

Settlement agreement reached in Dublin lawsuit

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DUBLIN — The town and one of its former employees have reached a settlement agreement with a payout of more than \$57,000 for Kathy Merrick, who brought a lawsuit against the town and the former town administrator in August 2011, claiming a hostile work environment forced her to resign in December 2010.

The agreement signed by Select Board Chair Sterling Abram and Merrick late last month calls for a total payout of \$57,500 to Merrick for damages and lost wages. The settlement authorizes an end to all litigation and the withdrawal of Merrick's lawsuit against the town and former town administrator Bill Raymond.

Cited in the agreement is a "letter of regret," which was reportedly agreed upon at a mediation session on Aug. 21 and written by Abram to Merrick. In the letter, Abram wrote, "The town of Dublin regrets the events which led to you resigning your position with the town, and the stress, humiliation and embarrassment that those events caused you and your family."

Raymond, who did not sign the settlement agreement, could not be reached for comment by press time Monday.

Merrick was hired as the assistant to the town administrator in May 2007. She had also worked as Dublin's welfare administrator since March 2008, until her resignation earlier this year. The amount budgeted for the town's executive clerical position in 2010 was \$12,710, while \$3,500 was budgeted for the welfare officer, according to the town's 2010 annual report.

In the lawsuit, Merrick maintains that Raymond verbally abused her and subjected her to sexist and derogatory remarks. The town's failure to respond to Merrick's concerns, according to the suit, led to her resignation as assistant to the town administrator on Dec. 5, 2010. Two counts allege that her rights under the Fourteenth Amendment were violated. The town is accused of wrongful termination, intentional infliction of emotional distress, negligent hiring and retention, and liability as Raymond's employer. In January 2012, Merrick filed two additional counts, both alleging retaliation against her for filing the suit.

The lawsuit prompted the resignation of Merrick's husband, former selectman Curt Merrick, in late January. Abram had formally asked Merrick for his resignation in a Jan. 23 letter, citing a conflict of interest generated by the lawsuit. But last month, Merrick and the town of Dublin agreed to a final settlement in the amount of \$57,500, which will be dispersed in two portions with stipulations.

A total of \$19,167 has been deemed "compensation for lost wages," with the money to be dispersed from the Local Government Center Property Liability Trust to the town when all Medicare and other obligations are met. The funds will be processed through the town's payroll system and a check is to be made payable to Merrick, after standard tax and social security contributions are deducted. The remaining \$38,333 will be paid to Merrick and Concord-based Martin & Hipple, the law firm that represented her in the suit, after all Medicare and other obligations are satisfied, according to the settlement.

As a part of the settlement, all parties in the lawsuit have agreed "not to publicly disclose, publish, or otherwise distribute, directly or indirectly, any information concerning this release, the claims, or the settlement of the claim to any non-family members except (1) as required by the law; and (2) for specific professional investment planning and tax advice," according to the settlement agreement.

When contacted Monday, Abram declined to comment on the settlement. Merrick's attorney, Stephen T. Martin of Martin & Hipple, wrote in an email to the Ledger-Transcript on Monday, "Per the agreement, the most I can tell you is that the matter has been settled amicably and that a copy of the agreement can be found at the Town Hall."

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