

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
John A. Pignataro,)	OEA Matter No. 1601-0041-18
Employee)	
)	
v.)	Date of Issuance: November 2, 2018
)	
D.C. Fire &)	Joseph E. Lim, Esq.
Emergency Medical Services Dept.,)	Senior Administrative Judge
Agency)	
_____)	
John A. Pignataro, Employee <i>pro se</i>		
Milena Mikailova, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On March 30, 2018, John A. Pignataro (“Employee”) filed a petition for appeal with the Office of Employee Appeals (“the OEA” or “the Office”) contesting the D.C. Fire & Emergency Medical Services Department’s (“Agency”) action of terminating his employment for neglect of duty and conduct unbecoming an employee. This appeal was assigned to me on November 2, 2018. Employee submitted a motion to dismiss his appeal after a successful mediation, stating that they had settled the matter. The record is now closed.

JURISDICTION

The Office has jurisdiction pursuant to OEA Rule 604, 59 DCR 2129 (March 16, 2012).

ISSUE

Whether this appeal should be dismissed.

FINDINGS OF FACTS, ANALYSIS, AND CONCLUSIONS OF LAW

In accordance with OEA Rule 619.2(g), 59 DCR 2129 (March 16, 2012), an Administrative Judge may dismiss a case “based on a settlement agreement reached by the parties”. The documents submitted by the parties clearly state that the matter is settled and that Employee seeks to withdraw his appeal and have his petition for appeal dismissed.

The Administrative Judge commends the parties on their successful resolution of this matter.

ORDER

It is hereby ORDERED that the petition in this matter is dismissed with prejudice.

FOR THE OFFICE:

Joseph E. Lim, Esq.
Senior Administrative Judge