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**THE DISTRICT OF COLUMBIA**  
**BEFORE**  
**THE OFFICE OF EMPLOYEE APPEALS**

_____	)	
In the Matter of:	)	
	)	
DEBORAH GERST,	)	
Employee	)	OEA Matter No. 1601-0265-12
	)	
v.	)	Date of Issuance: March 8, 2013
	)	
OFFICE OF THE STATE	)	
SUPERINTENDENT OF EDUCATION,	)	MONICA DOHNJI, Esq.
Agency	)	Administrative Judge
_____	)	
Deborah Gerst, Employee <i>Pro Se</i>	)	
Hillary Hoffman-Peak, Esq., Agency Representative	)	

**INITIAL DECISION**

**INTRODUCTION AND PROCEDURAL BACKGROUND**

On September 27, 2012, Deborah Gerst (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the Office of the State Superintendent of Education’s (“OSSE” or “Agency”) action of terminating her from her position as a Bus Attendant, effective February 22, 2012. On October 31, 2012, Agency submitted its Answer to Employee’s Petition for Appeal. Thereafter, a Mediation Conference was held on February 14, 2013. The parties agreed to a settlement during the Mediation Conference. Subsequently, on February 22, 2013, the parties submitted a signed Settlement Agreement, along with a Withdrawal of Appeal, wherein, Employee requested that her appeal with this Office be dismissed with prejudice. The record is now closed.

**JURISDICTION**

This Office has jurisdiction in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

**ISSUE**

Whether this appeal should be dismissed.

ANALYSIS AND CONCLUSION

D.C. Official Code §1-606.06(b) (2001) states in pertinent part that:

If the parties agree to a settlement without a decision on the merits of the case, a settlement agreement, prepared and signed by all parties, shall constitute the final and binding resolution of the appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.

In the instant matter, since the parties have submitted an executed settlement agreement, and Employee has voluntarily withdrawn her appeal, I find that Employee's Petition for Appeal is dismissed.

ORDER

It is hereby **ORDERED** that the Petition for Appeal in this matter is **DISMISSED**.

FOR THE OFFICE:

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MONICA DOHNJI, Esq.  
Administrative Judge