

UNITED STATES OF AMERICA  
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
OFFICE OF HEARINGS AND APPEALS

UNITED STATES DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT,

Petitioner,

v.

MICHAEL ANDREW KERGOSIEN and  
JASON ALAIN WU,

Respondents.

HUDOHA No. 23-JM-0045-PF-001

April 24, 2023

**ORDER GRANTING GOVERNMENT’S MOTION TO DISMISS**

This matter is before the undersigned upon an *Amended Complaint* filed on February 6, 2023, by the U.S. Department of Housing and Urban Development (“HUD”) against Respondents pursuant to 31 U.S.C. §§ 3801, *et seq.*, as implemented by 24 C.F.R. Part 28. On April 20, 2023, HUD filed its *Government’s Motion to Dismiss* asking the Court to dismiss the case as to both Respondent Kergosien and Respondent Wu based on settlement agreements reached with each Respondent.

**Respondent Kergosien**

HUD represents that a Settlement Agreement has been reached with Respondent Kergosien and is effective as of April 20, 2023. However, Respondent Kergosien is required to complete all obligations under the Settlement Agreement on or before June 1, 2023.

**Respondent Wu**

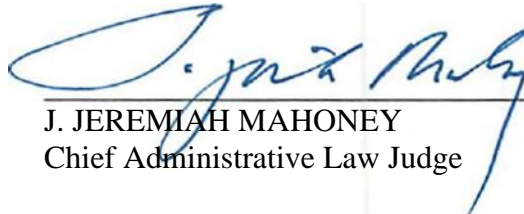
HUD represents that a Settlement Agreement has been reached with Respondent Wu and is effective as of April 20, 2023. Respondent Wu has completed all obligations under the Settlement Agreement.

**ORDER**

For good cause, the *Government’s Motion to Dismiss* is **GRANTED**. The matter as to Respondent Kergosien is dismissed without prejudice recognizing that Respondent Kergosien must complete all obligations under the Settlement Agreement on or before June 1, 2023. The

matter as to Respondent Wu is dismissed with prejudice, as Respondent Wu has completed all obligations under his Settlement Agreement.

So **ORDERED**,



J. JEREMIAH MAHONEY  
Chief Administrative Law Judge