

**Judicial Merit Commission – Regular Quarterly Meeting
Tang Conference Room, Law Library, Third Floor
101 West Jefferson, East Court Building
Tuesday, September 11, 2018**

General Session Meeting Minutes

The Judicial Merit System Commission met on Tuesday, September 11, 2018, for its regularly scheduled quarterly meeting. The meeting was conducted in the Tang Conference Room, located at 101 W. Jefferson Street, East Court Building, 3rd Floor.

I. Meeting Convened

The meeting was called to order at 2:10 p.m. with the following Commissioners in attendance: Commissioners Craig Waugh (Chair), Roger Geddes, Lauren Eiler (telephonic), and Kristin Hoffman (telephonic). Also in attendance were Danna Quinn, Secretary to the Commission, and Billie Berry, Human Resources Associate.

II. Approval of the Minutes

Commissioner Waugh called for a motion to approve the minutes of the 5 June 2018 Quarterly General Session.

Motion: Commissioner Geddes moved to approve the Quarterly General Session Minutes of 5 June 2018.

Commissioner Hoffman seconded the motion. The motion passed by a vote of 3 in favor, none opposed, and one abstention.

III. Appeals for Notification of Status

No appeals pending notification of status for this meeting.

IV. Appeals Pending Hearing/Decision

No appeals pending hearing or decision for this meeting.

V. Proposed Changes to Judicial Merit System Resolution and Rules, Hearing Officer's Handbook, and Appellant's Guide

Commissioner Waugh noted the Commission made some progress in outlining proposed changes to these documents during discussions in a few previous meetings and copies of the proposed changes had been forwarded, via email, to all Commissioners. He stated Commissioner Hunter, who joined the meeting at this point, had a lot of input into these documents, and suggested the Commission start with proposed changes to the Resolution and Rules. All agreed.

Commissioner Waugh stated that Section 5.A on Page 2 of 26 of the Resolution contained a comment regarding temporary employees and, in his opinion, the existing language does an adequate job of making it clear that the Resolution applies to employees, not temporary or on-call employees. However, he stated the Commission could consider proposing a change if others viewed there is confusion in the language.

Commissioner Geddes asked whether the Commission has authority to propose changes to the Resolution. It was his belief that the Resolution or Rules gives the Director authority to propose changes to the Rules, but it did not say anything about proposed changes to the Resolution.

Commissioner Waugh stated he did not believe it was beyond the Commission's authority to consider the Resolution and offer any input it may have as Section 9.E of the Resolution states, ". . . make annual reports or special reports that the Commission consider desirable to the Court regarding personnel administration regarding employees in Court Service under this Resolution and recommendations for improvement". He stated that, in his opinion, Section 9 gives the Commission the ability to at least give some input on any confusion or inconsistencies in any sections of the Resolution and the Court to decide whether it is necessary or appropriate.

Commissioner Hunter stated her intention was to clarify any inconsistency in the Rules, and to ascertain a consensus whether the comment regarding temporary and on-call employees required a change.

Commissioners agreed that the language in Section 5 regarding temporary or on-call employees is clear enough and did not consider the language to be confusing.

Comment on page 7, Section 14.C.14, Possessing, dispensing, or being under the influence of alcohol, a narcotic, barbiturate, marijuana . . .", whether the Rules have been updated to accommodate medical marijuana. Commissioner Waugh inquired whether any policies have been issued that would affect this language in the Resolution.

Secretary Quinn advised that no policy or revision to the Rules has been issued, however, discussions have been held with the Court's legal counsel regarding medical marijuana in general.

Commissioner Waugh suggested in the absence of a policy with respect to medical marijuana, it would be appropriate to consider a proposed change if there ever is a specific policy. All agreed. The Commission also requested to review such policy if one is issued in order to provide feedback on how it may impact the Rules.

Comment on page 7, Section 14.C.15, "meaning of the acronym COJET." The COJET acronym was defined and spelled out. It was agreed the Commission would search the documents to ensure acronyms are spelled out and defined the first time they appear, if they are not

otherwise provided in the definitions section, so there is no confusion about what they mean.

Commissioner Waugh stated that once all proposed changes have been made, the Commission would submit a letter to the Presiding Judge and one of its recommendations might be to review the Resolution and make sure that any acronyms are spelled out and defined the first time they appear.

Comment on page 7, Section 14.C.17, “Falsifying, destroying or altering court documents or other pertinent paperwork outside of regular document destruction schedules, except as authorized.”

Commissioner Hunter suggested the term “other pertinent paperwork” is vague and there could be an argument in which an employee may be subject to some kind of disciplinary action by an overzealous manager to allege you destroyed a receipt, it is pertinent paperwork, therefore you are fired, or for an overzealous attorney to throw out a case because they could not distinguish between what was or was not authorized.

Commissioner Waugh stated he did not believe this issue has ever come up, and it would seem unlikely that someone would be disciplined for routine destruction or alteration of a document, or one that was destroyed pursuant to a regular destruction policy.

Discussion ensued. Commissioner Eiler suggested that the word “paperwork” be changed to a more generic term such as “records”, since a lot of records are no longer stored in paper form and may not be filed with the Court.

Commissioner Waugh stated the original concern that the comment addressed was whether or not this would create an opening for a pre-textual termination for shredding of documents. He stated that the language leading to the Appointing Authority making an arbitrary decision to terminate someone is buffered by the Commission’s review of those actions. Commissioner Waugh suggested this paragraph be included to the Presiding Judge to consider adding some language to indicate that there would be exceptions for any document retention policies or destruction policies.

Comment on page 7, Section 15.B. “The hearing shall commence within 45 days of assignment to “a” Hearing Officer, instead of “the” Hearing Officer”.

Commissioner Waugh stated this edit was meant to address the fact that a Hearing Officer is not required to be appointed for each appeal as the language in the Resolution and Rules presumes. He suggested changing “the” to “a” would allow the language to be consistent with not having a Hearing Officer appointed. All agreed.

Discussion ensued on the previous sentence in this section regarding whether the Commission or the Hearing Officer sets the time and place for the hearing. Commissioner Waugh stated the Hearing Officer is authorized to set the time and place for the hearing under the Rules.

Discussion ensued regarding the 45 day rule to commence a hearing in the event a Hearing Officer is appointed and subsequently cannot hear the case. The question was asked, once another Hearing Officer is appointed, whether the 45 days to commence the hearing restarts or if that Hearing Officer is subject to the same 45 day timeframe.

Commissioner Waugh suggested that the Resolution might be revised to state 45 days either from the Commission's receipt of the appeal if the Commission does the hearing itself, or 45 days after assignment to a Hearing Officer. He also suggested that it be made clearer in the Resolution that the Commission has the power to assign Hearing Officers and delegate that evidentiary hearing responsibility to a Hearing Officer, because it is implied but not stated explicitly. All agreed.

Comment on page 7, Section 15.C, "The appellant may appear personally, produce evidence, have legal counsel or a non-attorney representative where applicable and, if requested by the appellant, a public hearing."

Commissioner Hunter stated it was not clear in the Rules that an Appellant could have a non-attorney in a closed hearing.

Commissioner Waugh proposed the Commission change "lay representative" to "non-attorney representative" at the end of the second sentence on page 3 of the Appellant's Guide under Hearings, to make it clearer that Appellants do not have to have a bar admitted attorney representing them, that they can have somebody who is not a lawyer there. He stated this point should be clarified in the Appellant's Guide because the Appellant's Guide is where an Appellant would look to know about their rights to have a representative with them, rather than the Resolution itself. All Agreed.

The Commission also agreed that this change to the Appellant's Guide would be consistent with Rule 11.07 which refers to a non-attorney representative.

The Commission asked staff to clarify the origination of the Appellant's Guide, whether the Commission created it, and if it is wholly within the Commission's power to make changes or whether they have to be approved by the Presiding Judge.

The comment on Rule 1.06 on page 10 indicated that the Rules do not recognize the National Guard, such as the Air National Guard and the Army National Guard, which are distinct branches of the military, in addition to the branches of service listed.

Commissioner Waugh suggested the Commission add at the end of the definition, comma, "and or any other branch of the United States military".

Commissioner Eiler suggested "including reserve and guard forces", after Coast Guard, which encompasses the Army National Guard, as well as the Air National Guard, and the Merchant Marines. All agreed.

Commissioner Waugh inquired whether the Court has a separate military leave policy. Secretary Quinn advised that military leave is addressed in the Court Leave Policies. The Commission requested Secretary Quinn review the policies regarding military definitions and report at the next meeting whether the definition of military, armed services, or armed forces, are in common with the Resolution and Rules to ensure consistency with other definitions that apply to more specific policies.

Commissioner Geddes noted inconsistencies throughout the Rules with the definition of Rules in Section, 1.46, Section 2.01 and Section 2.02. Commissioner Geddes noted the defined term in 1.46 defines Rules as the “Judicial Merit Rules”, and the Rules are titled “Rules for Judicial Merit System Judicial Branch of Arizona in Maricopa County”, and proposed that the definition be changed to use the exact title of the document.

In addition, Commissioner Geddes noted the Resolution in Definition 1.44 is defined as the Resolution of the Judges, however, Section I Title of the Resolution states, “This Resolution shall be known and may be cited as Judicial Merit System for the Judicial Branch of Arizona in Maricopa County.”

Commissioner Waugh agreed to do another run through the document and make a proposed universal change to address the issue of inconsistent application of a defined term for the Resolution and the Rules for review by the Commission.

Comment on page 14, Rule 2.07, “The Director may establish a placement program for the disadvantaged, and, with the approval of the Court and Commission, establish special procedures that may vary the examination, certification . . .”

Discussion ensued regarding the meaning of the phrase “disadvantaged” and how a minority group becomes disadvantaged? Commissioner Hunter stated that there are mechanisms available under Federal and State law regarding the treatment of disabled employees or individuals who fall within that category. Commissioner Hunter stated this entire section needs to be reviewed under the current law as there may be some better language to identify what management is trying to achieve in this particular paragraph because the current language could create some potential civil rights violations.

Commissioner Waugh stated the Commission should recommend to the Presiding Judge that this section does not serve any purpose and should be eliminated. All agreed.

Commissioner Geddes noted the reference to RIF on page 14, Rule 2.05.B. needs to be defined, as it is not in the definitions.

Comment on page 15, Rule 2.08.C, “Memberships in such and organizations shall not be considered in any personnel action . . .”

Commissioner Hunter questioned whether membership or affiliation with an organization should be considered in any personnel action. Commissioner Hunter stated she raised the question because the Rules states that just because you belong to an organization, it is not

considered in any personnel action, however, there has been situations where membership in an organization has resulted in some kind of personnel action.

Commissioner Waugh stated he viewed this section references the preceding paragraph which says “such organization” and paragraph “B” ends with “holding office in any lawful organization”. He stated paragraph “A” talks about employees in general can join and hold office in any organization “provided that such employee organization, labor union, or professional association is not organized for any illegal purpose or primarily engaged in activities contrary to law, and provided further that membership in such organization does not create a conflict of interest.”

Commissioner Hunter withdrew the comment on this section.

Commissioner Geddes noted Rule 2.12 does not need a subparagraph or subsection as it only has an “A”.

On page 21, Rule 10.03.A. Commissioner Hunter stated “normally” is too vague and suggested that either you provide notice or you do not provide notice. She suggested that if notice is not provided within the 30 days, the Rules should clarify those exceptions.

Commissioner Eiler suggested the Commission consider “shall provide written notice within 30 days of discovery and completion of investigation” because the department may discover something bigger than that one incident and want to investigate it further.

Commissioner Waugh stated he viewed the intent of the original language was to create some presumptive timeline that 30 days is a reasonable period of time to learn about something, look into it, send a notice of charges, but allow for exceptions. Commissioner Waugh suggested the Commission table this section for further discussion.

Commissioner Waugh stated that revisions in Rule 11.01 on page 22 were capitalizations consistent with other changes and also refers to a definition. Page 23 also notes another capitalization, and a correction to the Respondent instead of Respondents, because typically the department would be the Respondent in each case.

In Rule 11.03, Commissioner Hunter asked why a Respondent would not be considered to be in default if they did not submit an answer or respond to a notice of appeal. Commissioner Hunter also asked how the employee conducts a case if they raise issues, questions or defenses that would appear to justify or clarify their action if there is no requirement that there be an answer from the Respondent.

Secretary Quinn advised that the information in answer to the appeal is provided to the employee in the disciplinary decision. She reported the initial Notice of Charges clearly spells out the allegations, charges and policy violations. Secretary Quinn reported a pre-disciplinary hearing is held between the Appointing Authority and the employee, at which time the employee is given an opportunity to respond to the charges, raise issues or provide additional information on their behalf. She stated the Appointing Authority takes into

consideration all of the information from the Notice of Charges, and responds to any additional information presented at the pre-disciplinary hearing before a disciplinary decision is made. Secretary Quinn stated the employee is given the date to appeal if they wish to file an appeal and, at that point, the Respondent has already provided all of the information to the employee in answer to what the discipline decision was based on and the policies violated.

Commissioner Hunter recommended the Commission change this section to clarify that the Respondent's initial statement may be treated as an answer, because she was not aware of any other forum where an action is initiated and the other side does not have to do anything in order to still be a part of the process.

Commissioner Waugh stated the Commission's standard of review is unique in that the Appointing Authority's decision of discipline is upheld unless it is arbitrary and capricious. He stated he did not view that the Commission should create an answer requirement for the Respondent given the information provided to the Appellant before the Appellant files the appeal, and it should be presumed that everything in the appeal is at issue for the hearing.

Commissioner Hunter agreed.

Commissioner Geddes suggested that the second sentence of that section seemed to be superfluous and asked whether it means that not every relevant and material allegation of the appeal is at issue? Commissioner Waugh stated he did not think the sentence is needed and suggested the last sentence of Rule 11.03 be deleted it as it does not serve a purpose. All agreed.

Rule 11.04, page 23, Hearing Officers. "Hearing Officers assigned shall be individuals who have training and knowledge of the merit system principles, and have no disqualifying conflicts of interest".

Staff confirmed that Hearing Officers perform their own conflict checks when assigned an appeal. Commissioner Waugh stated the question regarding adding the language, "no disqualifying conflict of interest", is whether this would put it on the Commission to make sure that Hearing Officers have performed a conflict check and they are free of conflicts. Commissioner Geddes proposed the language be changed to read, "having certified that they have no disqualifying interest, or have attested that they have no disqualifying interest".

Commissioner Waugh restated the proposed additional language to read, "Hearing Officers assigned shall be individuals who have training and knowledge of the merit system principles and have certified the absence of any conflicts of interest", to ensure that the Commission is not responsible for confirming in each case that Hearing Officers have no conflicts and puts the onus on the Hearing Officer. All agreed.

"Assigned Hearing Officers shall be the authorized representative of the Commission and are fully authorized and empowered to grant or refuse extensions of time, to set such proceedings for hearing, to consider motions including dispositive motions".

Commissioner Hunter stated this language is on page 2 of the Appellant's Guide, under definition of motion, and states, "a request made to the Hearing Officer for a ruling or order on a specific issue related directly to the appeal. Some examples would be motions by the Respondent to dismiss the appeal, motions by either party to preclude certain evidence, and she added, 'or motions to continue the hearing, including dispositive motions'"

Commissioner Geddes asked where the Hearing Officer got that authority and what would a dispositive motion be at a hearing. Commissioner Waugh advised it would be a Motion to Dismiss. Commissioner Geddes asked why they would dismiss it rather than ruling against them.

Commissioner Waugh stated the authority for the Hearing Officer to consider those kinds of motions in the Appellant's Guide comes from Rule 11.04, as the original language states, "the Hearing Officer is authorized to take any action in connection with the proceedings in which the Commission itself is authorized to take by law or by these Rules." He stated he has no problem with making this Rule consistent with the Appellant's Guide, because on any motion or potential filing that the Hearing Officer considers, they would still be required to make their decision in the form of a recommendation to the Commission. Commissioner Waugh stated he did not expect a Respondent would ever file a Motion to Dismiss a timely appeal of disciplinary charges.

Commissioner Hunter stated she considered the Rule should be more specific and would be fine with the language, "to consider motions" without considering dispositive motions. Commissioner Hunter also stated that the Appellant's Guide seem to give the Hearing Officer a lot of latitude on the kind of motions to be heard, and she just wanted the Rules to be consistent with the Appellant's Guide.

Commissioner Geddes stated the Appellant's Guide and the Handbook should follow the Rules.

Commissioner Waugh stated he liked the breadth of Rule 11.04 because the Hearing Officer is the Commission, for purposes of conducting hearings, and their delegation of authority should be as complete as possible with the exception of making the final Findings of Fact, Conclusions of Law and Order, which the Hearing Officer needs to defer to the Commission by making their recommendations or findings.

Commissioner Waugh stated the specific authority given the Hearing Officer in the Appellant's Guide to hear and consider motions is fine as long as it does not overreach. Commissioner Waugh stated he could not envision a reason anyone would ever file a dispositive motion and suggested to take out the proposed language regarding dispositive motions. All agreed.

In Rule 11.05, Time for Hearing, “Every hearing shall commence within 45 days after assignment to the Hearing Officer or placement with a Hearing Officer”, Commissioner Hunter stated this section is regarding her previous reference wherein the Hearing Officer encounters a conflict or becomes unavailable during the proceeding.

Commissioner Geddes suggested to add “or referred to the Commission 45 days after notice of appeal”. In addition, he noticed the Rules reference working days and calendar days. It was suggested the Commission needed to be clear in terms of whether it is calendar or working days.

Commissioner Waugh stated he would revise the proposed change to Rule 11.05 to set a 45 day commencement of the hearing if the Commission were to handle that hearing without referring it to a Hearing Officer, and include some defined terms with regard to working or calendar days and for the next meeting.

In Comment 11.06, Commissioner Hunter suggested this would be a good place to discuss acceptable electronic mailing notice. “This notice may be delivered personally, by certified mail, or by any trackable method.” Commissioner Hunter inquired whether this statement is broad enough to include electronic mailing.

Commissioner Waugh confirmed with staff that notices are sent by personal, certified or trackable mail. Staff also confirmed that communication with Hearing Officers regarding notice of hearing dates and extensions of time are forwarded by regular or by electronic mail.

Commissioner Hunter asked if the Commission wished to clarify that notices can come in any form or fashion, electronic mail, certified mail, or that they can be in all the different forms.

Commissioner Waugh stated he did not view that the Commission needed to rule on this matter because the parties have the responsibility to ensure they get what they want to submit to the Hearing Officer in a way that is reliable. Commissioner Waugh proposed the Commission leave out the word “electronic” because this section deals with the notice of the appointment, name of the Hearing Officer, and the date and place of the hearing which should still be sent by personal service, certified mail, or a trackable method.

In Rule 11.08 Exclusion of Witnesses, Commissioner Geddes asked whether in adding the word “Commission or” Hearing Officer, it was more precise to say “Hearing Officer if assigned” because the Hearing Officer could exclude witnesses that are appearing before him/her. Commissioner Geddes later suggested the language read “Hearing Officer, if any,” to be consistent. All agreed.

In Comment, Rule 11.09, Witness Fees, Commissioner Waugh stated this is a proposed change from “Hearing Officer” to “Presiding Judge or designee” on subpoenas.

Commissioner Hunter stated that the process for getting a subpoena is defined in the Appellant’s Guide, on page 4, and under subpoenas it states the Court Human Resources Director requests that the Presiding Judge issue the subpoenas. She stated she assumed the

Presiding Judge or a designee would issue the subpoena. Commissioner Hunter stated the original language has the Hearing Officer issuing the subpoena, and seemed to be inconsistent with the Hearing Officer Handbook.

Commissioner Waugh proposed the language be revised to “If a witness is subpoenaed, fees and mileage may be paid on presentation . . .” and that the change from witness to subpoena is a good revision. All agreed.

The Comment on Rule 11.10, Depositions, please note recommended procedure for approving depositions and admitting the testimony, Commissioner Hunter noted the Rules states, “If a witness does not reside within the County . . . the deposition may be used in evidence by either party or the Commission”.

Commissioner Waugh stated he viewed this was the unavailability of a witness issue in the event a party had to preserve testimony due to a witness either being terminated or moving out of state. He stated that the Rule in the Appellant’s Guide gives the parties the ability to have the deposition taken and do not need to get the Hearing Officer to sign off on the request, therefore, the Commission does not need to make a change to the Rules. All agreed.

In Rule 11.11., Proposed Findings of Facts, Commissioner Geddes inquired whether the Proposed Findings from the parties go to the Hearing Officer, because in accordance with Rule 11.12, the Hearing Officer has fourteen (14) calendar days from last date of the hearing to submit Findings of Fact and Conclusions of Law.

Commissioner Waugh stated he approves of the proposed revisions in Rule 11.11, however, the Commission does have timing issues with regard to whether 10 calendar or 10 business day is reasonable for parties to file their own proposals following the conclusion of the hearing. Commissioner Waugh suggested the Commission address this issue in Rule 11.12 to decide how this affects the timing of the Hearing Officer’s proposed recommendations. All agreed. It was also noted that Findings of Fact in the second line of the paragraph should be capitalized.

Rule 11.12, Duties of the Hearing Officer. Commissioner Waugh stated the Hearing Officer makes the Proposed Findings of Fact, Conclusions of Law and Recommendation, after which the parties can file an Objection. When the Commission receives the Hearing Officer “report” and any Objections filed by the parties, it considers all of the submissions together and make issues its Decision and Order, or sends it back to the Hearing Officer.

Commissioner Waugh asked if the parties have the ability to file their own proposals within 10 working days following the conclusion of the hearing, whether the Commission wished to propose regarding the 14 calendar day timing for the Hearing Officer’s deadline to submit the Proposed Findings of Fact to the Commission.

Discussion ensued whether the Commission has an issue in allowing the Hearing Officer the discretion to issue Findings of Fact and Rules of Law before the transcript of the hearing is available to review.

Commissioner Hoffman stated the Hearing Officer could have that discretion, however, depending upon what happens at the hearing, the transcript may be crucial. Commissioner Hoffman suggested a timeline for receipt of the Hearing Officer's Findings of Fact of 10 business days from the date of receipt of the transcript and/or receipt of the transcript and Proposed Findings of Fact and Conclusion of Law.

Commissioner Waugh stated that the "discretion of the Hearing Officer" relates to the timing of the issuance of their Findings, which is calculated from the end of the hearing or upon receipt of the transcript of the hearing. He stated it does not say the latter of the two, or the earlier of the two, but that it is up to the Hearing Officer which of the two is a trigger date, but it cannot exceed 31 calendar days from the last day of the hearing.

Commissioner Waugh proposed the timeline be revised to "the report shall be issued the later of 10 working days following receipt of the transcript, or 10 working days following receipt of the Proposed Findings from the parties." All agreed.

In Rule 11.13, Filing of Written Objections, Commissioner Waugh stated he did not view that the 10 working day timing of the parties to object to the Hearing Officer's Report has any impact because it will take a while for the Commission to get to its next meeting. All agreed.

In Rule 11.14, Findings of Fact, Conclusions of Law and Order, Commissioner Geddes suggested the beginning language be changed to "Unless additional hearings are set, the Commission shall make written Findings . . ." and a sentence added to state, "If there is an additional hearing set pursuant to Rule 11.06, the Commission shall make written Findings based on the timing of the additional hearing."

Discussion ensued and it was proposed that Rule 11.14 read, "The Commission shall make Written Findings of Fact, Conclusions of Law and an Order at the next scheduled meeting after the conclusion of all hearings, or if the case is assigned to a Hearing Officer the next scheduled meeting after . . ."

Commissioner Hunter suggested that due to the hour of the day, the Commission table the balance of the discussion of proposed language of Rule 11.14 to the next meeting. All agreed.

Commissioner Waugh requested Commissioners be thinking about how Rule 11.14 and 11.16 can work together and agree, and also be thinking about some of the other proposed changes in the other documents too.

Commissioner Hunter suggested the Commission consider scheduling a special meeting prior to its next meeting to continue review of these documents. All agreed.

VI. Executive Session

No Executive Session was held at this meeting.

VII. Call to the Public

A call to the public was made by Commissioner Waugh, and no response to the call was made.

VIII. Future Agenda Items

1. Continued discussion of Proposed Changes to the Judicial Merit System Rules, Hearing Officer’s Handbook, and Appellant’s Guide.
2. Special Session for continued discussion of Proposed Changes to the Judicial Merit System Rules, Hearing Officer’s Handbook, and Appellant’s Guide prior to the next General Session.

VIII. Meeting Adjournment

The Chair entertained a motion to adjourn.

Motion: Commissioner Eiler moved to adjourn the meeting. Commissioner Hunter seconded the motion, and the Commission approved it unanimously.

The meeting was adjourned.

Respectfully submitted,

Billie J. Berry
Staff to the Commission

For

Jennifer L. Fish
Secretary to the Commission

Next Meeting: Tuesday, December 4, 2018 @ 2:00 p.m. in the Tang Conference Room