

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

Brian A. Doxtator,
Petitioner,

v.

Case No. 19-TC-004

Oneida Nation Payroll Department,
Josh Cottrell, Compensation and Benefits Director,
Respondents.

STIPULATION AND AGREEMENT

We, the parties named above, stipulate and agree as follows:

- 1.) The parties agree that this is a limited issue; there is no admission of wrongdoing; and this Stipulation and Agreement has no precedential value.
- 2.) On or about January 7, 2019, Petitioner called to “opt out” of auto enrollment (4%) to the Oneida Nation 401K government employee plan that was to occur for the pay period beginning March 3, 2019.
- 3.) Notices indicate “opt out” calls were to occur during the month of February, 2019.
- 4.) On Thursday, March 14, 2019, after realizing a deduction would occur on the paycheck issued March 20, 2019 (for pay period beginning March 3, 2019), Petitioner contacted Payroll and Compensation and Benefits regarding the deduction; He subsequently “opted out” with the 401K plan (through the benefit administrator, TransAmerica).
- 5.) Petitioner requested no deduction occur for the paycheck issued March 27, 2019 (for the pay period beginning March 10, 2019).
- 6.) Respondents agree that the Petitioner’s paycheck issued March 27, 2019 (for the pay period beginning March 10, 2019) shall have no 401K deduction.
- 7.) Petitioner understands that he has the opportunity to utilize Oneida Nation’s 401K Plan (“Government Plan”) and that the Nation has a discretionary matching contribution whereby the Nation currently contributes 100% of the first 4% of compensation contributed and that contributions are pre-tax dollars.


- 8.) Petitioner agrees that he freely, knowingly, and voluntarily has opted out of the Government Plan.
- 9.) Petitioner understands that if he changes his mind and chooses to "Opt in" to the Government Plan, he must follow the requirements of the Government Plan.
- 10.) This Stipulation and Agreement resolves any dispute that has occurred.
- 11.) This matter may be dismissed and any hearing on this matter, canceled.



Brian A. Doxtator, Petitioner

3/20/19

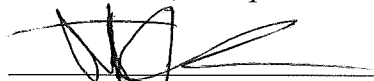
Date



Josh Cottrell, Compensation and Benefits Director

3/20/19

Date



Payroll Department

3-20-19

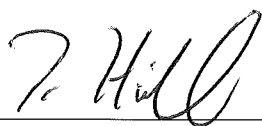
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ORDER

- 1.) The parties agree and stipulate that this is a limited issue; there is no admission of wrongdoing; and this Stipulation and Agreement has no precedential value.
- 2.) The parties agree and stipulate Petitioner's paycheck issued March 27, 2019 (for the pay period beginning March 10, 2019) shall have no 401K deduction.
- 3.) The parties Stipulation and Agreement resolves any dispute that has occurred.
- 4.) This matter is dismissed and any related hearing is canceled.

IT IS SO ORDERED.

DATED THIS 20 DAY OF MARCH, 2019



Hon.
Trial Court Judge