

**UNITED STATES OF AMERICA  
MERIT SYSTEMS PROTECTION BOARD**

**2006 MSPB 343**

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Docket No. DC-0752-06-0058-I-1

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**Jeffrey W. Parrott,  
Appellant,**

**v.**

**Department of Homeland Security,  
Agency.**

December 4, 2006

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David G. Schiller, Esquire, Raleigh, North Carolina, for the appellant.

Thomas J. Sarisky, Esquire, Arlington, Virginia, for the agency.

**BEFORE**

Neil A. G. McPhie, Chairman  
Mary M. Rose, Vice Chairman  
Barbara J. Sapin, Member

Chairman McPhie issues a separate concurring opinion.  
Member Sapin issues a separate dissenting opinion.

**FINAL ORDER**

The appellant has filed a petition for review in this case asking us to reconsider the initial decision issued by the administrative judge. We grant petitions such as this one only when significant new evidence is presented to us that was not available for consideration earlier or when the administrative judge made an error interpreting a law or regulation. The regulation that establishes this standard of review is found in Title 5 of the Code of Federal Regulations, section 1201.115 (5 C.F.R. § 1201.115).

After fully considering the filings in this appeal, we conclude that there is no new, previously unavailable, evidence and that the administrative judge made no error in law or regulation that affects the outcome. 5 C.F.R. § 1201.115(d). Therefore, we DENY the petition for review. The initial decision of the administrative judge is final. This is the Board's final decision in this matter. 5 C.F.R. § 1201.113.

NOTICE TO THE APPELLANT REGARDING  
YOUR FURTHER REVIEW RIGHTS

You have the right to request the United States Court of Appeals for the Federal Circuit to review this final decision. You must submit your request to the court at the following address:

United States Court of Appeals  
for the Federal Circuit  
717 Madison Place, N.W.  
Washington, DC 20439

The court must receive your request for review no later than 60 calendar days after your receipt of this order. If you have a representative in this case, and your representative receives this order before you do, then you must file with the court no later than 60 calendar days after receipt by your representative. If you choose to file, be very careful to file on time. The court has held that normally it does not have the authority to waive this statutory deadline and that filings that do not comply with the deadline must be dismissed. *See Pinat v. Office of Personnel Management*, 931 F.2d 1544 (Fed. Cir. 1991).

If you need further information about your right to appeal this decision to court, you should refer to the federal law that gives you this right. It is found in Title 5 of the United States Code, section 7703 (5 U.S.C. § 7703). You may read this law, as well as review the Board's regulations and other related material, at our website, <http://www.mspb.gov>. Additional information is available at the court's website, <http://fedcir.gov/contents.html>. Of particular relevance is the

court's "Guide for Pro Se Petitioners and Appellants," which is contained within the court's Rules of Practice, and Forms 5, 6, and 11.

FOR THE BOARD:

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Bentley M. Roberts, Jr.  
Clerk of the Board  
Washington, D.C.

CONCURRING OPINION OF NEIL A. G. McPHIE

in

*Jeffrey W. Parrott v. Department of Homeland Security*

MSPB Docket No. DC-0752-06-0058-I-1

¶1 I agree with Vice Chairman Rose that the appellant’s petition for review should be denied. I write separately to respond to several points in Member Sapin’s dissent.

BACKGROUND

¶2 The appellant was the Assistant Security Director at the Raleigh-Durham Airport. On May 27, 2005, the agency notified him that it intended to propose his removal for cause. It informed him that he had the right to respond to the proposal before a final decision would be made, and the further right to appeal if ultimately the decision was made to remove him. The agency also informed the appellant that he could resign for “personal reasons,” *i.e.*, with no record of the proposed disciplinary action, if he submitted his resignation that day, and before he received the written proposal notice. The agency gave the appellant a few hours to decide what to do, during which time the appellant asked for and received information about retirement benefits, obtained a commitment from the agency that it would give him a neutral reference if he resigned, and bargained for a 4-month delay in the effective date of his resignation. The appellant submitted his resignation without seeing the proposal notice.

¶3 The appellant later filed this appeal, claiming that his resignation was involuntary. The administrative judge held a hearing, observed the testimony of the witnesses, carefully considered the circumstances of the appellant’s resignation, and concluded that the appellant failed to show that his separation by resignation was an appealable constructive removal. Initial Appeal File (IAF), Tab 13.

## DISCUSSION

¶4 The appellant has not provided a persuasive argument on review for reversing the administrative judge's thorough and well-reasoned decision. Nevertheless, in my view several points raised in the dissent deserve a response.

¶5 To begin with, the facts as recounted in the dissent create the impression that the agency's revelation that it was considering removing the appellant came like a bolt from the blue on May 27, 2005. In fact, months earlier, beginning in January 2005, the agency initiated a "management inquiry" into several matters, including a "security breach" in which hundreds of unscreened bags were allowed onto aircraft. The appellant was aware of the inquiry and was interviewed by investigators. IAF, Tab 4, Appellant's Affidavit, ¶¶ 6-8; *see also* IAF, Tab 5, Subtab 4A (1007 – 1010) (appellant's March 9, 2005 written comments to agency official concerning security breach and other allegations of mismanagement). Some time around January 1, 2005, and again in March 2005, the appellant's supervisor told the appellant that they were both at risk of losing their jobs. IAF, Tab 4, Appellant's Affidavit, ¶¶ 4-8. On April 22, 2005, the agency's Professional Review Board (PRB) informed the appellant in writing that it was conducting a formal inquiry into allegations of mismanagement at his airport. The PRB further informed the appellant that he was "a subject of the inquiry," that the PRB would "soon meet" regarding "serious issues that relate to you and your employment," that the PRB had authority to propose discipline up to and including "termination," and that the appellant would be informed of the PRB's decision after the PRB had met. IAF, Tab 8 at 16-17.

¶6 It is clear from the uncontested evidence and the appellant's own version of events that the appellant was not surprised -- or in any case, he should not have been surprised -- when, on May 27, 2005, the agency informed him that the PRB had decided to propose his removal. Undoubtedly this news was unwelcome, but contrary to the implication of the dissent, the appellant did not have just a few hours to decide how to respond to the agency's decision to propose his removal.

Rather, the appellant knew that the agency was contemplating removing him long before May 27, and he had *months* to consider what he might do should the results of the agency's investigation turn out to be unfavorable to him.

¶7 The dissent argues that the agency's witnesses failed to give a convincing explanation for not giving the appellant additional time to consider his options after they informed him of the PRB's decision. No explanation was required, though. The appellant had a right to reasonable advance notice before an adverse action was to be *taken* against him, *cf.* 5 U.S.C. § 7513, but he had no right to advance notice that an adverse action was going to be proposed. All indications are that on May 27, the agency explained with perfect accuracy to the appellant what would happen if he resigned for "personal reasons" before the proposal to remove him was issued and what would happen if he did not resign before the proposal was issued. It is true that the agency left its offer to delay issuance of the proposed removal open for just a short period, but it did not have to make the offer in the first place. Instead, the agency would have been within its rights to just serve the appellant with the PRB proposal notice and let the process play out from there. The appellant, for his part, was free to reject the agency's offer to delay issuance of the proposed removal and to allow him to resign for "personal reasons." In this connection, there is no evidence that the PRB lacked a legitimate basis for proposing the appellant's removal.

¶8 The dissent also argues that the agency's agreement to allow the appellant to delay the effective date of his resignation for 4 months shows that time was not of the essence. However, the agency agreed to allow the appellant to stay on the rolls for another 4 months *in exchange for* his written resignation. This does not mean that on May 27 time was immaterial. On that day, the agency fully intended to issue a notice proposing the appellant's removal, thus triggering a formal disciplinary process and its attendant rights for the appellant. Obviously the agency was willing to negotiate in order to avoid that process. Indeed, pursuant to the parties' bargain, the appellant used a combination of annual and

administrative leave from May 27 until his separation 4 months later; the agency thus lived up to its word in insisting that the appellant be relieved of his duties as of May 27. Contrary to the suggestion in the dissent, the evidence does not show that the timing of events was artificial.

¶9 Finally, the dissent finds it “incredibl[e]” that the agency “refused” to allow the appellant to see the proposal to remove him before he decided whether to resign for “personal reasons.” The dissent argues that the appellant could have resigned for “personal reasons” after seeing the notice of proposed removal. This argument is in direct conflict with the official guidance of the Office of Personnel Management (OPM). OPM’s instructions to personnel offices provide that when an employee with appeal rights submits a resignation after being notified in writing of a proposed disciplinary action, the circumstances of the resignation must be recorded in the employee’s official file. *Guide to Processing Personnel Actions*, at 31-5, Documenting Reasons for Separation.<sup>\*</sup> The testimony of agency officials Mulhern and Compain, quoted with disapproval in the dissent, in fact was entirely consistent with this official OPM guidance. According to Mulhern and Compain, the agency told the appellant that it would accept a resignation for “personal reasons” before showing him the proposal to remove him, but not afterward. The dissent’s criticism of Mulhern and Compain is unwarranted, as they were following OPM’s guidance to the letter. It is true, as the dissent observes, that the agency could have shown the appellant the proposal notice and then negotiated a “clean record” settlement. Still, consistent with their obligations as federal managers, agency officials would have needed some good

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<sup>\*</sup> OPM’s *Guide to Processing Personnel Actions* can be found at [www.opm.gov/feddata/gppa/gppa31.pdf](http://www.opm.gov/feddata/gppa/gppa31.pdf). The portion of the *Guide* discussed above is consistent with OPM’s *Declaration for Federal Employment*, OF-306, which asks an applicant for federal employment: “During the last 5 years, have you been fired from any job for any reason, did you quit after being told that you would be fired, did you leave any job by mutual agreement because of specific problems, or were you debarred from Federal employment . . . ?”

faith reason -- such as consideration of the appellant's response to the proposed removal and an assessment of the litigation risk -- for not following OPM's guidance and allowing the appellant to resign for "personal reasons" after showing him the proposal to remove him. In any event, the dissent is mistaken in saying that the appellant had a right to resign for "personal reasons" after he was presented with the notice of proposed removal. OPM's guidance makes clear that he had no such right.

#### CONCLUSION

¶10 Although the appellant was presented with a difficult choice on May 27, 2005, neither the choice itself nor the circumstances under which it was made were the result of improper agency action. I agree with the administrative judge that the appellant failed to prove that his separation by resignation was a constructive removal.

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Neil A. G. McPhie  
Chairman

DISSENTING OPINION OF BARBARA J. SAPIN

in

*Jeffrey W. Parrott v. Department of Homeland Security*

MSPB Docket No. DC-0752-06-0058-I-1

¶1 The other Board members have voted to deny the appellant's petition for review, thus rendering the initial decision, in which the administrative judge found that the appellant failed to establish that his resignation was involuntary, the Board's final decision in this appeal. For the reasons discussed below, I respectfully dissent. I would REVERSE the initial decision and ORDER the agency to reinstate the appellant.

BACKGROUND

¶2 The appellant was an Assistant Federal Security Director (AFSD) for Screening with the Department of Homeland Security's Transportation Security Administration (TSA) at the Raleigh-Durham International Airport (RDU) in North Carolina. Refiled Appeal File<sup>1</sup> (RAF), Tab 5, Subtabs 4b, 4e. At approximately 10:00 a.m. on May 27, 2005, three TSA representatives – Southeast Area Director, Dario Compain; Program Executive Officer for Employee Relations, Office of Human Capital, Richard Mulhern; and attorney-advisor, Kathleen Connon – met with the appellant and advised him of the following: 1) He would be relieved of his duties as AFSD immediately and 2) TSA's Professional Review Board (PRB) had decided to issue a notice

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<sup>1</sup> The appellant's initial Board appeal, filed June 18, 2005, was dismissed as premature on July 19, 2005, because it was filed before the effective date of the appellant's resignation. Initial Appeal File, Tabs 1, 7. He then refiled his appeal on October 27, 2005, and the appeal was assigned a new docket number. RAF, Tab 1.

proposing to remove him from Federal service.<sup>2</sup> *Id.*, Subtab 1. The TSA representatives apprised the appellant of the options available to him, discussed the appeal process, and left the appellant alone for about an hour to consider his options and make a decision. Hearing Tape (HT), Mulhern, Compain, Connon, Appellant. When the TSA representatives returned, they required the appellant to make the decision about whether to resign at that time. HT, Compain. The appellant agreed to resign, settlement documents were prepared, and at approximately 2:00 p.m., the appellant signed the settlement agreement, which provided, *inter alia*, that he would resign effective September 30, 2005.<sup>3</sup> HT, Appellant, Mulhern.

¶3 On appeal, the appellant claimed that his resignation was involuntary. RAF, Tab 1. In support of his appeal, the appellant asserted that the TSA representatives did not allow him to see the charges against him and gave him only a few hours to decide whether to resign, fight the proposed removal, or agree to the removal and be terminated effective that day. *Id.* The appellant also claimed that he was unable to contact an attorney before making his decision and that he resigned because he was afraid that if he did not do so, he would be ineligible for future federal employment. *Id.*

¶4 After a hearing, the administrative judge issued an initial decision finding that the appellant did not meet his burden of establishing that his resignation was

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<sup>2</sup> The Notice of Proposed Removal, which was never issued, charged the appellant with Unacceptable Leadership Performance and Violation of Standard Operating Procedures. RAF, Tab 5, Subtab 4a-3.

<sup>3</sup> The agreement also provided that the appellant would resign for “personal reasons” in lieu of “other appropriate administrative action”; that TSA would approve the appellant’s request for annual leave from May 31, 2005 to August 26, 2005; and that the appellant would be placed on administrative leave from August 29, 2005 until September 30, 2005. In addition, the appellant agreed to waive his right to pursue administrative or judicial action against TSA concerning matters relating in any way to his employment with TSA. RAF, Tab 5, Subtab 4a-5.

involuntary. RAF, Tab 13, Initial Decision (ID) at 8-16. The administrative judge found that, although the appellant was forced to decide whether to resign or face a proposed removal under time pressure and did so without the advice of his personal attorney, he knew what his rights were and had the option of challenging the proposed discharge. ID at 15-16. Therefore, the administrative judge concluded his resignation was not involuntary. ID at 16.

### ANALYSIS

¶5 Resignations are presumed voluntary. *Matthews v. U.S. Postal Service*, 93 M.S.P.R. 109, ¶ 9 (2002). An involuntary resignation, however, is tantamount to a removal over which the Board has jurisdiction. *Id.* The Board has authority to consider the validity of a pre-appeal settlement agreement, by which the appellant agreed to resign, so as to determine its effect on the personnel action before the Board. *Sullivan v. Department of Veterans Affairs*, 79 M.S.P.R. 81, 84-85 (1998). A party may challenge the validity of a settlement agreement, regardless of whether it has been entered into the record for enforcement, if the party believes that the agreement is unlawful, involuntary, or the result of fraud or mutual mistake. *Wade v. Department of Veterans Affairs*, 61 M.S.P.R. 580, 583 (1994).

¶6 To establish that a settlement was coerced or was the result of duress, a party must prove that he involuntarily accepted the other party's terms, that circumstances permitted no alternative, and that such circumstances were the result of the other party's coercive acts. *Candelaria v. U.S. Postal Service*, 31 M.S.P.R. 412, 413 (1986). This test is an objective, rather than a subjective one; an employee's subjective feelings are irrelevant. *Middleton v. Department of Defense*, 185 F.3d 1374, 1379 (Fed. Cir. 1999). The appellant must present factual allegations to show that a reasonable employee faced with the same circumstance would feel coerced into resigning. *Id.* That the appellant may have been faced with unpleasant alternatives does not render the agreement

involuntary. *Williams v. Department of the Treasury*, 52 M.S.P.R. 344, 346 (1991).

¶7 One factor to be weighed in determining the voluntariness of a resignation is whether the individual had adequate time to consider what course of action to take. *Gettings v. Department of the Air Force*, 48 M.S.P.R. 502, 512 (1991). Our reviewing court has held that in determining whether an alleged act of coercion caused an employee's involuntary retirement, the most probative evidence of involuntariness will usually be evidence in which there is a relatively short period of time between the employer's alleged coercive act and the employee's retirement. *Terban v. Department of Energy*, 216 F.3d 1021 (Fed. Cir. 2000).

¶8 Here, the appellant was given an extraordinarily small amount of time to make an extraordinarily important decision. The appellant first learned of his proposed removal at approximately 10:00 a.m. on May 27, 2005, when he met with the TSA representatives.<sup>4</sup> HT, Mulhern, Compain, Connon, Appellant. The representatives left the appellant alone for only about 1 hour to consider the options that had just been presented to him and make a life-altering decision. HT, Appellant, Mulhern. During this hour, the appellant also had to obtain information from a TSA employee regarding retirement benefits, perform mathematical calculations based on that information, and attempt to reach his attorney. *Id.*

¶9 Not only was the appellant required to make a life-changing decision in a brief period of time, but he was required to do so without having spoken to his attorney. By the time the TSA representatives left the appellant alone to make his decision, it was lunchtime on the Friday before the Memorial Day holiday

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<sup>4</sup> On April 22, 2005, the appellant received an e-mail from the Chair of the PRB that identified him as a subject of the management inquiry and informed him that the PRB would "soon meet on serious issues that relate to [him] and [his] employment with [the TSA]." In my view, this e-mail was insufficient to put the appellant on notice that his proposed removal was imminent. RAF, Tab 8, Subtab 5.

weekend and the appellant was unable to contact his attorney despite several attempts to do so. HT, Appellant, Compain, Mulhern, Connon. As the administrative judge noted in his initial decision, TSA denied his requests for additional time to talk to his attorney before deciding whether to sign the agreement and resign. ID at 13. Specifically, TSA would not allow the appellant until the Tuesday after Memorial Day to talk with his attorney and provide TSA with a decision regarding the proposed settlement agreement and resignation. ID at 13-14.

¶10 Moreover, as the administrative judge correctly found, TSA's witnesses were unable to provide a significant reason for refusing to allow the appellant the additional time. ID at 14. At the hearing, the administrative judge questioned the TSA representatives as to why they denied the appellant's requests for additional time to make his decision and specifically asked them how TSA would have been harmed by giving the appellant more time to decide whether to resign. Messrs. Mulhern and Compain testified that TSA denied the appellant's request because they were effectuating a management change in the airport that day and Mr. Compain had already brought in someone from Tampa, Florida, that he was ready to put in place as the AFSD for Screening once he relieved the appellant. HT, Compain, Mulhern. Mr. Mulhern added that they would have to find a position for the appellant if he decided to exercise his appeal rights, which would have required coordination with Mr. Compain and TSA headquarters. He also noted that presumably the appellant would have been placed on Mr. Compain's staff. HT, Mulhern. In addition, Mr. Mulhern testified that a press release announcing the management change was to be issued at the end of the day and they needed to know whether it would say that the individual resigned for voluntary reasons. *Id.*

¶11 In his hearing testimony, Mr. Compain also stated that the appellant needed to make his decision on May 27 because the TSA representatives were there that day. HT, Compain. Similarly, Ms. Connon testified that she did not know of any specific reason why TSA could not have waited until the following Tuesday to

get a decision from the appellant other than that they were present at the time. HT, Connon.

¶12 These explanations for refusing to allow the appellant another working day to consult with his attorney before deciding whether to resign fail to establish any legitimate justification for denying the appellant's request. While the effectuation of the management change at the airport explains why the appellant was relieved of his duties as AFSD for Screening on May 27, it does not explain why he had to decide whether to resign on that day. In fact, by relieving the appellant of his duties as AFSD for Screening, TSA eliminated whatever necessity there otherwise may have been for requiring the appellant to decide whether to resign posthaste. In addition, there was no reason to require the appellant to make his decision before the TSA representatives left RDU because the representatives certainly did not have to be present when the appellant signed the settlement agreement for the agreement to be effective. Also, the proper wording of the press release hardly qualifies as an exigency justifying TSA's denial of the appellant's reasonable request for an additional working day to consult with his attorney regarding a life-altering decision.

¶13 Further, to the extent that TSA contended that the appellant had to quickly decide whether to resign because, as Mr. Mulhern testified, TSA needed somewhere to place the appellant in the event that he decided to fight the proposed removal, TSA seems to have been penalizing the appellant for its failure to anticipate that the appellant might fight the proposed action. The proposal letter specifically informed the appellant: "You will be immediately relieved of your duties and placed in a temporary assignment to other duties on the Area Director staff until you are notified of a final decision in this matter." RAF, Tab 5, Subtab 4a-3 at 4. Thus, any coordination that had to be done in order to place the appellant on Mr. Compain's staff should have occurred well in advance of the issuance of the proposed removal notice. Furthermore, rather than searching for an assignment, TSA could have simply placed the appellant on administrative

leave during the 30-day notice period. *See, e.g.*, 5 C.F.R. § 752.404(b)(3)(iv); *Henry v. Department of the Navy*, 902 F.2d 949 (Fed. Cir. 1990).

¶14 Finally, although the appellant signed the agreement on May 27, 2005, his resignation was not to be effective until September 30, 2005, thus demonstrating that TSA did not consider the immediate termination of the appellant's employment essential to the good of the service. *See Paroczay v. Hodges*, 297 F.2d 439, 441 (D.C. Cir. 1961). Accordingly, there was no need for TSA to require the appellant to make his decision before its representatives left RDU on Friday.

¶15 Therefore, none of TSA's representatives was able provide a valid reason for refusing to grant the appellant's reasonable request for more time to decide whether to resign. Conversely, there were significant reasons for allowing the appellant the additional time he requested. He was facing a decision that would profoundly affect his life and needed more time so that he could fully and carefully consider what choice he would make. In addition, he had been unable to consult with his attorney and wanted another opportunity to do so. Our reviewing court has recognized the importance of allowing an employee a reasonable opportunity to consult with his attorney. *Cf. Modrowski v. Department of Veterans Affairs*, 252 F.3d 1344, 1352 (Fed. Cir. 2001) (an agency's decision to remove an employee from federal service for failure to cooperate with an agency investigation was arbitrary and capricious where the agency denied the employee an adequate opportunity to consult with his attorney).

¶16 Incredibly, the appellant was also required to decide whether to resign or fight the proposed removal without being allowed to read the notice of proposed removal, which set forth the charges against him. As noted in the initial decision, the appellant and each TSA witness testified that Mr. Compain refused to allow the appellant to read the notice of proposed removal, stating that the appellant could do so only if the notice were formally served on him. ID at 5. However,

none of the TSA representatives cited any authority that prohibited the appellant from reading the notice of proposed removal before it was officially served on him. In fact, when asked why the appellant was not allowed to see the letter proposing his removal, Mr. Mulhern gave no reason at all, testifying as follows:

If [the appellant] were to choose to resign for personal reasons, I'm very careful not to issue to him a copy of that letter. We had the letter, the letter is signed, and at the end of the day it came down to, one of two things is going to happen here. Either we're going to work out some arrangement here on a settlement or Compain is going to issue the proposed removal notice.

HT, Mulhern.

¶17 Mr. Compain and Ms. Cannon testified that by reading the notice, the appellant was accepting it; however, they did not say why they believed this. HT, Compain, Cannon.

¶18 In his hearing testimony, Mr. Compain misrepresented the consequences of allowing the appellant to see the proposed notice of removal. When TSA's attorney asked Mr. Compain what types of questions the appellant asked him or Mr. Mulhern, Mr. Compain responded as follows:

He [the appellant] obviously wanted to see the proposed termination action but, as it was explained to him, we could certainly do that and give it to him but once we did that, we couldn't go back. In other words, *once I presented to him the proposed termination action, the best he could hope for was to resign in lieu of termination.*"

HT, Compain (emphasis added).

¶19 This statement is troubling for the following reasons: First, it reveals a presumption by Mr. Compain that the appellant would have been unsuccessful had he chosen to fight the proposed removal instead of agreeing to resign. Such a presumption is completely antithetical to the purpose of the two-step process.

¶20 Moreover, the statement is untrue. Seeing the notice of proposed removal would not have precluded the appellant from resigning for personal reasons. It is well-settled that an employee can have a "clean record" resignation even after that employee has been removed. *See King v. Department of the Navy*, 130 F.3d

1031 (Fed. Cir. 1997) (the parties negotiated a “clean record” resignation after the agency removed the appellant from her position); *see also Pagan v. Department of Veterans Affairs*, 170 F.3d 1368, 1370 (Fed. Cir. 1999) (appellant who had been removed agreed to resign in exchange for a “clean record” with all charges and actions removed from his personnel file). *A fortiori*, an employee can certainly resign for personal reasons after receiving a notice of proposed removal.

¶21 For all these reasons, I find that the appellant has established by a preponderance of the evidence that his resignation was involuntary and therefore tantamount to a constructive removal. Because the agency removed the appellant without providing him the due process requirements of prior notice and an opportunity to respond, I would order the agency to reinstate the appellant. *See Clark v. U.S. Postal Service*, 85 M.S.P.R. 162, 165, ¶ 1 (2000).

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Barbara J. Sapin  
Member