



conference with the parties scheduled by the Hearing Examiner on April 3, 2024, the parties indicated they were willing to work with a mediator to resolve the dispute. On April 17, 2024, the Hearing Examiner sent a letter to the parties confirming this intent and providing information regarding the penalties under the statute and mediation information.

After receiving the April 17, 2024 letter the Complainant indicated she no longer wished to participate in mediation. The Hearing Examiner scheduled another prehearing conference on June 18, 2024. Prior to the prehearing conference the Complainant retained counsel. During the June 18, 2024 prehearing conference counsel, all parties indicated a desire to participate in mediation. The Hearing Examiner referred the parties to Michael Lang and assisted in coordinating dates for the mediation. The parties concluded mediation with Mr. Lang in September 2024 and settled all matters. On November 14, 2024, counsel for the Complainant filed a Joint Motion to Dismiss with Prejudice of the above captioned case signed by counsel for all parties indicating that the parties settled all pending claims. The Hearing Examiner accepted the Joint Motion to Dismiss with Prejudice and all previously filed documents into the administrative record and has closed the OZAH record.

## **II. RECOMMENDED DECISION**

Given the fact that the parties have reached a settlement agreement resulting in the receipt of the Joint Motion to Dismiss with Prejudice from the parties there is no reason for the Hearing Examiner to proceed with this case.

Section 2A-10(g) of the Montgomery County Administrative Procedures Act provides:

*Informal disposition.* Where appropriate to the nature of the proceedings and the governing laws, informal disposition maybe made by any contested case by stipulation, agreed, settled, consent order or default.

The decision of the parties to settle the matter provides a clear basis for dismissal. The Hearing Examiner **RECOMMENDS DISMISSAL WITH PREJUDICE** the above captioned case.

DATED: December 13, 2024



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Kathleen E. Byrne  
*Hearing Examiner*

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