

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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U.S. DISTRICT COURT
DISTRICT OF COLUMBIA
MAR 14 PM 6:15

HANCOY M.
MAYER-WHITTINGTON
CLERK

PHILIP NEWSOME,

Plaintiff,

v.

MEL MARTINEZ, Secretary of the
United States Department of Housing
and Urban Development,

Defendant.

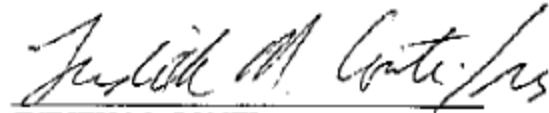
Case No. 99-CV-00988 (RCL)
Hon. Royce C. Lamberth

STIPULATION OF DISMISSAL

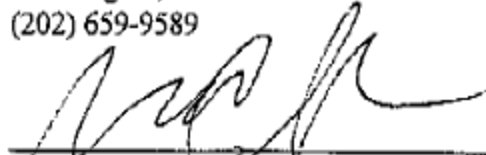
THE PARTIES HEREBY JOINTLY STIPULATE, by and through their undersigned counsel, to dismissal of the above-captioned case, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(ii). The Court shall retain jurisdiction for purposes of enforcement or modification of the voluntary Settlement Agreement entered into between the parties, see Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375, 381-82 (1994), pursuant to the terms of that Settlement Agreement, provided that if it is determined that this Court is without jurisdiction over the parties' Settlement Agreement in an action to enforce or modify that Agreement, this action will be re-opened on plaintiff's motion without prejudice and without the need for further exhaustion of administrative remedies.

DATED: March 14, 2001

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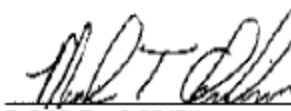
DATED: March 13, 2001

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DATED: March 13, 2001

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DATED: March 14, 2001

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DATED: March 14, 2001

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Attorney for Proposed Intervenor

SETTLEMENT AGREEMENT

The parties to this agreement, Plaintiff Philip Newsome (hereafter "plaintiff") and Defendant Mel Martinez, Secretary of Housing and Urban Development (hereafter "defendant" or "HUD"), by and through the parties' undersigned attorneys, having agreed to settle the issues raised in the case of Newsome v. Martinez, No. 99-CV-0988 (RCL) (D.D.C.), hereby stipulate and agree to the following in settlement of this action:

1. Defendant will pay plaintiff and his counsel the total sum of \$490,000.00 (four hundred and ninety thousand dollars and no cents) in full and complete settlement of all claims, issues, complaints, or actions for money damages, backpay, attorneys fees, and costs arising out of plaintiff's complaint styled Newsome v. Martinez, No. 99-CV-0988 (RCL) (D.D.C.), and any and all other claims, complaints, or actions arising from acts by defendant and its employees allegedly taken against plaintiff prior to the effective date of this Settlement Agreement. The funds in this amount will be paid by check or wire transfer to the Project Law IOLTA account for distribution by that organization to plaintiff and his counsel. Counsel for defendant will use their best efforts to make this payment in as expeditious a manner as possible, including requesting that the Department of the Treasury expedite the payment. If plaintiff does not receive payment within eight weeks of the effective date of this Settlement Agreement, plaintiff reserves the right to seek relief from the Court directing that payment be made by a date certain.

2. The parties agree that plaintiff shall be placed on a detail (hereafter "IPA") from an SES-4 position, as authorized by the Intergovernmental Personnel Act, of plaintiff's choosing, consistent with the interests of the United States, through July 31, 2004. Upon the effective date of this Settlement Agreement, plaintiff will be placed upon paid administrative leave status by the HUD Office of Inspector General (hereafter "OIG") from his position as Deputy Assistant Inspector General for Investigations. Plaintiff shall inform OIG and defendant's counsel of his proposed IPA within 45 days in writing, subject to reasonable extension for good cause shown in