

VENDED
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OCT 14 2019
FRANKLIN CIRCUIT COURT
AMY FELDMAN, CLERK

COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION I
CIVIL ACTION NO. 18-CI-152

ENTERED
OCT 25 2019
FRANKLIN CIRCUIT COURT
AMY FELDMAN, CLERK

DEPARTMENT OF CORRECTIONS
JUSTICE AND PUBLIC SAFETY CABINET

RECEIVED
OCT 28 2019
Personnel Board
PLAINTIFFS

v.

AGREED ORDER OF DISMISAL AND
MUTUAL RELEASE OF CLAIMS

LISA CRAIGMYLE
AND
KENTUCKY PERSONNEL BOARD

DEFENDANTS

* * * * *

WHEREAS, the Department of Corrections filed a Petition for Review of the Final Order of the Kentucky Personnel Board Appeal No. 2017-065;

WHEREAS, defendant Craigmyle filed a second Personnel Board appeal (Appeal No. 2018-168), to resolve issues related to the implementation of the board's Final Order in Appeal No. 2017-065;

WHEREAS, the issues in Personnel Board Appeal No. 2017-065 and Personnel Board Appeal No. 2018-168 were resolved through mediation with the Kentucky Employees Mediation Program (KEMP); and,

WHEREAS, "reasonable attorney fees" were paid pursuant to KRS 18A.095 (23), the parties agree and covenant as follows:

I. AGREEMENT

The Justice and Public Safety Cabinet, Department of Corrections agreed to settle claims of Attorney Thomas Schulz for payment of reasonable attorney fees in the amount of \$5,500 for legal work performed during the representation of his client, Lisa Craigmyle, during litigation of a petition for judicial review of Personnel Board Appeal No. 2017-065.

- a. The agreement to award attorney fees is related to the compromise of disputed claims, which were mediated and settled with the assistance of the Kentucky Employees Mediation Program (KEMP) and hereby incorporated by reference.
- b. The Department of Corrections has agreed to dismiss with prejudice, litigation entitled Petition for Judicial Review, and agrees that with the exception of attorney fees, each party will bear its own costs and fees, as agreed in mediation and settled with the assistance of the Kentucky Employees Mediation Program (KEMP) and hereby incorporated by reference.
- c. The KEMP mediated agreement is hereby incorporated by reference; and, has been approved by the Personnel Cabinet and the Kentucky Personnel Board.

II. ENTIRE AGREEMENT

This Agreement, and the mediated settlement which is incorporated by reference constitutes the entire agreement between the Parties as of the date executed, and all prior and contemporaneous promises and negotiations between the Parties are merged into this Agreement. This Agreement may not be modified except by written addendum signed by both Parties.

III. SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date stated below:

Anna Valentini
ANNA VALENTINE, WARDEN
KENTUCKY STATE REFORMATORY

9-18-19
Date

Angela E. Cordery
HON. ANGELA E. CORDERY
JUSTICE AND PUBLIC SAFETY CABINET

9-18-19
Date:

Mark Sipek
HON. MARK SIPEK *(see signed with permission)*
KENTUCKY PERSONNEL BOARD

Date: 9/26/19

Lisa Craigmyle
LISA CRAIGMYLE, DEFENDANT

Date: 10/3/2019

Thomas Schulz
HON. THOMAS SCHULZ
COUNSEL FOR DEFENDANT

Date: 9/30/19

Philip Shepherd
PHILIP SHEPHERD
Judge, Franklin Circuit Court, Div. I

CERTIFICATE OF SERVICE

I certify that the foregoing document was served on October 14, 2019, by United States mail upon the following:

Mark Sipek, Esq.
Kentucky Personnel Board
28 Fountain Place
Frankfort, KY 40601

Thomas J. Schulz, Esq.
2303 River Rd., Suite 300
Louisville, KY 40202



Angela E. Cordery, Atty.
Justice and Public Safety Cabinet