

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 ELSBERRY,

Respondent.

16-AF-0019-PF-006

November 21, 2016

DISMISSAL PURSUANT TO SETTLEMENT


On December 11, 2015, the United States Department of Housing and Urban Development (HUD) filed a *Complaint* against Michael Elsberry and Laura Jimerson seeking, jointly and severally, a total of \$99,850 in civil penalties and assessments pursuant to the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. §§ 3801-3812, and 24 C.F.R. Part 28.

Thereafter, the Government and Respondent Jimerson entered into a settlement agreement resolving all issues in this matter as they relate to Respondent Jimerson. As a result, the *Complaint*, as it pertained to Respondent Laura Jimerson, was dismissed.

The Government now moves for dismissal of the *Complaint* as it pertains to Respondent Elsberry on the basis that the Government and Respondent Elsberry have negotiated and executed a settlement agreement. In support of its *Motion to Dismiss*, the Government attached a copy of the fully executed settlement agreement.

For good cause, the *Motion to Dismiss* will be **GRANTED** and this matter is **DISMISSED**.

So ORDERED,


Alexander Fernández
Administrative Law Judge