

BEFORE THE MERIT EMPLOYEE RELATIONS BOARD  
OF THE STATE OF DELAWARE

IN THE MATTER OF )  
PHILLIP ELLIOTT, )  
Grievant )  
v. )  
DEPARTMENT OF TRANSPORTATION )  
STATE OF DELAWARE, Agency )  
)  
)  
)

DOCKET NO. 03-11-299

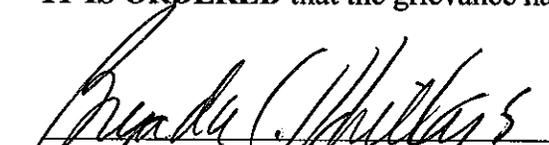
ORDER OF DISMISSAL

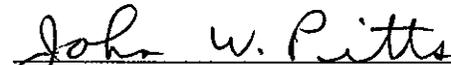
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BEFORE Brenda C. Phillips, Chair, John F. Schmutz, John W. Pitts, Paul R. Houck and Dallas Green, Members, constituting a quorum of the Merit Employee Relations Board pursuant to 29 Del. C. § 5908(a).

AND NOW, this 28th day of July, 2004, it appears to the Board that the Grievant, Phillip Elliott, through his attorney, Perry Goldlust, Esq., and the Department of Transportation, represented by Deputy Attorney General Ilona Kirshon, Esq., have reached a settlement in the above-referenced case (see attached signed Stipulation of Dismissal) and, therefore, wish to have this case dismissed by the Merit Employee Relations Board.

IT IS ORDERED that the grievance has been settled and this matter is **DISMISSED**.

  
Brenda C. Phillips, Chair

  
John W. Pitts, Member

  
Dallas Green, Member

Paul R. Houck, Member

  
John F. Schmutz, Member

Original: File  
Copies: Grievant  
Agency  
Agency's Representative  
Merit Employee Relations Board  
State Personnel Office (3 copies)

DATE MAILED Sept. 10, 2004

## Turner Jean (DAS)

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**From:** Tischer Michael (DOJ) [Michael.Tischer@state.de.us]  
**Sent:** Tuesday, June 29, 2004 1:36 PM  
**To:** Turner Jean (DAS)  
**Cc:** Austin Martha (DAS)  
**Subject:** FW: MERB Philip Elliot

Looks like the Elliot grievance appeal has been resolved. It was scheduled for July 15<sup>th</sup>. Need to advise the Board members. It will be difficult to schedule anything in its place since Ilona will be out for quite some time.

-----Original Message-----

**From:** Ballard Stephani (DOJ) [mailto:Stephani.Ballard@state.de.us]  
**Sent:** Tuesday, June 29, 2004 1:27 PM  
**To:** Tischer Michael (DOJ)  
**Subject:** MERB Philip Elliot

Mike,

It appears that Ilona has settled this case. I got signed settlement documents from Perry that will be sent to Ilona's client for signature. When the settlement is finalized, we'll file a stip of dismissal with MERB. You can take off the hearing for July 15. thanks.

Stephani

BEFORE THE MERIT EMPLOYEE RELATIONS BOARD  
OF THE STATE OF DELAWARE

PHILLIP ELLIOT, )  
)  
Employee-Appellant, )  
v. )  
)  
DELAWARE DEPARTMENT )  
OF TRANSPORTATION, )  
)  
Employer-Appellee )

MERB Docket No. 03-11-299

RECEIVED  
MERIT EMPLOYEE  
RELATIONS BOARD  
04 JUL 23 PM 2:02

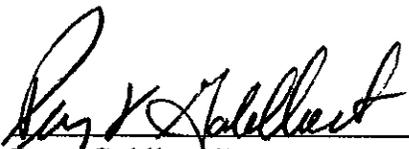
STIPULATION OF DISMISSAL

WHEREAS, the Grievant, Phillip Elliot ("Elliot") is an employee of the Delaware Department of Transportation ("DELDOT"); and

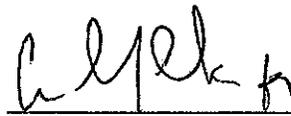
WHEREAS, Elliot has a grievance pending before the Merit Employee Relations Board ("Board"), Docket No. 03-11-299; and

WHEREAS the above-referenced grievance has been settled by the parties.

IT IS HEREBY STIPULATED AND AGREED by and between the parties, DHSS and Elliot, through their respective counsel, that the above-referenced grievance is hereby dismissed with prejudice.



Perry Goldlust, Esq.  
Aber, Goldlust, Baker & Over  
First Federal Plaza  
702 King St., Suite 600  
Wilmington, DE 19801  
Counsel for Appellant-Employee



Ilona Kirshon  
Deputy Attorney General  
Department of Justice  
820 N. French St., 6th Floor  
Wilmington, DE 19801  
Counsel for Appellee-Employer

Dated: 7/14/04

Dated: 7/13/04