

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF ADMINISTRATION

In the Matter of the Appeal of the
Determination of the Responsible
Authority for the City of Minneapolis
Civilian Police Review Authority that
Certain Data concerning Mike Kirchen
and Daniel Unguarian are Accurate
and/or Incomplete.

**RECOMMENDATION FOR
DISMISSAL**

This matter was originally set for a contested case hearing before Administrative Law Judge Phyllis A. Reha on December 7, 1999. At the request of the parties, the hearing was continued to February 15, 2000. On January 19, 2000, the matter was reassigned to Administrative Law Judge Steve M. Mihalchick. On February 11, 2000, the parties notified the Administrative Law Judge that the matter had been settled; the Administrative Law Judge then canceled the scheduled hearing. On March 3, 2000, the parties filed a fully executed Settlement Agreement. The Settlement Agreement called for an amendment to the Findings of Fact of the Minneapolis Civilian Police Review Authority and a copy of those Amended Findings of Fact were attached to the Settlement Agreement.

Minn. Stat. § 14.59 provides that informal disposition may be made of any contested case by stipulation, agreed settlement, consent order or default.

Based upon a review of the Settlement Agreement and all the files and records, the Administrative Law Judge makes the following:

RECOMMENDATION

IT IS HEREBY RESPECTFULLY RECOMMENDED: that the Commissioner of Administration dismiss the above-entitled matter pursuant to the Settlement Agreement.

Dated: March 7, 2000.

STEVE M. MIHALCHICK
Administrative Law Judge

NOTICE

This Report is a recommendation, **not** a final decision. The Commissioner of Administration will make the final decision after a review of the record. The Commissioner may adopt, reject or modify the Recommendation. Under Minn. Stat. § 14.61, the final decision of the Commisisoner shall not be made until this Report has been made available to the parties to the proceeding for at least ten days. An opportunity must be afforded to each party adversely affected by this Report to file exceptions and present argument to the Commissioner of Administration,. Parties should contact David Fisher, Commissioner, Department of Administration, 50 Sherburne Avenue, St. Paul, MN 55155 to ascertain the procedure for filing exceptions or presenting argument.