

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

IN THE MATTER OF

██████████,

APPELLANT,

AND

**MONTGOMERY COUNTY
GOVERNMENT,**

EMPLOYER

CASE No. 22-18

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ORDER ACCEPTING SETTLEMENT AGREEMENT

On November 8, 2021, Appellant filed the above captioned appeal with the Merit System Protection Board (MSPB or Board). The appeal pertains to the decision of the Office of Consumer Protection to suspend Appellant for three (3) days.

On December 2, 2021, the County notified the Board that a settlement agreement had been reached in the above captioned matter. On December 6, 2021, the parties filed a fully executed settlement agreement with the Board resolving the appeal.

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). 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 has reviewed the settlement agreement carefully and notes that the settlement agreement is lawful on its face, that the agreement was freely entered into by the parties, and that Appellant was represented by counsel and is himself an attorney and a member of the Maryland Bar. MSPB Case No. 19-18 (2019); *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**:

1. That the settlement agreement filed by the parties in this matter be entered into the Board's records;
2. That within 30 calendar days of this Order the County shall provide the Board with written certification, copied to Appellant, that it has fully implemented the terms of the settlement;
3. That the appeal in MSPB Case No. 22-18 be and hereby is **DISMISSED** as settled; and
4. That the Board will retain jurisdiction over any disputes that arise concerning the interpretation or enforcement of the settlement agreement.

For the Board
December 7, 2021



Harriet E. Davidson
Chair