



Anne S. Soileau  
Director

**State of Louisiana**  
**DEPARTMENT OF STATE CIVIL SERVICE**  
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**Subpoena and/or Subpoena duces tecum**

APPEALS DIVISION  
225.342.8070  
Fax: 225.342.8058  
TDD: 1.800.846.5277  
TOLL FREE  
1-866-783-5462

**TO:** Scott Angelle, Secretary  
Department of Natural Resources

**DATE:** October 16, 2008

**FROM:** Craig B. Kimball, Civil Service Commission Referee  
Department of Civil Service Appeals

**APPEAL OF:** Susan Hill vs. Department of Natural Resources, Docket No. 16462 & S-16490 (consolidated)

**HEARING INFORMATION**

**DATE:** Thursday, October 30, 2008

**TIME:** 9:00 A.M.

**LOCATION:** Claiborne Building, 1<sup>st</sup> Floor, Room #131, 1201 North Third Street, Baton Rouge, Louisiana

Pursuant to the provisions of Civil Service Rule 13.21(c), please compel the attendance of the employees and/or production of all documents listed on the attached subpoena request(s).

**I urge you to exchange subpoenaed information before the date of the hearing. This will avoid using hearing time for examination of documents.**

**NOTE:** If any witness listed on the attached request(s) is **disabled** and needs accommodations to appear and/or testify at this hearing, please call the Appeals Section immediately. If any person listed on the attached request(s) is no longer employed by your agency or in the custody of your agency, please telephone our office immediately at (225) 342-8070 so that we may issue a formal subpoena directly to that person.

Attachments: Agency subpoena request letter dated 10/14/08

cc: Mary Ginn  
Susan Hill  
Mark Falcon

AP:RFG:dl

\*\*\* We accept all filings by FAX 225.342.8058 and by e-mail dscs.appeals@la.gov

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# AVANT & FALCON

A LAW CORPORATION

429 GOVERNMENT STREET  
BATON ROUGE, LOUISIANA 70802  
TELEPHONE (225) 387-4462  
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FLOYD J. FALCON, JR.  
DANIEL L. AVANT  
MARK E. FALCON  
SHERRI L. GREGOIRE  
CHARLES L. DIRKS, III  
BENJAMIN M. CHAPMAN

ADDRESS MAIL TO:  
P. O. BOX 2667  
BATON ROUGE, LA 70821

October 14, 2008

Ms. Roxie F. Goynes, Referee  
Department of State Civil Service  
Post Office Box 94111, Capital Station  
Baton Rouge, Louisiana 70804-9111

10-15-08  
Issue as noted  
Ref. F. Goynes

RE: Appeal of Susan Hill  
(DNR) # 16462 and S- 16590

Dear Ms. Goynes:

The referenced appeal is scheduled for hearing on October 30, 2008. On behalf of the appointing authority, please issue subpoenas to the following individuals who will be called as witnesses in DNR's case in chief:

- Formal-1. Susan Hill - formal subpoena - Post Office Box 615 Brusly, Louisiana 70719 - will testify as appellant;
2. Mary Ginn - employed by DNR - will testify as the Department's Human Resources Director responsive to appellant's allegations;
3. Kirk Rhinehart - employed by DNR; will testify responsive to appellant's allegations and the cause for her dismissal;
4. Karim Belhadjali - employed by DNR - will testify as appellant's direct supervisor regarding the cause set forth in the disciplinary notice;
5. Diane Smith - employed by DNR - will testify regarding her directives to appellant regarding absences and call-ins;
6. Dave Fruge - employed by DNR - will testify as appointing authority;
7. Sara Harrison - employed by DNR - will testify regarding appellant's computer access and usage while on extended leave;
8. Summer Martin - employed by DNR - will testify regarding the issues presented in the reduction in pay;

witnesses  
#9-20 are to be notified of the hearing + placed on call.  
Additionally, responsive to the allegations of harassment/discrimination lodged by Ms. Hill, DNR requests that subpoenas be issued for the following individuals:

- Formal-9. Gerry Duszynski- formal subpoena - 18575 Belle Alliance Drive, Prairieville, Louisiana 70769 - will testify regarding appellant's claim of retaliation;

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- ✓10. Chris Robertson - employed by DNR - will testify regarding appellant's claims of retaliation;
- ✓11. Ed Haywood - employed by DNR - will testify regarding allegations of retaliation;
- ✓12. Dain Gillen - employed by DNR - will testify regarding the subject matter of the reduction in pay;
- ✓13. Luke LeBas - employed by DNR - will testify regarding the coastal survey process;
- ✓14. Mandy Green - employed by DNR - will testify as appellant's subordinate regarding the coastal survey issue;
- ✓15. David Lindquist - employed by DNR - will testify as appellant's subordinate regarding her non-communications;
- ✓16. Michael Beck - employed by DNR - will testify regarding his telephone communication with appellant on July 7, 2008; and
- Formal ✓17. Anne Tillman - formal subpoena - 5944 Forsythia Avenue, Baton Rouge, Louisiana 70808 - will testify regarding appellant's former complaints and allegations of discrimination;
- ✓18. Lane Brown - employed by DNR - will testify regarding personnel actions affecting appellant;
- ✓19. Robert Harper - employed by DNR - will testify responsive to appellant's allegations of retaliation;
- ✓20. Maury Chatellier - employed by DNR - will testify responsive to appellant's allegations of harassment and retaliation.

Granted — DNR requests that the "may call" witnesses identified as numbers 9 through 20 not be required to appear at 9:00 a.m. for the commencement of this hearing. Instead, each of these individuals will be on-call and readily available to appear to testify, if necessary.

Subpoena  
duces  
tecum

✓ Please also issue a subpoena *duces tecum* to Mary Olexy, an employee of the Division of Administration, to produce copies of all leave requests through LEO by Susan Hill for the period of July 1, 2008 through August 29, 2008.

Yours truly,

AVANT & FALCON

  
Mark E. Falcon

MEF:lmf



Anne S. Soileau  
Director

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**SUBPOENA FOR WITNESSES AND/OR DOCUMENTS**

IN RE: Susan Hill vs. Department of Natural Resources

STATE OF LOUISIANA  
CIVIL SERVICE COMMISSION  
DOCKET NO. 16462 & S-16490  
(consolidated)

The State of Louisiana to: Susan Hill, P. O. Box 615, Brusly, LA 70719

**YOU ARE HEREBY COMMANDED**, under the authority of Article X, Section 12, of the Louisiana Constitution of 1974, to appear before the State Civil Service Commission or its designated Referee on behalf of the employee (Susan Hill) at a hearing to be held before it in the **Claiborne Building, 1<sup>st</sup> Floor - Room #131, 1201 North 3<sup>rd</sup> Street, Baton Rouge, Louisiana, Thursday, October 30, 2008 at 9:00 a.m.**, or on any other day to which this hearing may be continued to testify the truth, according to your knowledge in the abovecaptioned matter.

**YOU ARE FURTHER COMMANDED**, under the same authority, to produce at the above-mentioned hearing, the following documents and/or persons under your custody and control. N/A

And herein fail not under penalty of law.

By order of the State Civil Service Commission this **16th day of October, 2008**.

Issued for: Mark E. Falcon, Attorney  
(225) 387-4462

Roxie F. Goynes  
Civil Service Commission Referee

cc: Mark E. Falcon  
Susan Hill

**Certified - Return Receipt Requested and First Class Mail**

\*\*\*\*\*

**INSTRUCTIONS TO WITNESSES**  
**PLEASE BRING THIS SUBPOENA WITH YOU TO THE HEARING**

I hereby certify that the oneway distance in miles from my place of residence to the place where the hearing was held is \_\_\_\_\_ miles.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WITNESS

I hereby certify that the witness subpoenaed herein was present for the hearing on the below listed dates.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
REFEREE

**If you are disabled** and need accommodations to appear and/or testify at this hearing, please call the Appeals Section immediately. **NOTE: Last minute settlements are not uncommon. Please call our office the day before the hearing @ 225-342-8070 between the hours of 8 a.m. and 4:30 p.m. to see if the hearing is still scheduled to take place. Thank you.**

AP:RFG:dl

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IN RE: Susan Hill vs. Department of Natural Resources

STATE OF LOUISIANA  
CIVIL SERVICE COMMISSION  
DOCKET NO. 16462 & S-16490  
(consolidated)

The State of Louisiana to: Anne Tillman, 5944 Forsythia Ave., Baton Rouge, LA 70808

**YOU ARE HEREBY COMMANDED**, under the authority of Article X, Section 12, of the Louisiana Constitution of 1974, to appear before the State Civil Service Commission or its designated Referee on behalf of the employee (Susan Hill) at a hearing to be held before it in the **Claiborne Building, 1<sup>st</sup> Floor - Room #131, 1201 North 3<sup>rd</sup> Street, Baton Rouge, Louisiana, Thursday, October 30, 2008 at 9:00 a.m.**, or on any other day to which this hearing may be continued to testify the truth, according to your knowledge in the abovecaptioned matter.

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Civil Service Commission Referee

cc: Mark E. Falcon  
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IN RE: Susan Hill vs. Department of Natural Resources

STATE OF LOUISIANA  
CIVIL SERVICE COMMISSION  
DOCKET NO. 16462 & S-16490  
(consolidated)

The State of Louisiana to: **Gerry Duszynski, 18575 Belle Alliance Dr., Prairieville, LA 70769**

**YOU ARE HEREBY COMMANDED**, under the authority of Article X, Section 12, of the Louisiana Constitution of 1974, to appear before the State Civil Service Commission or its designated Referee on behalf of the employee (Susan Hill) at a hearing to be held before it in the **Claiborne Building, 1<sup>st</sup> Floor - Room #131, 1201 North 3<sup>rd</sup> Street, Baton Rouge, Louisiana, Thursday, October 30, 2008 at 9:00 a.m.**, or on any other day to which this hearing may be continued to testify the truth, according to your knowledge in the abovecaptioned matter.

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