



The parties filed pleadings as well as an Appeal File and Supplement. A hearing was set for April 11, 2001, in Portland, Oregon. When the hearing convened, the parties jointly indicated a desire to undertake Board-assisted settlement negotiations prior to any further proceedings. Neither party objected to the assigned judge assisting in resolution in that matter and then presiding at the hearing in the event they were unsuccessful. The parties were able to reach a negotiated settlement and no further proceedings were necessary. The Board was not informed that all terms of the settlement had been fulfilled until well after the target date for decision. By letter of August 27, 2001, Appellant requested that its appeal be dismissed with prejudice.

**DECISION**

The parties having settled the appeal and all terms and conditions of the settlement having been fulfilled, the Board hereby dismisses the appeal with prejudice.

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**ANNE W. WESTBROOK**  
Administrative Judge

**Concurring:**

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**EDWARD HOURY**  
Administrative Judge

**Issued at Washington, D.C.**  
**September 27, 2001**