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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
ERIN CLARK,)	
Employee)	OEA Matter No.: 1601-0258-12
)	
v.)	Date of Issuance: April 8, 2014
)	
DISTRICT OF COLUMBIA)	
OFFICE OF ZONING,)	MONICA DOHNJI, Esq.
Agency)	Administrative Judge
_____)	
Ibidun Roberts, Esq., Employee Representative)	
Rahsaan Dickerson, Esq., Agency Representative)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On September 12, 2012, Erin Clark (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Office of Zoning’s (“DCOZ” or “Agency”) decision to terminate her from her position as a Staff Assistant effective August 22, 2012.

A mediation session was scheduled for February 18, 2014 in this matter. On March 28, 2014, Employee submitted a signed settlement agreement, along with a Withdrawal of Appeal noting that the parties had “reached a settlement in this matter...the Employee wishes to withdraw this appeal.” This matter was assigned to the undersigned Administrative Judge (“AJ”) on April 4, 2014. 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.

ANALYSIS AND CONCLUSION

In her March 28, 2014, Withdrawal of Appeal to this Office, Employee stated that the parties had “reached a settlement in this matter...the Employee wishes to withdraw this appeal.”

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In the instant matter, since the parties have agreed and executed a settlement agreement, and Employee has voluntarily withdrawn her Petition for Appeal, I find that Employee's Petition for Appeal is dismissed.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

MONICA DOHNJI, Esq.
Administrative Judge