

IN THE SUPREME COURT OF THE CHEROKEE NATION

CARA HAWLEY,  
Appellant,

v.

CHEROKEE NATION,  
Appellee.

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CV-2018-05  
Emp.Ad.Appeal No. 17-004

CHEROKEE NATION  
SUPREME COURT  
KANDAL BIRD, COURT CLERK

2018 MAY -2 PM 3:38

FILED

DESIGNATION OF RECORD FOR APPEAL FROM  
EMPLOYEES APPEAL REVIEW PANEL

- Designation of Record
- Counter-Designation of Record
- Amended Designation of Record

Plaintiff, Cara Hawley, hereby designates the following for inclusion in the record on appeal in this case:

- A. TRANSCRIPTS
  - 1. No transcripts ordered.
  
- B. EXHIBITS- Those attached to pleadings in this case, and submitted before the EARP, including:
  - a. Printout of dates and times David Wayne Jumper records accessed by Cara Hawley
  - b. Cherokee Nation Human Resources Policies and Procedures (CNHRPP)
  - c. HIPAA Regulation §164.502
  - d. Cherokee Nation Health Services Compliance Plan – Impermissible Access Use or Disclosure
  - e. Cherokee Nation Health Services Compliance Plan – Disciplinary Guidance HIPAA Related Incidents
  - f. Appeal Letter from Cara Hawley, filed with Cherokee Nation Human Resources on October 12, 2017
  - g. Appeal Letter from Cara Hawley filed with Cherokee Nation Human Resources on October 27, 2017
  - h. Cherokee Nation Health Services Contact Form dated August 23, 2017 and signed by Starr Linch
  - i. Cherokee Nation Notice to Employee of Request for Position-Affecting Disciplinary Action (Dismissal or Involuntary Demotion) dated October 12, 2017
  - j. Cherokee Nation Request for Position-Affecting Disciplinary Action dated November 3, 2017
  - k. Cherokee Nation Notice of Final Decision Approving Position-Affecting Disciplinary Action dated November 3, 2017
  - l. Memo from Charles Jordan documenting September 11, 2017 meeting with Cara Hawley

- m. Cherokee Nation Human Resources Summary Statement dated December 4, 2017
- n. HIPAA Security Compliance Form signed by Cara Hawley on August 11, 2010
- o. Statement of Confidentiality signed by Cara Hawley on March 8, 2016
- p. AMO Health Center verification signed by Cara Hawley on July 22, 2012
- q. Petition for Paternity and Support, and Order of Hearing, in Mayes County Case No. FP-2017-32, filed May 15, 2017

C. DESIGNATION OF PLEADINGS AND DOCUMENTS - All Answers, Motions, Replies, and Exhibits submitted to the EARP or offered at hearing, including:

- a. Cherokee Nation Administrative Appeals Board Notice of Hearing filed December 11, 2017
- b. Cherokee Nation Appeals Board Amended Notice of Hearing filed January 5, 2018
- c. Cherokee Nation Appeals Board Order Continuing Hearing, filed February 22, 2018
- d. Entry of Appearance, Motion for Continuance, and Motion for Discovery filed March 22, 2018
- e. Cherokee Nation's Objection to Appellant's Motion for Continuance, filed March 26, 2018
- f. Administrative Appeals Board Order filed March 27, 2018

DATE: May 2, 2018.

  
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**CERTIFICATE OF SERVICE**

I, Gayle E. McNamara, hereby certify that in addition to filing the original Designation of Record in the Cherokee Nation District Court, a copy of the foregoing Designation of Record was mailed by first class mail, postage prepaid, this 2<sup>nd</sup> day of May, 2018 to the following:

Chad Harsha, Assistant Attorney General, Cherokee Nation, P.O. Box 948, Tahlequah, OK 74465  
John Young, Assistant Attorney General, Cherokee Nation, P.O. Box 948, Tahlequah, OK 74465  
Alana Casteel, Cherokee Nation Human Resources, P.O. Box 948, Tahlequah, OK 74465  
Laura Adair, Cherokee Nation Administrative Appeals Board, P.O. Box 948, Tahlequah, OK 74465

  
Gayle E. McNamara