

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE**

BRENDA SMITH,

Plaintiff,

v.

AROOSTOOK COUNTY and SHAWN D.  
GILLEN,

Defendants.

CIVIL NO. 18-cv-00352-NT

**WITHDRAWAL OF MOTION PURSUANT TO SETTLEMENT AGREEMENT**

Plaintiff, Brenda Smith, respectfully seeks to withdraw the Plaintiff's Motion for Award of Attorney's Fees and Expenses, ECF No. 154 (June. 19, 2019). The parties have resolved the request for attorney's fees and costs in return for Defendant-Appellees' payment of \$175,000 and other terms enclosed in Attachment A.

Dated: August 19, 2019.

Respectfully submitted,

/s/ Emma E. Bond

Emma E. Bond

Zachary Heiden

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*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

The undersigned certifies that he has electronically filed this date the foregoing WITHDRAWAL OF MOTION PURSUANT TO SETTLEMENT AGREEMENT with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record. This filing is available for viewing and downloading from the ECF system.

Dated: August 19, 2019

/s/ Emma E. Bond  
Emma E. Bond  
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Counsel for Plaintiff Brenda Smith

July 16, 2019

SETTLEMENT AGREEMENT TERM SHEET

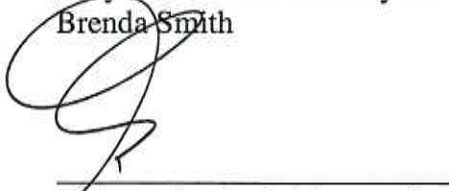
By this settlement agreement term sheet, Brenda Smith and Aroostook County, intending to be bound, resolve Smith's claim for payment of attorneys' fees on the following terms, with a formal release agreement to be prepared by counsel for the County for review by counsel for Smith:

1. The County will pay Smith's attorneys \$175,000 in full settlement of Smith's claim for attorneys' fees, with payment to be made within 30 days of agreement on the language of the formal release agreement.
2. This agreement is conditioned on execution by Smith of a general release of the County, its agents and employees. At the time of execution of this settlement agreement term sheet, counsel for Smith have not been able to confirm this term. The proposed formal release agreement will be provided to counsel for Smith no later than Friday, July 19, 2019.
3. Counsel for Smith consent to a 30 day extension of time for filing by the County of memoranda in opposition to Smith's motion for award of attorneys' fees and expenses, in the United States District Court for the District of Maine and the United States Court of Appeals for the First Circuit.
4. Upon execution of the formal release agreement and payment of the settlement amount, Smith will advise the courts that (i) her motions for award of attorneys' fees and expenses in both courts have been resolved and (ii) her motions are withdrawn.
5. Any dispute concerning the language of the formal release agreement will be submitted to binding arbitration before the mediator, Jerrol A. Crouter. The arbitrator may, in his sole discretion, award attorneys' fees and costs to the prevailing party.



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Duly Authorized Attorney for  
Brenda Smith



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Duly Authorized Attorney for  
Aroostook County