

STATE OF COLORADO

EXECUTIVE CHAMBERS

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Roy Romer
Governor

EXECUTIVE ORDER

PROCLAMATION AUTHORIZING THE HIRING OF CONFLICT COUNSEL FOR COLORADO STATE DEPARTMENT OF HIGHWAYS

- WHEREAS, by memorandum dated June 19, 1989, the Office of the Attorney General informed the Chairman of the State Highway Commission and the Director of the Department of Highways that it would be unable to provide legal representation to James Edward Siebels, Joseph C. Seitz and William Bland Mills on matters pending before the State Board of Registration for Professional Engineers and Professional Land Surveyors in cases No. EN 89-07 and No. EN 89-08;
- WHEREAS, A. Ray Chamberlain, Executive Director of the Department of Highways, by memorandum of June 27, 1989, requested that the Governor authorize the appointment of conflict counsel to represent the above-mentioned individuals;
- WHEREAS, the Highway Commission also requested conflict counsel appointed for the above mentioned individuals;
- WHEREAS, I authorized the appointment of conflict council as requested in Executive Order DO132 89;
- WHEREAS, A. Ray Chamberlain by memorandum dated December 6, 1989, informed me that the State Board of Registered Professional Agencies and Land Surveyors had requested deposition of six additional Colorado Department of Highway employees regarding the ongoing matters relating to the collapse of the Walnut Street viaduct;
- WHEREAS, as referenced in the memorandum from the Office of the Attorney General of June 19, 1989, and the memorandum of June 27, 1989 from Mr. Chamberlain, Colorado Revised Statutes Section 24-31-101 (1)(e) provides in pertinent part as follows:

Whenever the Attorney General is unable or has failed or refused to provide legal services to an agency of state

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government, as determined by the Governor if the agency is in the executive branch or by the chief justice if the agency is in the judicial branch, such agency may employ counsel of its own choosing to provide such legal services.

WHEREAS, I find that the requirements of C.R.S. Section 24-31-101 (1)(e) have been met in this matter;

NOW, THEREFORE, I, Roy Romer, Governor of the State of Colorado, under the authority vested in me by the constitution and statutes of the State of Colorado including C.R.S., Section 24-31-101(1)(e) authorize the Colorado Highway Commission and the Executive Director of the Department of Highways to proceed with the appointment of counsel to provide representation to current and former employees in administrative and judicial proceedings related to the collapse of the Walnut Street Viaduct as may be determined by the Colorado State Highway Commission and the Executive Director of the Department of Highways.

GIVEN under my hand and the Executive Seal of the State of Colorado this 18th day of December, 1989




Roy Romer
Governor