

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

IN THE MATTER OF

[REDACTED],

APPELLANT,

AND

**MONTGOMERY COUNTY
GOVERNMENT,**

EMPLOYER

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CASE NO. 25-06

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ORDER ACCEPTING SETTLEMENT AGREEMENT

On November 7, 2024, Appellant, a Manager III with the Montgomery County Department of Transportation, Division of Highway Services, filed an appeal with the Merit System Protection Board (Board or MSPB) challenging a dismissal.

On December 23, 2024, the parties notified the Board that an agreement had been reached, and the parties filed a fully executed settlement agreement 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 Appellant is represented by competent counsel, and that the agreement was freely entered into by the parties. 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** that:

1. The settlement agreement filed by the parties in this matter be entered into the Board's records;

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2. Within 30 calendar days of this Order the County provide the Board with written certification, copied to Appellant and his counsel, that it has in all respects fully implemented the terms of the settlement agreement;
3. The appeal in MSPB Case No. 25-06 be and hereby is **DISMISSED WITH PREJUDICE** as settled; and
4. The Board will retain jurisdiction over any disputes that arise concerning the interpretation or enforcement of the settlement agreement. A party alleging a violation of the Settlement Agreement by any other party may file a Motion to Enforce Settlement Agreement with the MSPB.

For the Board

December 31, 2024

[REDACTED]

Barbara S. Fredericks
Chair