

OFFICE OF ADMINISTRATIVE HEARINGS

State of California

EXHIBIT / WITNESS LIST

OAH 23 (rev. 2/03)

ALJ: Corcen D. Wong

OAH No. 2016050434

Agency No. 2015-0243

Agency / Complainant: CalPERS

Case Name / Respondent: Sheldon Scarber

Attorney / Rep.: Elizabeth Yelland

Attorney / Rep.:

Marked For I.D.	Hearing Dates: September 15, 2016	Evidence Offered - (via Witness)	Evidence Admitted Date - AH - Jurisdiction	Marked For I.D.	Evidence Offered - (via Witness)	Evidence Admitted Date - AH - Jurisdiction
1.	Statement of Issues		JX	A.	CalPERS's March 11, 2013 Correspondence	AP
2.	Notice Hearing; Notice of Assigned Hearing Documents		JX	B.	Absence and Additional Time Worked Report and Supporting Documents	Not Admitted
3.	Application for Industrial Disability Retirement		AP	C.	CalPERS's March 13, 2015 Correspondence	AP
4.	Application for Service Retirement		AP	D.	Request for Discovery	AP
5.	CalPERS October 31, 2013 Correspondence		AP	E.	PHC Statement for SPB	Not admitted
6.	Letter of Denial		AP	F.	Patient Discharge Summary Dated 11/19/15	AH
7.	Letter of Appeal		AP	G.	December 22, 2015 Medical Report	AH
8.	Addendum to Appeal		AP	H.	April 7, 2016 Medical Report	AH
9.	Declaration of Custodian of Record		AP	I.	Physician's Report on Disability	AH



10.	Notice of Adverse Action	AP	J.	Notice of Motion and Motion to Continue	Not Admitted
11.	Settlement and Release	AP	K.	Respondent's March 18, 2013 Correspondence (withdrawn)	
12.	Decision Approving Stipulation for Settlement	AP	L.	Respondent's June 25, 2013 Correspondence (withdrawn)	
13.	Request for Judicial Notice		M.	CalPERS's Opposition to Motion to Continue	Not admitted
14.	Court Reporter's Transcript	Ntc deny	N.	Closing Brief	
15.	Sergio Garcia v. CalPERS (notice of fact that judgment issued and exist, but not TOMA)	NTc	O.		
16.	Vandergoot	Ntc	P.		
17.	Closing Brief		Q.		

COMPLAINANT WITNESSES	RELEASED	RESPONDENT WITNESSES	RELEASED
1.		1. Sheldon Kyle Scarber	

EXHIBITS
 Sheldon K. Scarber
 Agency Case No. 2015-0243
 OAH Case No. 2016-050434

ORIGINAL

EXHIBIT		I.D.	EVID.
JURISDICTIONAL DOCUMENTS			
1	Statement of Issues, dated April 19, 2016		
2	Notice of Hearing and Proof of Service, dated May 31, 2016		
3	Application for Industrial Disability Retirement, dated February 27, 2013		
4	Application for Service Retirement, dated July 9, 2013		
5	CalPERS Letter to Sheldon Scarber re: placement on service retirement roll, dated October 31, 2013		
6	CalPERS Letter to Sheldon Scarber denying disability retirement, dated April 14, 2014		
7	Sheldon Scarber's Letter of Appeal, dated May 14, 2014		
8	Sheldon Scarber's Addendum to Appeal, dated March 11, 2015		
TERMINATION DOCUMENTS			
9	Declaration of CA Dept. of Highway Patrol Custodian of Records re Authenticity of Termination Documents, dated September 6, 2016		
10	Notice of Adverse Action (NOAA), Dismissal of Sheldon Scarber by CA Dept. of Highway Patrol, effective date of dismissal August 29, 2013, dated July 29, 2013		
11	Settlement Agreement and Release of All Claims, <i>In the Matter of the Appeal from Dismissal of Sheldon Scarber</i> , Case No. 13-1254, dated December 12, 2013		
12	Decision Approving Stipulation for Settlement, <i>In the Matter of the Appeal from Dismissal of Sheldon Scarber v. CA Dept. of Highway Patrol</i> , Case No. 13-1254, dated January 9, 2014		
13	REQUEST FOR OFFICIAL NOTICE		
14	Superior Court of California, County of Fresno, Court Reporter's Transcript from Preliminary Hearing, Sheldon Kyle Scarber Held to Answer, dated March 11, 2016		
15	Superior Court of California, County of Los Angeles, Judgment on Petition for Writ of Mandate, <i>Sergio Garcia v. CalPERS</i> , filed October 23, 2015		
16	Precedential Decision, <i>In the Matter of the Application for Industrial Disability Retirement of Robert Vandergoot, Respondent</i> , dated February 19, 2013; made Precedential by the CalPERS Board of Administration, effective October 16, 2013		
OTHER			
17	CalPERS' Closing Brief in Support of Determination, dated September 15, 2016		