

**IN THE COURT OF COMMON PLEAS OF
MONTGOMERY COUNTY, PENNSYLVANIA**

<hr/>	:	
MONTGOMERY COUNTY RESIDENTS JULES	:	
EPSTEIN; SARA ATKINS; MARC BOOKMAN;	:	
MICHAEL CONLEY, CHRISTINE CREGAR;	:	
CHRISTA DUNLEAVY; JOHN FAGAN; PETER	:	
HALL; CHRIS KOSCHLER; REV. BETH LYON;	:	
ELENA MARGOLIS; EMILY ROBB; KARL	:	
SCHWARTZ; ADRIAN SELTZER; AND	:	
LEONARD SOSNOV,	:	
Plaintiffs,	:	
v.	:	No. 2020-04978
VALERIE ARKOOSH, <i>et al.</i> ,	:	
Defendants.	:	
<hr/>	:	

STIPULATION FOR DISCONTINUANCE

The parties, through their undersigned counsel, hereby stipulate and agree to the discontinuance of this action on the terms set forth herein.

WHEREAS, Plaintiffs initiated this action alleging that Defendants violated the Sunshine Act, 65 Pa. C.S. §§ 701 – 716, in the course of terminating the employment of former Chief Public Defender Dean Beer and former Deputy Chief Public Defender Keisha Hudson;

WHEREAS, Mr. Beer filed a federal action concerning the termination of his employment by the Montgomery County Commissioners, docketed as *Dean Beer v. Montgomery County, et al.*, No. 20-cv-1486 (E.D. Pa. Mar. 17, 2020);

WHEREAS, Ms. Hudson filed a federal action concerning the termination of her employment by the Montgomery County Commissioners, docketed as *Keisha Hudson v. Montgomery County, et al.*, No. 20-cv-1487 (E.D. Pa. Mar. 17, 2020);

WHEREAS, the actions filed by Mr. Beer and Ms. Hudson have settled, with both Mr. Beer and Ms. Hudson agreeing as part of those settlements that their separation from employment with Montgomery County is permanent and that they will not seek re-employment with Montgomery County;

WHEREAS, the parties to this action previously agreed by stipulation to the dismissal of Counts V and VI of Plaintiffs' Complaint, which were directed to the Montgomery County Salary Board and not to the Montgomery County Board of Commissioners (Stipulation ECF No. 6; Order ECF No.7); and

WHEREAS, the remaining parties to this action now agree to settle their differences and compromise, resolve amicably, and discontinue any and all claims asserted or which could have been asserted in this action, without any admission of liability under or violation of the Sunshine Act;

NOW, THEREFORE, it is STIPULATED AND AGREED between the parties as follows:

1. Whenever the Montgomery County Board of Commissioners makes a decision about whether to hire or involuntarily terminate an employee for the following departments of Montgomery County government, the Board of Commissioners will do so by way of a vote at a public meeting, after opportunity for public comment:

Aging and Adult Services
Assets and Infrastructure
Board of Assessment
Children and Youth Services
Commerce
Commissioners
Community Development
Conservation District
Cooperative Extension

Court House Security
Day Care
Day Care - Court Care
Developmental Disabilities
Drug and Alcohol
Emergency Communications
Emergency Preparedness
Fire Protection Services
Fleet Management
Hazardous Materials Training
Health Choices
Health Department
Human Resources
IT Administration
Medical Services – Grant Administration
Mental Health Review Office
Mental Health Administration
Office of Transportation
One Montgomery Plaza
Parks
Planning Commission
Public Defender
Public Property
Public Safety
Purchasing
Roads and Bridges
Roads/Bridges Maintenance
Veterans Affairs
Voter Services
Weapons Training Facility
Willow Grove Annex
Youth Detention Center
Youth Shelter Center

2. The parties acknowledge and agree that neither the Board of Commissioners nor any other named defendant have any legal obligation under the Sunshine Act or under Paragraph 1 above to vote at a public meeting or provide opportunity for public comment on the hiring or involuntary termination of employees of row offices, the courts, or any other county departments where governing authority is not vested by law in the Board of Commissioners.

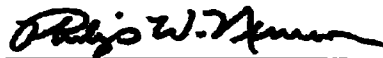
3. Notwithstanding the foregoing, if the Montgomery County Board of Commissioners makes a decision about whether to hire or involuntarily terminate any Montgomery County employee not within a department listed in Paragraph 1, the Board of Commissioners likewise will do so by way of a vote at a public meeting, after opportunity for public comment.
4. Public comment and votes pursuant to Paragraphs 1 and 3 above need not be conducted on an individual basis, but instead may be grouped in any manner that the Board of Commissioners deems appropriate.
5. The parties acknowledge and agree that nothing in this Stipulation shall be construed or applied to alter, bar, or end any person's at-will status as an employee of Montgomery County.
6. Pursuant to Pennsylvania Rule of Civil Procedure 229, this case shall be marked as settled, discontinued, and ended with prejudice, with the parties responsible for their own respective fees and costs.

Troutman Pepper Hamilton Sanders LLP



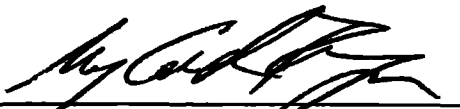
Eli Segal, Esquire
Counsel for Plaintiffs

Montgomery County Solicitor's Office



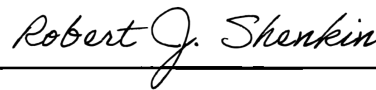
Philip W. Newcomer, Esquire
Counsel for Defendants

American Civil Liberties Union of PA



Mary Catherine Roper, Esquire
Counsel for Plaintiffs

APPROVED BY THE COURT:



J.