



Ohio Administrative Code Rule 3745-47-13 Conclusion of adjudication proceedings.

Effective: April 2, 2012

(A) Withdrawal of request for adjudication. A party may file a withdrawal of its objection or request for an adjudication hearing at any stage of the adjudication proceeding. Provided there is not another party to the adjudication proceeding who wishes the adjudication proceeding to continue, not later than forty-five days after the filing of a withdrawal of the objection or request for an adjudication hearing, the hearing examiner shall submit to the director a written report and recommendation of the action to be taken by the director. This paragraph does not apply to withdrawals made as a result of settlement agreement by all parties pursuant to paragraph (C) of this rule.

(B) Failure to prosecute. Where a party fails to comply with these rules or with orders of the hearing examiner, the hearing examiner may, upon motion of any party or upon the hearing examiner's motion and after notice to the parties, submit to the director a written report and recommendation that recommends that the director dismiss the adjudication proceeding.

(C) Settlement agreements. If all parties agree, a settlement agreement may be entered into at any stage of the adjudication proceeding prior to the issuance of a final order by the director. Not later than forty-five days after the filing of a settlement agreement entered into by all parties, the hearing examiner shall submit to the director a written report setting forth findings of fact and conclusions of law, and a recommendation of the action to be taken by the director. The hearing examiner may recommend that the settlement agreement be adopted as a final order.
