JAN 28 2014

STATE OF INDIANA INDIANA CIVIL RIGHTS COMMISSION

INDIANA STATE CIVIL RIGHTS COMMISSION

ASHLEY E. SHAFER,	Docket No.: EMha10040166
Complainant,)
vs.))
ILLUSIONS SALON SPA, LLC,))
Respondent.)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On January 21, 2014, Noell F. Allen Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC") entered her 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 January 24, 2014

To be served by Certified Mail to the following parties:

Ashley E. Shafer 61489 Fellows Court South Bend, IN 46614

MAY • OBERFELL • LORBER BY: Georgianne M. Walker, Esq. Attorneys for Respondent Illusions Salon Spa 4100 Edison Lakes Parkway, Suite 100 Mishawaka, IN 46545

Law Offices of Cassidy C. Fritz, Esq., P.C. BY: Cassidy C. Fritz, Esq. Attorneys for XLT, LLC d/b/a Illusions Salon Spa 358 South Elkhart Avenue, Suite 200 Elkhart, IN 46516

and to be personally served on the following attorney of record:

Frederick S. Bremer, Esq.; Staff Attorney Indiana Civil Rights Commission Indiana Government Center North 100 North Senate Avenue, Room N103 Indianapolis, IN 46204-2255

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vs.))
ILLUSIONS SALON SPA, LLC,))
Respondent.)

PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On January 16, 2014, Complainant, Ashley Shafer, by counsel, and Respondent, Illusions Salon & Spa, LLC, by counsel, filed their JOINT MOTION TO DISMISS ("Motion").

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") proposes that the ICRC enter the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

- 1. This proceeding involves a complaint of discrimination against Respondent alleging Respondent discriminated against Complainant on the bases of sex, pregnancy, religion and disability. (Notice of Finding, 8/24/2009).
 - 2. The parties have reached a private settlement agreement.
 - 3. The parties are satisfied with the terms of the settlement agreement.
- 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 fifteen (15) days after service of this proposed decision. IC 4-21.5-3-29(d).
 - 4. The parties agreed to waive the 15-day objection period.
- 5. Any Finding of Fact that should have been deemed a Conclusion of Law is hereby adopted as such.

ORDER

- 1. The parties' Joint Motion to Dismiss is **GRANTED**.
- 2. The complaint is **DISMISSED**, with prejudice.

Dated this 21st day of January, 2014

Hon. Noell F. Allen

Administrative Law Judge Indiana Civil Rights Commission To be served by Certified Mail to the following parties:

Ashley E. Shafer 61489 Fellows Court South Bend, IN 46614

MAY • OBERFELL • LORBER BY: Georgianne M. Walker, Esq. Attorneys for Respondent Illusions Salon Spa 4100 Edison Lakes Parkway, Suite 100 Mishawaka, IN 46545

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