

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

In the Matter of:	)	
	)	
CAROLYN CRAWFORD	)	OEA Matter No. 1601-0111-08
Employee	)	
	)	Date of Issuance: April 24, 2009
v.	)	
	)	Rohulamin Quander, Esq.
DISTRICT OF COLUMBIA	)	Senior Administrative Judge
DEPARTMENT OF MENTAL HEALTH	)	
Agency	)	

Frank McDougald, Esq., Agency Representative  
D. Michael Lyles, Esq., Employee Representative

INITIAL DECISION

Introduction and Procedural History

On July 10, 2008, Employee, a Forensic Psychiatric Technician, DS-640-08, with the D.C. Department of Mental Health (the “Agency”), filed a Petition for Appeal with the D.C. Office of Employee Appeals (the “Office”), taking exception with Agency’s final decision which terminated her from employment as a result of alleged misconduct, i.e., malfeasance (disrespectful conduct and language displayed towards a fellow co-worker(s) and stealing medication from a medicine cart).

This matter was assigned to me on October 6, 2008. I convened a Pre-hearing Conference on November 13, 2009, and scheduled an Evidentiary Hearing for February 5, 2009. When the Evidentiary Hearing was convened, the parties requested an extension of time, noting that they were close to a settlement agreement that would also reinstate Employee to her position. The matter was continued. On April 20, 2009, I received a *Notice of Settlement and Motion to Dismiss*, which document indicated that Employee, through counsel, and Agency had reached a negotiated settlement. A copy of the Settlement Agreement was attached.

JURISDICTION

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

ISSUE

Whether this matter may now be dismissed.

ANALYSIS AND CONCLUSION

*The D.C. Official Code* § 1-606.06 (2001) states in pertinent part: “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 instant appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.” In the instant matter, the parties advised that a signed Settlement Agreement had been negotiated and executed in settlement of this appeal. I conclude that this appeal can now be dismissed.

ORDER

It is hereby ORDERED that this matter is DISMISSED.

FOR THE OFFICE:

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ROHULAMIN QUANDER, Esq.  
Senior Administrative Judge