

**ARTHUR L. DAVIS v. U.S. General Accounting Office**

**Docket No. 01-04**

**Date Issued: March 14, 2003**

**Cite as: Davis v. GAO, Docket No. 01-04 (3/14/03)**

**Before: Jeffrey S. Gulin, Administrative Judge**

**Headnotes:**

**Evidence**

**Hearing Procedures**

**ORDER**

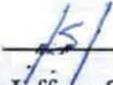


Agency witnesses about the process for verification of data collection instruments. Finally, the Agency objects to the lack of any information concerning the author of the e-mail, including her omission from Petitioner's list of hearing witnesses, the lack of information connecting her to Petitioner's jobs that are at issue, and the lack of information concerning the phone contact that preceded the e-mail.

Upon consideration of the submissions of the parties, Petitioner's Motion to Reopen Record to Receive Supplemental Evidence is hereby denied. Petitioner has failed to show "that new and material evidence has become available which was not available despite due diligence prior to the closing of the record," as required by the Board's regulations. 4 C.F.R. §28.62(b).

**SO ORDERED.**

Dated: 3-14-03

  
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Jeffrey S. Gulin  
Administrative Judge