

STATE OF INDIANA  
CIVIL RIGHTS COMMISSION

DOCKET NO. PAr08050274

ERIC J. ANDERSON,  
Complainant,

FILE DATED

OCT 23 2009

v.

Indiana State Civil Rights Commission

C.T. PEPPERS BAR & GRILL,  
Respondent.

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

On September 29, 2009, 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: 23 October 2009

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

Eric J. Anderson  
5817 Beetle Drive, Apt. F  
Indianapolis, IN 46216

Matthew A. Tandy, Esq.  
Attorney for Complainant Eric J. Anderson  
4909 Oakwood Trail  
Indianapolis, IN 46268

C.T. Peppers Bar & Grill  
c/o George Stancombe, Owner  
9105 East 56<sup>th</sup> Street  
Lawrence, IN 46216

HOOVER HULL LLP  
BY: John David Hoover, Esq.; Alice M. Morical, Esq. and Jeffrey D. Roberts, Esq.  
Attorneys for Respondent C.T. Peppers Bar & Grill  
111 Monument Circle, Suite 4400  
Post Office Box 44989.  
Indianapolis, IN 46244-0989

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CIVIL RIGHTS COMMISSION**

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**ERIC J. ANDERSON,**  
Complainant,

**FILE DATED**

SEP 29 2009

Indiana State Civil Rights Commission

v.

**C.T. PEPPERS BAR & GRILL,**  
Respondent.

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

On September 25, 2009, Complainant, Eric J. Anderson ("Anderson"), filed his Motion For Dismissal ("MOTION").

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

**FINDINGS OF FACT**

1. This proceeding involves Anderson's claim that he was denied equal access to public accommodations by Respondent C.T. Peppers Bar & Grill ("Peppers") because of race. COMPLAINT OF DISCRIMINATION (May 1, 2008).
2. Peppers denied Anderson's claim of unlawful discrimination. [RESPONSE TO] REQUEST FOR INFORMATION FROM RESPONDENT (September 28, 2008).
3. The MOTION is expressly motivated by settlement.

4. There is no evidence of fraud, coercion, duress, or any other reason not to approve of the requested 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 identifying with reasonable particularity each basis of 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. Anderson's Motion For Dismissal is **GRANTED**.
2. Anderson's complaint is **DISMISSED**, with prejudice.

Dated: 29 September 2009



Robert D. Lange  
Administrative Law Judge

To be served by first class mail this 29<sup>th</sup> day of September, 2009 on the following parties and attorneys of record:

Eric J. Anderson  
5817 Beetle Drive, Apt. F  
Indianapolis, IN 46216

Matthew A. Tandy, Esq.  
Attorney for Complainant Eric J. Anderson  
4909 Oakwood Trail  
Indianapolis, IN 46268

C.T. Peppers Bar & Grill  
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9105 East 56<sup>th</sup> Street  
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HOOVER HULL LLP  
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Attorneys for Respondent C.T. Peppers Bar & Grill  
111 Monument Circle, Suite 4400  
Post Office Box 44989.  
Indianapolis, IN 46244-0989

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and to be personally served this 29<sup>th</sup> day of September, 2009 on the following:

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