

# ***Oneida Tribal Judicial System***

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**ONEIDA TRIBAL JUDICIAL SYSTEM  
TRIAL COURT**

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**Rendell Miller,  
Petitioner**

v.

**Shane John  
Oneida Housing Authority,  
Respondent**

**Docket No: 08-TC-145**

**Date: February 16, 2009**

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**Dismissal**

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This case has come before the Oneida Tribal Judicial System, Trial Court. Judicial Officers, Mary Adams, Sandra Skenandore, and Jean M. Webster, presiding.

**I Background**

This case involves a request for a Declaratory Ruling.

On October 31, 2008 Petitioner, Rendell Miller, filed a Motion for Declaratory Ruling to determine if the Americans with Disability Act is applicable to the Oneida Tribe. Petitioner claims he was on an approved Medical Leave of Absence (MLOA) effective date through February 21, 2008 and then placed on medium duty until May 8, 2008.

A Pre-trial hearing was scheduled for December 2, 2008. On November 13, 2009 Petitioner submitted a Motion for Postponement. The court granted the Motion and re-scheduled the Pre-trial hearing to January 7, 2009.

At the January 7, 2009 Pre-trial hearing the parties requested a recess to discuss settlement. The court granted parties request to recess to January 22, 2009.

At the January 22, 2009 Pre-trial, the court granted another two week recess to February 10, 2009.

At the February 10, 2009 Pre-trial, the parties requested more time to reach a settlement, claiming a settlement has been reached but all parties were not available for signatures. The court granted the request and set another Pre-trial hearing for February 24, 2009.

On February 11, 2009 the parties submitted a joint Stipulation for Dismissal. Furthermore, the parties request the court to dismiss pending litigation, with prejudice, and without costs to either party.

## **II Decision**

The court granted the parties' joint Stipulation for Dismissal. Therefore, this case is dismissed with prejudice.