

FEB 28 2014

INDIANA STATE
CIVIL RIGHTS COMMISSION

STATE OF INDIANA
INDIANA CIVIL RIGHTS COMMISSION

STACEY R. ULLMER,

Complainant,

vs.

NORTH CENTRAL INDUSTRIES, INC.,

Respondent.

) Docket No.: EMha12101526

) EEOC No.: 470-2012-02097

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On February 27, 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”).

The Parties agreed to waive the fifteen-day objection period for administrative review. 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 this 28th Day of February, 2014

To be served by Certified Mail upon the following parties:

Stacey Ullmer
1418 Whetstone Drive
Greenfield, IN 46140-2672

Maurer, Rifkin & Hill, P.C.
Attorneys at Law
Attn: Robert S. Rifkin, Counsel for Complainant
11550 North Meridian Street, Suite 115
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North Central Industries, Inc.
1500 East Washington Street
Muncie, IN 47305

Law Offices of John H. Brooke, P.C.
Attn: John M. Stevens, Esq., Counsel for Respondent
112 East Gilbert Street
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2700 Market Tower
10 West Market Street
Indianapolis, IN 46204

FEB 28 2014

**STATE OF INDIANA
INDIANA CIVIL RIGHTS COMMISSION**

STACEY R. ULLMER,)	Docket No.: EMha12101526
	}	
Complainant,	}	EEOC No.: 470-2012-02097
	}	
vs.	}	
	}	
NORTH CENTRAL INDUSTRIES, INC.,	}	
	}	
Respondent.	}	

PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On February 27, 2014, Complainant, Stacey Ullmer, by counsel, and Respondent, North Central Industries, Inc., by counsel, filed their JOINT MOTION TO DISMISS CHARGE WITH PREJUDICE (“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 disability discrimination and retaliation on Complainant. (Complaint of Discrimination, November 30, 2012).
2. The Respondent denies all of Complainant’s allegations.
3. The parties have reached a private 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 27th day of February, 2014



Hon. Noel F. Allen

Administrative Law Judge
Indiana Civil Rights Commission

To be served by first class mail upon the following parties:

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