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10 BOARD OF ADMINISTRATION  
11 CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

12	In the Matter of the Cancellation of the	)	CASE NO. 2015-0243
13	Application for Industrial Disability	)	OAH NO. 2016050434
14	Retirement	)	
15		)	NOTICE OF HEARING
16	SHELDON K. SCARBER,	)	
17		)	
18	Respondent,	)	(Pursuant to Gov. Code, § 11509)
19		)	
20	and	)	ALJ: To Be Assigned
21		)	Hearing Date: September 15, 2016
22	CALIFORNIA HIGHWAY PATROL,	)	Hearing Location: Fresno, CA
23		)	Prehearing Conf.: None Scheduled
24	Respondent.	)	Settlement Conf.: None Scheduled

25 TO THE RESPONDENT(S) above named: Sheldon K. Scarber, by service on  
26 Sheldon K. Scarber; and California Highway Patrol, by service on its Personnel Officer.

27 YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that the hearing of the  
28 Statement of Issues in the above-entitled matter has been set and will be held before  
29 an Administrative Law Judge of the Office of Administrative Hearings of the State of  
30 California at: **CalPERS Regional Office, 10 River Park Place East, Suite 230,**  
31 **Fresno, CA 93720 for 1 day, on September 15, 2016, commencing at 9:00 a.m.,**  
32 upon the charges made in the Statement of Issues served upon the respondent.

33 If you object to the place of hearing, you must notify the presiding officer within  
34 10 days after this notice is served on you. Failure to notify the presiding officer within  
35

NOTICE OF HEARING

In Re the Matter of the Cancellation of the Application for Industrial Disability Retirement of  
Sheldon K. Scarber

STATE'S  
EXHIBIT

1 10 days will deprive you of a change in the place of the hearing. You may contact  
2 Dian M. Vorters, Presiding Administrative Law Judge of the Office of Administrative  
3 Hearings at (916) 263-0550.

4 You may be present at the hearing. You have a right to be represented by an  
5 attorney at your own expense. You are not entitled to the appointment of an attorney  
6 to represent you at public expense. You are entitled to represent yourself without legal  
7 counsel. You may present any relevant evidence and will be given full opportunity to  
8 cross-examine all witnesses testifying against you. You are expected to be ready to  
9 proceed with your case at the time of hearing. Failure to appear at the hearing, either  
10 through an attorney or personally, if you do not have an attorney, may result in a  
11 default. This means that CalPERS' decision will be upheld irrespective of any  
12 evidence that may or may not be introduced in your absence.

13 You have a right to an interpreter if you do not proficiently speak or understand  
14 English. If you need an interpreter, you must notify CalPERS immediately so that  
15 appropriate arrangements can be made.

16 You are entitled to the issuance of subpoenas to compel the attendance of  
17 witnesses and the production of books, documents, or other things by applying to said  
18 agency at: Office of Administrative Hearings, 2349 Gateway Oaks Drive, Suite 200  
19 Sacramento, CA 95833-4231.

20 BOARD OF ADMINISTRATION, CALIFORNIA  
21 PUBLIC EMPLOYEES' RETIREMENT SYSTEM

22 Dated: 5/31/16

23   
24 ELIZABETH YELLAND  
25 SENIOR STAFF ATTORNEY

**PROOF OF SERVICE**

I am employed in the County of Sacramento, State of California. I am over the age of 18 and not a party to the within action; my business address is: California Public Employees' Retirement System, Lincoln Plaza North, 400 "Q" Street, Sacramento, CA 95811 (P.O. Box 942707, Sacramento, CA 94229-2707).

On May 31, 2016, I served the foregoing document described as:

STATEMENT OF ISSUES, NOTICE OF HEARING, and Government Code sections 11507.5, 11507.6 and 11507.7 (relating to discovery under the Administrative Procedure Act) – In the Matter of the Cancellation of the Application for Industrial Disability Retirement of SHELDON K. SCARBER, Respondent, and CALIFORNIA HIGHWAY PATROL, Respondent.; Case No. 2015-0243; OAH No. 2016050434.

on interested parties in this action by placing \_\_\_ the original XX a true copy thereof enclosed in sealed envelopes addressed and or e-filed as follows:

Sheldon Scarber

████████████████████  
████████████████████

Office of Administrative Hearings  
2349 Gateway Oaks Drive, Suite 200  
Sacramento, CA 95833-4231  
VIA EMAIL TO: [sacfilings@dgs.ca.gov](mailto:sacfilings@dgs.ca.gov)

Disability and Retirement Section  
California Highway Patrol  
P.O. Box 942898  
Sacramento, CA 94298-0001

Tim Castle  
California Highway Patrol  
Disability and Retirement Section  
P.O. Box 942898  
Sacramento, CA 94298-0001


[ X ] BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED -- As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Sacramento, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing an affidavit.

[ X ] BY ELECTRONIC TRANSMISSION: I caused such document(s) to be sent to the addressee(es) at the electronic notification address(es) above. I did not receive within a reasonable time of transmission, any electronic message, or other indication that the transmission was unsuccessful.

Executed on May 31, 2016, at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Allyson McCain  
NAME

  
SIGNATURE