

**JANICE F. WILLIS v. U.S. General Accounting Office and U.S. General
Accounting Office Personnel Appeals Board**

Docket No. 98-02

Date of Decision: February 17, 1999

Cite as: Willis v. GAO and GAOPAB, Docket No. 98-02 (2/17/99)

**Before: Paul S. Streb, Chief Administrative Judge, Merit Systems Protection Board
(sitting in place of the Personnel Appeals Board)**

Headnotes:

Discovery

Motion to Compel

ORDER

BEFORE CHIEF ADMINISTRATIVE LAW JUDGE PAUL G. STREB
U.S. MERIT SYSTEMS PROTECTION BOARD
SITTING IN PLACE OF THE U.S. GENERAL ACCOUNTING OFFICE
PERSONNEL APPEALS BOARD

JANICE F. WILLIS,
Petitioner,

v.

U.S. GENERAL ACCOUNTING OFFICE,
and
U.S. GENERAL ACCOUNTING OFFICE
PERSONNEL APPEALS BOARD,
Respondents.

PAB DOCKET NUMBER
98-02

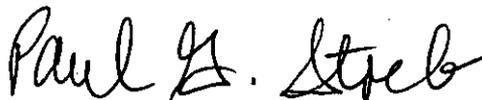
DATE: February 17, 1999

ORDER

On February 1, 1999, Respondent Personnel Appeals Board (PAB) filed a motion for an order compelling discovery. Specifically, the PAB noted that it had asked the Petitioner to list the name of each individual she planned to call as a witness in the hearing in this case, and to provide each such individual's name, address, telephone number, present employment and job title, and, if the person was to testify about things that occurred during previous employment, the individual's previous employment and job title. Motion at 1-2; see Discovery Request at 3. It also asked the Petitioner to provide a summary of the matters about which the person was to testify. Motion at 2; see Discovery Request at 3. In its motion to compel discovery, it notes that the Petitioner responded by listing 27 potential witnesses, but that she did not provide any of the requested information about them except for their names. Motion at 2; see Response to Request at 2. It asks that she be

required to provide the rest of the requested information. Motion at 2-3.

The information the PAB has requested appears reasonably calculated to lead to the discovery of evidence admissible in this case. See 4 C.F.R. § 28.41(a); see also 4 C.F.R. § 28.41(b) (scope of discovery includes identity and location of persons having knowledge of relevant facts). Moreover, the Petitioner has not responded to the motion and has not indicated, in her response to the discovery request, why she should not be required to provide all the information that was requested, see Response to Request. Accordingly, I GRANT the Respondent's motion. The Petitioner must provide, with respect to each individual she plans to call as a witness in the hearing, the information described above and in the PAB discovery request at issue here. She must serve this information on the other parties not later than February 23, 1999.



Paul G. Streb
Chief Administrative Law Judge
Merit Systems Protection Board

Washington, D.C.