

STATE OF INDIANA  
CIVIL RIGHTS COMMISSION

DOCKET NO. PAha05090507

LIZA GARRETT,  
Complainant,

v.

BRISTOL – WASHINGTON  
TOWNSHIP PUBLIC  
LIBRARY,  
Respondent.

FILE DATED

AUG 22 2008

Indiana State Civil Rights Commission

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

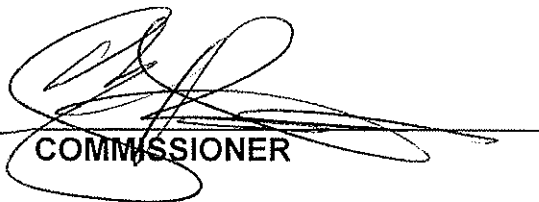
On July 17, 2008, Robert D. Lange, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC"), entered his Proposed Findings Of Fact, Conclusions Of Law, And Order ("the proposed decision").

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

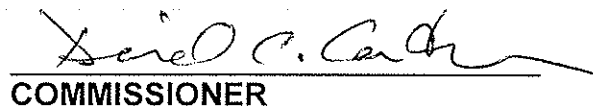
Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

**INDIANA CIVIL RIGHTS COMMISSION**

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

Dated: 22 August 2008

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

Liza Garrett  
12633 Yorkhills Drive, Lot 140  
Middlebury, IN 46540

GIBBONS JONES, P.C.  
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Attorneys for Complainant Liza Garrett  
10410 North Meridian Street, Suite 300  
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Bristol – Washington Township Public Library  
c/o Chief Executive Officer  
505 West Vistula Street  
P.O. Box 789  
Bristol, IN 46507-0789

THORNE & GRODNIK, LLP  
BY: James R. Byron, Esq.  
Attorneys for Respondent Bristol – Washington Township Public Library  
228 West High Street  
Elkhart, IN 46516

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CIVIL RIGHTS COMMISSION

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v.

BRISTOL – WASHINGTON  
TOWNSHIP PUBLIC  
LIBRARY,  
Respondent.

FILE DATED

JUL 17 2008

Indiana State Civil Rights Commission

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

On July 10, 2008, Complainant Liza Garrett (“Garrett”) and Respondent Bristol-Washington Township Public Library (“the Library”) filed their Stipulation For 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 the ICRC enter the following findings of fact, conclusions of law, and order.

**FINDINGS OF FACT**

1. Garrett’s complaint alleges that she was expelled and barred from the Library because of behavior that occurred during a seizure and that these actions were unlawful discrimination because of disability. COMPLAINT OF DISCRIMINATION (September 29, 2005) (“COMPLAINT”).
2. The Library denied Garrett’s claim of discrimination. NOTICE OF FINDING, page 2, ¶2 (December 4, 2006).

3. The Stipulation is apparently motivated by a settlement.
4. There is no evidence of fraud, coercion, duress, or any other reason not to approve the stipulated dismissal.
5. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

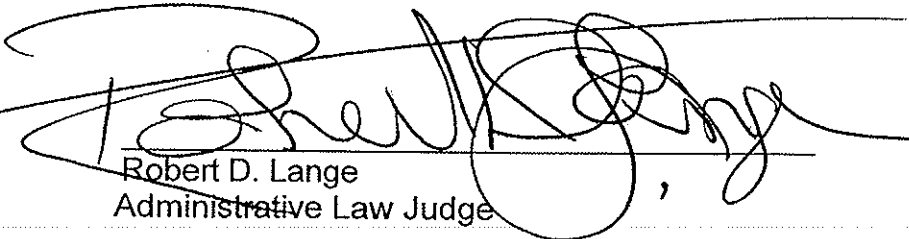
### CONCLUSIONS OF LAW

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 fifteen (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. The parties' Stipulation For Dismissal With Prejudice is **GRANTED**.
2. Garrett's COMPLAINT is **DISMISSED**, with prejudice.

Dated: 17 July 2005

  
Robert D. Lange  
Administrative Law Judge

To be served by first class mail this 17<sup>th</sup> day of July, 2005 on the following parties and attorneys of record:

Liza Garrett  
12633 Yorkhills Drive, Lot 140  
Middlebury, IN 46540

GIBBONS JONES, P.C.  
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THORNE & GRODNIK, LLP  
BY: James R. Byron, Esq.  
Attorneys for Respondent Bristol – Washington Township Public Library  
228 West High Street  
Elkhart, IN 46516

and to be personally served this 17<sup>th</sup> day of July, 2008 on the following:

Indiana Civil Rights Commission  
c/o The Honorable Tony A. Kirkland, Executive Director  
Indiana Government Center North  
100 North Senate Avenue, Room N103  
Indianapolis, IN 46204-2255