

**STATE OF INDIANA
CIVIL RIGHTS COMMISSION**

**DOCKET NO. EMra05070371
EEOC NO. 24FA500333**

AMANDA MILLER,
Complainant,

FILE DATED

vs.

FEB 24 2006

ALWAYS INN,
Respondent.

Indiana State Civil Rights Commission

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On February 3, 2006, Robert D. Lange, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC"), entered his Proposed Findings Of Fact, Conclusions Of Law, And Order ("the proposed decision").

No objections have been filed to the ICRC's adoption of the proposed decision.

Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

INDIANA CIVIL RIGHTS COMMISSION




COMMISSIONER



COMMISSIONER



COMMISSIONER



COMMISSIONER

Dated: 24 February 2006

To be served by first class mail on the following parties and attorneys of record:

Amanda Miller
3852 Esquire Place
Indianapolis, IN 46226

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BY: Ronald E. Weldy, Esq.
Attorneys for Complainant Amanda Miller
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Always Inn, LLC
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CIVIL RIGHTS COMMISSION

DOCKET NO. EMra05070371
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AMANDA MILLER,
Complainant,

VS.

ALWAYS INN,
Respondent.

FILE DATED

FEB 03 2006

Indiana State Civil Rights Commission

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

On January 3, 2006, Complainant Amanda Miller ("Miller") filed her Stipulation Of Dismissal With Prejudice.

Having carefully considered the foregoing and being duly advised in the premises, the undersigned Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC") now proposes that ICRC enter the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. Miller's complaint alleges that she was constructively discharged as a result of harassment based upon race and sex. COMPLAINT OF DISCRIMINATION (June 30, 2005) ("COMPLAINT").
2. The Stipulation is apparently motivated by a settlement.
3. There is no evidence of fraud, coercion, duress, or any other reason not to approve the stipulated dismissal.
4. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

CONCLUSIONS OF LAW

1. The ICRC has jurisdiction over the subject matter and the parties.
2. Settlement is a favored resolution and should be encouraged.
3. Administrative review of this proposed decision may be obtained by the filing of a writing specifying with reasonable particularity each basis for each objection within 15 days after service of this proposed decision. IC 4-21.5-3-29(d).
4. Any Finding Of Fact that should have been deemed a Conclusion Of Law is hereby adopted as such.

ORDER

1. Miller's Stipulation Of Dismissal is **APPROVED**.
2. Miller's COMPLAINT is **DISMISSED**, with prejudice.

Dated: 03 February 2006



Robert D. Lange
Administrative Law Judge

To be served this 3rd of February, 2006 by first class mail on the following parties and attorneys of record:

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Indianapolis, IN 46280

and to be personally served this 3rd day of February, 2006 on the following:

Indiana Civil Rights Commission
c/o Hon. Gregory Kellam Scott, Director
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255