

**SUMMARY:**

The issue in this matter involved evaluation and identification. A prehearing conference was held on September 8, 1999. A hearing was scheduled for September 23, 1999 but it was continued at request of the parties. The hearing was rescheduled for September 27, 1999 at which time the parties reached an agreement and requested that if the hearing officer received no request for rescheduling or a withdrawal on or before October 11, 1999 that the matter be dismissed without prejudice by the hearing officer. Neither a withdrawal or request for rescheduling was received and, therefore, in accord with the agreement of the parties, this matter is dismissed without prejudice.

**FINAL DECISION AND ORDER:**

This matter is **dismissed** without prejudice.