

STATE OF HAWAII  
PUBLIC EMPLOYMENT RELATIONS BOARD

|                                |   |                          |
|--------------------------------|---|--------------------------|
| In the Matter of               | ) |                          |
| JAHNE HUPY,                    | ) |                          |
|                                | ) | Case No. <u>CE-09-19</u> |
| Complainant,                   | ) |                          |
|                                | ) | Order No. <u>102</u>     |
| and                            | ) |                          |
|                                | ) |                          |
| GEORGE ARIYOSHI, Governor,     | ) |                          |
| GEORGE A. L. YUEN, Director    | ) |                          |
| of the Department of Health,   | ) |                          |
| and DONALD BOTELHO, Director   | ) |                          |
| of the Department of Personnel | ) |                          |
| Services,                      | ) |                          |
|                                | ) |                          |
| Respondents.                   | ) |                          |
|                                | ) |                          |

ORDER DISMISSING CASE

This Board, on December 14, 1976, issued, in the above-referenced case, Order No. 92 which stated:

"This Board, by Order No. 34 entered on December 4, 1975, deferred the instant case to arbitration.

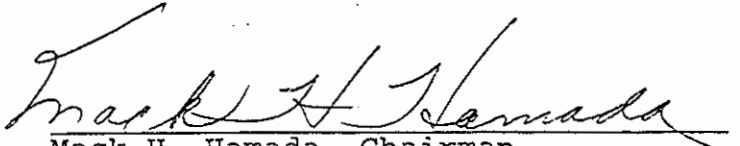
On July 2, 1976 the arbitrator furnished this Board with a copy of his Decision and Award in this case. There having been no further communication from any party herein respecting said case, this Board hereby notifies all parties that unless any of them moves this Board to do otherwise, in writing with notice to all other parties, no later than Tuesday, December 28, 1976, an order will be issued dismissing the instant case."

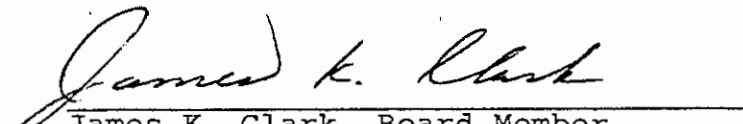
Thereafter, on December 28, 1976, the attorney for Complainant filed with this Board a Motion to Schedule Hearing and to Proceed. The attorney for Respondents filed a Motion to Dismiss on January 7, 1977.

This Board held a hearing on both motions on February 11, 1977. During the course of said hearing, the attorney for Complainant orally and voluntarily withdrew his Motion to Schedule Hearing and to Proceed leaving no doubt of his intention not to proceed with the instant case.

Based upon the foregoing, this Board hereby dismisses the instant case with prejudice.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD

  
Mack H. Hamada, Chairman

  
James K. Clark, Board Member

  
John E. Milligan, Board Member

Dated: February 16, 1977

Honolulu, Hawaii