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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
JANICE BROWN,)	
Employee)	OEA Matter No. 1601-0324-10
)	
v.)	Date of Issuance: November 18, 2013
)	
D.C. OFFICE OF CONTRACTING)	
AND PROCUREMENT,)	MONICA DOHNJI, Esq.
Agency)	Administrative Judge
_____)	
Vanessa Carpenter Lourie, Esq., Employee Representative		
Margaret Radabaugh, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On June 16, 2010, Janice Brown (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the D.C. Office of Contracting and Procurement’s (“OCP” or “Agency”) action of terminating her from her position as a Contract Specialist, effective May 25, 2010.

This matter was assigned to the undersigned Administrative Judge (“AJ”) on July 10, 2012. Because Agency failed to submit a timely Answer to Employee’s Petition for Appeal, on July 12, 2012, I issued an Order for Statement of Good Cause to Agency. Agency was required to submit its Answer, along with a statement of good cause based on its failure to submit its Answer. Agency had until July 30, 2013, to respond. Agency complied. Subsequently, on August 1, 2012, the undersigned issues an Order Convening a Status Conference for August 15, 2012. Both parties were present for the Status Conference.¹ During the Status Conference, Agency submitted a Letter of Conservatorship from the D.C. Superior Court dated June 12, 2012, noting that Employee was not competent to represent herself, and that Employee’s sister – Ms. Sandra Adams-Byrd had permanent general conservatorship of Employee’s estate. Upon verifying the validity of the Letter of Conservatorship, the undersigned in an Order dated August 29, 2012,

¹ Employee appeared *Pro Se*.

rescheduled the Status Conference in this matter for September 25, 2012. Employee's sister, Ms. Adams-Byrd was notified of this Status Conference. While Employee was not present for this Status Conference, her permanent general conservator, Ms. Adams-Byrd and her representative were present. Thereafter, the parties notified the undersigned of their decision to attempt to settle this matter out of court. After several rescheduled Status Conferences, the Undersigned was notified via email that the parties had reached a settlement agreement in this matter. On October 18, 2013, Agency submitted an executed Settlement Agreement. Subsequently, on November 15, 2013, this Office received Employee's notice to withdraw her Petition for Appeal. 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.

ANALYSIS AND CONCLUSION

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 submitted an executed 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