

**BEFORE THE
MERIT SYSTEM PROTECTION BOARD
FOR
MONTGOMERY COUNTY, MARYLAND**

IN THE MATTER OF

[REDACTED],

APPELLANT,

AND

**GAITHERSBURG-
WASHINGTON GROVE
VOLUNTEER FIRE
DEPARTMENT,**

EMPLOYER

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CASE NO. 19-05

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ORDER ACCEPTING SETTLEMENT AGREEMENT

On August 7, 2018, Appellant filed the above captioned appeal with the Merit System Protection Board (MSPB or Board). The appeal pertains to Appellant’s suspension and dismissal from the Gaithersburg - Washington Grove Volunteer Fire Department (GWGVFD). On January 10, 2019, the parties filed a fully executed settlement agreement with the Board resolving the appeal. Pursuant to Montgomery County Personnel Regulations (MCPR), § 35-15(b), the MSPB retains jurisdiction to interpret and enforce the terms of the settlement agreement.

The Board finds that it has jurisdiction to accept the settlement agreement into the record. MCPR § 35-15; MSPB Case No. 17-12 (2017); MSPB Case No. 16-10 (2016); MSPB Case No. 15-24 (2015). *Cf., Pleshaw v. OPM*, 98 M.S.P.R. 478, 480 (2005). The Board has reviewed the settlement agreement carefully and notes that the settlement agreement is lawful on its face, that Appellant is represented by counsel, and that the agreement was freely entered into by the parties. *Id.; McGann v. Department of Housing and Urban Development*, 56 M.S.P.R. 17, 18 (1992). Therefore, the Board agrees to accept the settlement agreement into the record.

Accordingly, the Board hereby **ORDERS**:

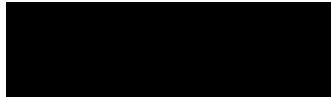
Order Accepting Settlement

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1. That the settlement agreement filed by the parties in this matter be entered into the Board's records;
2. That within two (2) working days of this Order Appellant file with the Board a notice indicating that he wishes to withdraw his appeal in Case No. 19-05;
3. That within ten (10) working days of this Order the GWGVFD provide the Board with written certification, copied to Appellant, that it has fully implemented the terms of the settlement agreement;
4. That the appeal in Case No. 19-05 be and hereby is **DISMISSED** as settled;
5. That the Board will retain jurisdiction over any disputes that arise concerning the interpretation or enforcement of the settlement agreement.

For the Board
January 16, 2019



Michael J. Kator
Chair