

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**JANICE A RODER
2201 LEVITT AVE
SIOUX CITY IA 51103**

**DMB INC
D/B/A RUTH'S COSINA
PO BOX 655
SIOUX CITY IA 51102-0655**

**RICHARD STURGEON
PO BOX 3372
SIOUX CITY IA 51102-3372**

**Appeal Number: 04A-UI-08599-A
OC: 07-04-04 R: 01
Claimant: Respondent (1)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5-2-a – Discharge

STATEMENT OF THE CASE:

DMB, Inc. doing business as Ruth's Cosina, filed a timely appeal from an unemployment insurance decision dated August 3, 2004, reference 01, which allowed benefits to Janice A. Roder. After due notice was issued, a hearing was held in Sioux City, Iowa on September 23, 2004 with Ms. Roder participating and being represented by Richard Sturgeon. Buck Miller testified on her behalf. This matter is considered on a consolidated record with 04A-UI-08149-A.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having examined all of the evidence in the record, the administrative law judge finds: The findings of fact in decision 04A-UI-08149-A are incorporated herein by reference.

REASONING AND CONCLUSIONS OF LAW:

The reasoning and conclusions of law in decision 04A-UI-08149-A are included herein by reference.

DECISION:

The unemployment insurance decision dated August 3, 2004, reference 01 is affirmed. The claimant is entitled to receive unemployment insurance benefits, provided she is otherwise eligible.

pjs/kjf