



- h. Any rebuttal witnesses as may become apparent at the time of the hearing
- 3. Respondent Presentation of Evidence (15 Minutes) Subject to examination by Mr. Ainsworth and Cross Examination by Ms. Michalske
  - a. Jill Showman
  - b. Barbara Faco-Yount
  - c. Arlene Hedge
  - d. Any witness designated on MSB Witness list
  - e. Any witness mentioned in the record on appeal
  - f. Any witness needed to impeach the testimony of another witness
  - g. Any rebuttal witnesses as may become apparent at the time of the hearing.
- 4. Rebuttal Witness Testimony (optional at the discretion of the Hearing Officer)
- 5. Closing Arguments (15 Minutes Maximum per side)
  - a. Mr. Ainsworth for Respondent
  - b. Ms. Michalske for the Borough

### **III. POSSIBLE ORAL FINDING OR NOTICE TO TAKE UNDER ADVISEMENT PER MSB 2.29.090(H)**

- A. *Findings and decision.* The administrative hearing officer's findings are limited to rejecting or upholding the forfeiture of the animal that is the subject of the appeal. If the administrative hearing officer rejects the chief animal care and regulation officer's decision on the animal forfeiture, the matter shall be remanded to the chief animal care and regulation officer to set conditions of release prior to releasing the animal to its owner. The administrative hearing officer has the discretion to make an oral finding to uphold or reject the chief animal care and regulation officer's decision at the conclusion of the hearing or to take the matter under advisement. If the administrative hearing officer takes the matter under advisement, a written decision shall be issued within ten calendar days of the hearing. If the administrative hearing officer makes an oral finding at the conclusion of the hearing, the oral finding shall be supplemented with written findings within five calendar days of the hearing. The administrative hearing officer shall support the decision through written findings of fact. The administrative hearing officer shall provide the written decision to the clerk. The clerk shall serve the final written decision on the appellant, the law department, and the chief animal care and regulation officer in the most effective, efficient manner available within two days after receiving the decision.

### **IV. ADJOURNMENT**