

Office of Superintendent of Schools
Board Meeting of November 20, 2007

November 16, 2007

Office of School Board Attorney
JulieAnn Rico, Board Attorney

SUBJECT: APPROVAL OF SETTLEMENT IN CASE OF MADLYN SCHERE v. SCHOOL BOARD OF MIAMI-DADE COUNTY, JULIEANN RICO AND RUDOLPH CREW, U.S. DISTRICT COURT CASE NO.: 06-22653 CIV-UNGARO

This lawsuit was filed against the School Board, the Superintendent, and the School Board Attorney on October 30, 2006. The First Amended Complaint alleged, among other things, claims for age discrimination, national origin discrimination and retaliation.

On May 8, 2007, United States District Court Judge Ursula Ungaro dismissed the complaints against the Superintendent and the School Board Attorney with prejudice, and on August 29, 2007, the Court granted Defendants' motions for attorney's fees. The Court then referred the matter to the Magistrate Judge for determination of reasonable attorney's fees that would be assessed against the Plaintiff. In the interim, the parties have reached a settlement of this matter that requires the Plaintiff to pay reasonable attorney's fees to the Defendants and will bring this case to a close.

The settlement agreement requires, among other things, that the Plaintiff dismiss her lawsuit against the School Board with prejudice and pay the School Board \$20,000 in attorney's fees. A copy of the settlement agreement has been provided to the School Board under separate cover.

RECOMMENDED: That the School Board of Miami-Dade County, Florida approve the Settlement Agreement in the case *Madelyn Schere v. School Board of Miami-Dade County, JulieAnn Rico and Rudolph Crew*, U.S. District Court Case No.: 06-22653 CIV-UNGARO. The Settlement terminates all litigation and requires payment in the amount of \$20,000, by Plaintiff to the School Board, as full and final settlement of attorney's fees and costs due from Plaintiff to Defendants.

**REPLACEMENT
G-6**