

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF ADMINISTRATIVE LAW JUDGES

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,)	
)	
Petitioner,)	
)	
v.)	HUDALJ 10-E-157-PF/15
)	OGC Case No. 10-3646-PF
MICHAEL CARIDI, and SRC INDUSTRIES, INC.,)	
)	
Respondents.)	

ORDER GRANTING MOTION TO DISMISS

This action was initiated on June 23, 2010, by the filing of a Complaint by the United States Department of Housing and Urban Development (“HUD”) against Respondents pursuant to the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. §§ 3801-3812, and the regulations at 24 C.F.R. Part 28 (“Rules”). Respondents filed an Answer to the Complaint on September 13, 2010. The undersigned scheduled the hearing to commence on December 14, 2010. Per orders dated November 22, 2010, and December 21, 2010, the hearing date and other prehearing filing deadlines were stayed, pending settlement.

On February 11, 2011, HUD filed a Motion to Dismiss Based on Settlement Agreement (“Motion”), in which it represents that the parties “have reached a settlement,” and moves for dismissal of the proceeding with prejudice. HUD attached a copy of the Settlement Agreement dated February 11, 2011, as executed by HUD counsel and Respondent Michael Caridi, President of Respondent SRC Industries, Inc. The Settlement Agreement attests that Respondents agree to pay \$45,000 to HUD, *inter alia*.

Section 28.45 of the Rules provides that “HUD and the respondent may enter into a settlement agreement at any time prior to the issuing of a notice of final determination.” 24 C.F.R. § 28.45(a).

It is hereby ordered that the Motion to Dismiss Based on Settlement Agreement is **GRANTED** and this matter is **DISMISSED** due to the execution of a Settlement Agreement by Respondents and HUD dated February 11, 2011.



Susan L. Biro
Chief Administrative Law Judge¹

Dated: February 11, 2011
Washington, D.C.

¹ The Administrative Law Judges of the United States Environmental Protection Agency. are authorized to hear cases pending before the United States Department of Housing and Urban Development pursuant to an Interagency Agreement in effect beginning March 4, 2010.