

#409-09 (OAL Decision: Not available online)

OAL DKT. NO. EDU 5506-09
AGENCY DKT. NO. 69-4/09

SOUTH BERGEN JOINTURE	:	
COMMISSION,	:	
	:	
PETITIONER,	:	COMMISSIONER OF EDUCATION
V.	:	
	:	DECISION
CHRISTOPHER WARE,	:	
	:	
RESPONDENT.	:	
_____	:	

The record of this matter, the proposed stipulation of settlement, and the Initial Decision issued by the Office of Administrative Law pursuant to *N.J.A.C.* 1:1-19.1 have been reviewed.

Upon review, the Commissioner observes that the stipulation of settlement is neither signed by petitioner’s attorney, who is petitioner’s duly authorized representative in litigation, nor authorized by a Jointure Commission resolution. The Commissioner consequently cannot approve the within settlement.

Accordingly, the Commissioner hereby remands this matter to the OAL for revision of the stipulation of settlement to include either the signature of the Commission’s attorney or a Jointure Commission resolution approving the settlement and designating who may execute it on behalf of the Commission. If the parties are unwilling or unable to effectuate the requested revisions, the matter shall proceed to hearing.

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

Date of Decision: December 11, 2009

Date of Mailing: December 14, 2009