Notice: This decision may be formally revised before it is published in the *District of Columbia Register* and the Office of Employee Appeals' website. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

THE DISTRICT OF COLUMBIA BEFORE THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	
EMPLOYEE ¹ ,	OEA Matter No.: 1601-0014-25
)
Employee)
v.) Date of Issuance: March 18, 2025
D.C. METROPOLITAN POLICE	
DEPARTMENT,)
Agency.) MICHELLE R. HARRIS, ESQ.
5 ,) Senior Administrative Judge
	_)
Daniel J. McCartin, Esq., Employee Representative	
Lauren B. Schwartz, Esq., Agency Representative	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On December 4, 2024, Employee filed a Petition for Appeal with the Office of Employee Appeals ("OEA" or "Office") contesting the District of Columbia Metropolitan Police Department's ("Agency" or "MPD") decision to suspend her from service for twenty-five (25) days, with five (5) days held in abeyance for one (1) year, pursuant to a Final Agency Action dated November 6, 2024. Following a request from OEA dated December 4, 2024, Agency filed its Answer to Employee's Petition for Appeal on January 3, 2025. This matter was assigned to the undersigned Senior Administrative Judge ("AJ") on January 6, 2025. On January 14, 2025, I issued an Order scheduling a Prehearing Conference in this matter for February 26, 2025. Prehearing Statements were due by February 19, 2025. Agency filed its Prehearing Statement and Motion for Dismissal and/or Summary Disposition on February 19, 2025. Employee filed her Prehearing Statement on February 20, 2025. Both parties appeared for the Prehearing Conference on February 26, 2025. During that Conference, the parties advised the undersigned that they were in settlement discussions and that more time was needed to complete discovery. Accordingly, I issued a Post Prehearing Conference Order on February 26, 2025, which required the parties to provide a Status Update by or before March 17, 2025. That Order also required that discovery be complete by that same deadline.

¹ Employee's name was removed from this decision for the purposes of publication on the Office of Employee Appeals' website.

² Employee also filed a request for mediation on February 11, 2025. However, at that time, Agency indicated in email correspondence that it was in ongoing discussions with Employee's representative and that mediation was not necessary at that time.

On March 12, 2025, Employee, by and through her counsel, filed a Notice of Dismissal ("Notice"). Employee cited that the parties had reached a settlement and requested a dismissal of the Petition for Appeal before this Office. I have determined that an Evidentiary Hearing is not warranted. The record is now closed.

JURISDICTION

This 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 and Employee's request for dismissal.

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, the parties reached a settlement agreement. Furthermore, on March 12, 2025, Employee filed a Notice of Dismissal citing that a settlement had been reached 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 with prejudice.

ORDER

It is hereby **ORDERED** that Employee's Petition in this matter is **DISMISSED** with **Prejudice**.

FOR THE OFFICE:

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