

**FILED**  
**DEC 13 2012**

**EMPLOYEE APPEALS BOARD**

BEFORE THE MISSISSIPPI EMPLOYEE APPEALS BOARD

NICOLE NEWELL

APPELLANT

VS.

EAB NO. 12-025

MISSISSIPPI DEPARTMENT OF MENTAL HEALTH

APPELLEE

**AGREED ORDER**

THIS CAUSE came before the Mississippi Employee Appeals Board on the appeal of Nicole Newell, and the Hearing Officer, after a representation by the parties that a settlement has been reached in this matter, hereby ORDERS AND ADJUDGES THE FOLLOWING:

1.

By agreement of the parties, the termination of Appellant, Nicole Newell, shall be rescinded effective immediately and she shall resign from her position with the Department of Mental Health, with the effective date of the resignation being the same date as her previous termination.

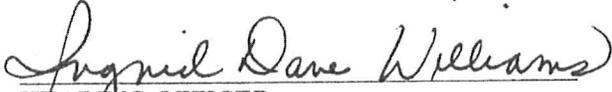
2.

Documents referring to the termination and related investigation, including copies of this order, shall be removed from Ms. Newell's personnel file and placed into a confidential investigative file. If the Department of Mental Health is presented by an outside employer with an authorization executed by Ms. Newell for the disclosure of her employment history, then the reason given for her resignation shall be as stated in her resignation letter, with no elaboration or reference to the matters which led to her previous termination. In all other instances Ms. Newell shall be given a neutral job reference.

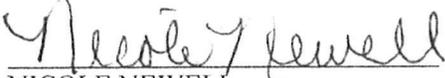
3.

The parties agree that this order shall constitute the final settlement, order and resolution of this matter in any and all courts and forums. The parties specifically deny any and all allegations made by the other, and this order makes no findings whatsoever regarding the merits of either party's claims. Any and all other relief requested by the parties is hereby denied.

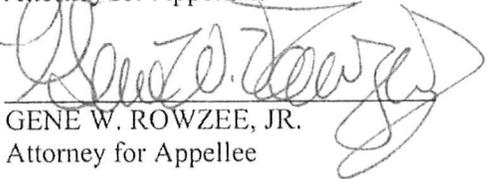
SO ORDERED AND ADJUDGED, this the 13<sup>th</sup> day of December, 2012.

  
HEARING OFFICER  
MISSISSIPPI EMPLOYEE APPEALS BOARD

AGREED TO AND APPROVED BY:

  
NICOLE NEWELL  
Appellant

  
JOHN SATCHER  
Attorney for Appellant

  
GENE W. ROWZEE, JR.  
Attorney for Appellee