

17, 2026. During that conference the undersigned approved all witnesses for the Evidentiary Hearing and issued an Order Convening an Evidentiary Hearing in this matter for May 19, 2026. On April 23, 2026, Agency filed a Consent Motion to Continue the Evidentiary Hearing. Agency cited therein that there was an issue with the availability of a witness and noted that the parties agreed to May 20, 2026, as the alternate hearing date. On April 24, 2026, I issued an Order granting the Motion and rescheduled the Evidentiary Hearing to May 20, 2026.

On May 14, 2026, the undersigned communicated with the parties regarding an issue with the HVAC in the OEA hearing rooms. The undersigned provided the option for the hearing to be held virtually via Webex on May 20, 2026. The parties responded and indicated that they would prefer to hold the hearing in person and requested dates to reschedule the matter for in-person. The undersigned provided dates and advised the parties that an Order would be issued rescheduling the matter once a new date had been determined. On May 19, 2026, Employee's attorney emailed the undersigned and cited that the parties had reached a settlement in this matter. The undersigned advised the parties that upon the receipt of a withdrawal/motion to dismiss, the matter would be dismissed due to the parties' settlement of the matter. On May 21, 2026, Employee filed a Notice of Dismissal citing the parties had reached a settlement and requested this matter be dismissed. The record is now closed.

JURISDICTION

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

ISSUE

Whether this appeal should be dismissed based on the parties' settlement of this matter.

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS OF LAW

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, Employee filed a Notice of Dismissal on May 21, 2026, citing therein that the parties had reached a settlement agreement and requested that this matter be dismissed before this Office. For these reasons, and pursuant to the aforementioned code provision, I find that Employee's Petition for Appeal should be dismissed.

ORDER

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

FOR THE OFFICE:

/s/ Michelle R. Harris
Michelle R. Harris, Esq.
Senior Administrative Judge