspension without pay, a copy of the written notice shall be placed in the employee's personnel file kept at Career Service Authority;
   d) Involuntary demotion, a copy of the written notice shall be placed in the employee's personnel file kept at Career Service Authority; and
   e) Dismissal, a copy of the written notice shall be placed in the employee's personnel file kept at Career Service Authority.

2) Wherever practicable, discipline shall be progressive. However, any measure or level of discipline may be used in any given situation as appropriate. This rule should not be interpreted to mean that progressive discipline must be taken before an employee may be dismissed.

3) In those cases when the discipline deemed appropriate is suspension without pay of an overtime-exempt employee, the suspension shall be for at least a whole workweek or multiples of whole workweeks.

CSR §16-50, Discipline and Termination, provides, in relevant part:

A. Causes for dismissal.

The following may be cause for dismissal of a career service employee. A lesser discipline other than dismissal may be imposed where circumstances warrant. It is impossible to identify within this rule all conduct which may be cause for discipline. Therefore, this is not an exclusive list.

1) Gross negligence or willful neglect of duty.

13) Unauthorized absence from work, including, but not limited to: when the employee has requested permission to be absent and such request has been denied; leaving work before completion of scheduled shift without authorization; or taking unauthorized breaks.

CSR §16-51, Causes for Progressive Discipline, provides, in relevant part:

A. The following unacceptable behavior or performance may be cause for progressive discipline. Under appropriate circumstances, immediate dismissal may be warranted. Failure to correct behavior or committing additional violations after progressive discipline has been taken may subject the employee to further discipline, up to and including dismissal from employment. It is impossible to identify within this rule all potential grounds for disciplinary action; therefore, this is not an exclusive list.

3) Abuse of sick leave or other types of leave, or violation of any rules relating to any forms of leave identified in Rule 11 Leave.

5) Failure to observe departmental regulations (Denver Health Employee Principle and Practice # 4-122 and #5-106)

6) Carelessness in performance of duties and

responsibilities.

10) Failure to comply with the instructions of an authorized supervisor.

Analysis

The City Charter C5.25 (4) requires the Hearing Officer to determine the facts in this matter "de novo." This has been determined by the Courts to mean an independent fact-finding hearing considering evidence submitted at the de novo hearing and resolution of factual disputes. *Turner v. Rossmiller*, 35 Co. App. 329, 532 P.2d 751 (Colo. Ct. of App., 1975).

Because this is an appeal of the denial of a grievance, Appellant has the burden of proof to demonstrate that the denial of the grievance was arbitrary and capricious and contrary to rule of law. In other words, Appellant must establish that she did not violate any of the CSR provisions with which she has been charged and that, even if she did violate the CRS, the written reprimand was unwarranted.

The first provision with which Appellant has been charged with violating is CSR §16-50-A. 1). "Gross negligence or willful neglect of duty." Neither "willful" nor "gross" are defined in the CSA Rules.

Negligence is a failure to use reasonable care or a failure to act in a reasonably prudent manner under the circumstances. *Lavine v. Clear Creek Skiing Corp.*, 557 F.2d730 (10th Cir. 1977); *Metropolitan Gas Repair Service, Inc. v. Kulik*, 621 P.2d 313 (Colo. 1980); *Rice v. Eriksen*, 476 P.2d 579 (Colo. App. 1970). Gross negligence involves a higher form of culpability than mere negligence. "Gross" in this context means flagrant or beyond all allowance, *Lee v. State Board of Dental Examiners,* 654 P.2d 839 (Colo. 1982), or showing an utter lack of responsibility. *People v. Blewitt*, 192 Colo. 483, 563 P.2d 1 (1977). Willful neglect of duty transcends any form of negligence and involves conscious or deliberate acts. See *Turner v. Lyon*, 189 Colo. 234, 539 P.2d 125 (1976); *Drake v. Albeke*, 188 Colo. 14, 532 P.2d 225 (1975).

"Gross" has been defined as "immediately obvious" or "glaringly noticeable usually because of inexcusable badness or objectionableness."[5]

"Gross negligence" is defined by *Black's* as:

> The intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another; such a gross want of care and regard for the rights of others as to justify the presumption of willfulness and wantonness. "Gross negligence is substantially higher in magnitude than simple inadvertence, but falls short of intentional wrong." (Cite omitted)[6]

"Willful" is generally defined as "obstinately and often perversely self-willed;

[5] *Miriam-Webster's Collegiate Dictionary*, 10th Ed., 1993
[6] *Black's Law Dictionary*, 4th Ed., 1951

done deliberately."[7]

Black's defines "willful" as:

> Proceeding from a conscious motion of the will; voluntary. (Cite omitted)...Intending the result which actually comes to pass; designed; intentional; not accidental or involuntary...A willful act may be described as one done intentionally, knowingly, and purposely, without justifiable excuse, as distinguished from an act done carelessly, thoughtlessly, heedlessly, or inadvertently. (Cite omitted.)[8]

The use of these terms in the CSR as a basis for discipline requires the employee to be purposely or willfully performing her duties at an intentionally substandard or inappropriate level. See *In the Matter of the Appeal of Marjy Wells,* CSA Appeal No. 239-00.

According to the Hospital, Appellant was grossly negligent or engaging in willful misconduct when she prepared the paperwork for Ms. Quintana's FMLA request and again when Appellant did not follow instructions when she called in sick on December 29. Appellant established by a preponderance of the evidence that she was not grossly negligent or engaging in willful misconduct with regard to the former incident. However, she was unable to rebut the presumption that her failure to follow instructions regarding her sick leave on December 29 was not willful.

The Hospital claimed that Appellant should not have completed the FMLA request form for Ms. Quintana because Appellant knew Ms. Quintana had not worked at the Hospital for the requisite one-year period. Appellant claimed that her job was merely to present the paperwork and that it was up to the Benefits Department to grant or deny FMLA leave. The Hearing Officer finds that such an interpretation of Principle and Practice #5-106 is reasonable. The Policy states that the supervisor initiates the paperwork and that the Benefits Department makes the determination about the sufficiency of the information provided. It was reasonable for Appellant to believe that she was in compliance with this Policy, especially as it appears to vest the decision about the appropriateness of FMLA leave in the Benefits Department and, more importantly, is silent about the supervisor's alleged responsibility to stop a FMLA request. Appellant could not act with gross negligence or willful misconduct when there is a lack of clarity about her function in the FMLA process.

On the other hand, Appellant engaged in willful misconduct by not complying with the specific instructions of Mr. Shea that she received only two weeks before, that being that she report her absences to Dr. Gutierrez or Ms. Salazar and not Ms. Castaneda or Ms. Sisneros.

Appellant claimed that she called Dr. Gutierrez at home and left a message on the voice-mail. Dr. Gutierrez denied that he or his wife ever received any message. He also testified that he has three small children who do not answer the phone or know how to use the voice-mail. Since Appellant has the burden of proof to show that she complied with Mr. Shea's instructions by leaving a message with Dr. Gutierrez (or Ms.

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[7] *Miriam-Webster's, op cit.*
[8] *Black's, op cit.*

Salazar, which she admittedly did not do), this "she said, he said" situation means that Appellant is unable to establish by a preponderance of the evidence that she made the call. Further, she did not follow Mr. Shea's instructions not to leave the message with Ms. Castaneda or Ms. Sisneros; nor did she make any attempt to leave a message for Dr. Gutierrez or Ms. Salazar at the Clinic. Therefore, Appellant violated CSR §16-50 A. 1).

The same evidence establishes that Appellant violated CSR §16-51 A. 10) (failure to comply with instructions of authorized supervisor).

There was insufficient evidence submitted to establish that Appellant was careless in the performance of her duties, a violation of CSR §16-51 A. 6). Because the Hearing Officer has found that Appellant was willful in her disregard of Mr. Shea's instructions regarding contacting Dr. Gutierrez or Ms. Salazar, such a finding presumes more than "carelessness." Because the Hospital's policy regarding FMLA leave does not clearly support the interpretation the Hospital wishes the Hearing Officer to make, there cannot be carelessness with regard to Ms. Quintana's FMLA request. The Hearing Officer is not convinced that Appellant's repeated "errors" in reporting her sick leave was "carelessness." In any case, that behavior better fits another CSR provision, CSR §16-51 A. 5), failure to comply with the Hospital's policy regarding excessive absences.

While the evidence did not establish that Appellant violated CSR §16-51 A. 5) with regard to Principle and Practice #5-106 (Ms. Quintana's FMLA leave), Appellant was unable to show that there was insufficient basis for the finding that she violated this CSR provision by violating Principle and Practice #4-122 governing excessive absences. Appellant has been a supervisor at the Clinic for over five years. She knows the rules about absences and the need to make accurate requests for leave. (Her excuse that Mr. Euell let her do things other ways is only an excuse, but does not absolve her actions.) Throughout 2000, she repeatedly misstated the reasons for her absences at least eight times (although she subsequently corrected one of them). Had she correctly designated most of them as SFML, she would not have had more than six absences that counted towards her "excessive absences" in that FMLA requests are excluded from that count. Appellant did not follow the rules in designating the leave correctly. As a result of these "errors," the record supports the finding that her sick leave was excessive. Appellant has failed to prove that she did not violate CSSR §16-51 A. 5).

No evidence was presented by either side as to whether any of Appellant's absences were unauthorized or not. The evidence only established that Appellant did not wish to follow the Hospital's policies and procedures regarding leave and that she ignored the instructions of Ms. Shea about how she was to report her absences. Therefore, there was no showing that Appellant violated CSR §16-50 A. 13).

The last question is whether Appellant should have been issued a Written Warning or received a lesser discipline. The record establishes that Appellant received a Verbal Warning from Mr. Shea on December 28 with regard to problems with her management of the front office. The record also shows that Appellant had sufficient warning (through the two work plans, the problems cited in the PEPR, and the meeting and follow-up memorandum regarding her absences) about problems with her record keeping and how her requests for sick leave were made. Appellant chose to ignore Mr. Shea's specific instructions about her sick leave the day after she received the Verbal Warning for other issues. It was reasonable for Mr. Shea, under the circumstances, to

issue a Written Reprimand to Appellant when she continued to ignore these instructions.

Because the Written Reprimand was appropriate in the circumstances, Mr. Shea's denial of the grievance at Step One and Dr. Gabow's denial of the grievance at Step Two were also appropriate.

ORDER

The Hearing Officer MODIFIES the Written Reprimand as follows: the Hospital's determination that Appellant violated CSR §§16-50 A. 1) (for her failure to call in her absence as instructed on December 29 only) and 16-51 A. 3), 5) (for her violation of Principle and Practice #4-122 only) and 10) is SUSTAINED; the Hospital's determination that Appellant violated CSR §§16-50 A. 13) and 16-51 A. 6) is DISMISSED. The issuance of the Written Reprimand is SUSTAINED and the request that it be removed from Appellant's file is DENIED.

Dated this 23rd day of July 2001.

Robin R. Rossenfeld
Hearing Officer for the
Career Service Board

CERTIFICATE OF MAILING

I hereby certify that I have forwarded a true and correct copy of the foregoing FINDINGS AND ORDER by depositing the same in the U.S. mail, this 23 day of July 2001, addressed to:

Thomas P. Mulvahill, Esq.
Carrigan, Chambers, Daneky & Zonies, P.C.
1601 Blake Street, Suite 300
Denver, CO 80202

Gloria Maria Richardson
2868 Elm
Denver, CO

I further certify that I have forwarded a true and correct copy of the foregoing FINDINGS AND ORDER by depositing the same in interoffice mail, this 23 day of July 2001, addressed to:

Karla Pierce
Assistant City Attorney

Dr. Patricia Gabow
Denver Health and Hospital Authority

Virginia Granados