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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
CHRISTOPHER GRAHAM,)	
Employee)	OEA Matter No. 1601-0102-09
)	
v.)	Date of Issuance: March 9, 2012
)	
D.C. DEPARTMENT OF)	
MOTOR VEHICLES,)	
Agency)	ERIC T. ROBINSON, ESQ.
)	Senior Administrative Judge
_____)	
LaToya R. Bell, Esq., Employee Representative)	
Ross Buchholz, Esq., Agency Representative)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On March 17, 2009, Christopher Graham (“Employee”) filed a petition for appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Department of Motor Vehicles (“Agency”) adverse action of removing him from service. Initially, on November 9, 2009, this matter was assigned to Administrative Judge Sheryl Sears. In or around March 2010, this matter was reassigned to the undersigned due to Judge Sears’ retirement from service. It was during this span of time that the OEA experienced a budget crisis. Consequently, the undersigned was forced to hold this matter in abeyance. On December 12, 2011, a status conference was held. During this conference, the undersigned scheduled an evidentiary hearing in this matter which was set to occur on March 6 and 8, 2012.

As this matter progressed toward an evidentiary hearing, the parties, on their own accord, entered into settlement negotiations. Prior to the date of the evidentiary hearing, the parties informed me that they had come to a settlement of their differences. I then cancelled the evidentiary hearing in this matter so that the parties could focus on reducing their agreement to a signed writing. On March 8, 2012, the parties forwarded to me a copy of their fully executed settlement agreement. This agreement resolved all of the underlying issues in this matter. In consideration of the settlement agreement, I have decided that no further proceedings are warranted. The record is now closed.

JURISDICTION

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

ISSUE

Should this matter be dismissed?

ANALYSIS AND CONCLUSION

I am guided by the OEA rules in this matter. OEA 607.1 provides that “the Office shall exert every possible effort to resolve matters by mediation and conciliation, to the extent possible, rather than through litigation.” Furthermore, OEA Rule 607.10 states that “if the parties reach settlement, the matter shall be dismissed in accordance with D.C. Code § 1-606.6(b).” The parties have submitted a fully executed settlement agreement that resolves the underlying issues that formed the basis of Employee’s petition for appeal. I find that Employee petition for appeal should be dismissed in accordance with OEA Rule 607.10.

ORDER

Based on the foregoing, it is hereby ORDERED that this matter be DISMISSED.

FOR THE OFFICE:

ERIC T. ROBINSON, ESQ.
Senior Administrative Judge