

Office of Superintendent of Schools  
Board Meeting of January 16, 2002

December 20, 2001

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: SETTLEMENT OF J. NEWMARK v. THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA - UNITED STATES DISTRICT COURT**  
**CASE NO.: 00-4468-CIV-MOORE**

This lawsuit was filed in the United States District Court for the Southern District of Florida on November 22, 2000. The Plaintiff has agreed to file a voluntary dismissal with prejudice. A settlement agreement has been drafted for the School Board's consideration and approval. Under the terms of the settlement agreement, submitted under separate cover, the School Board pays nothing to the plaintiff and the plaintiff releases the School Board from all claims, including damages, attorneys' fees and costs.

The Office of the School Board Attorney recommends that the School Board authorize and approve the settlement of this lawsuit. The administration concurs with this recommendation.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Superintendent to enter into the settlement agreement in the case of John Newmark v. The School Board of Miami-Dade County, Florida, U.S.D.C. Case No.: 00-4468-Civ-Moore. The settlement will release the School Board from all claims including damages, attorneys' fees and costs.