

LINDSAY A. MURPHY,
Complainant,

FILE DATED

JUN 22 2012

v.

INDIANA CIVIL RIGHTS COMMISSION

FRANK AND MARY, INC.;
Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

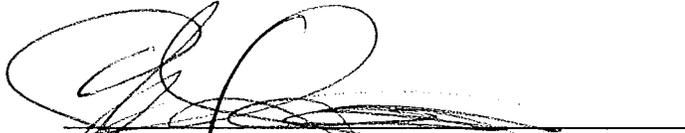
On April 5, 2012, Robert D. Lange, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC"), entered his Proposed Findings Of Fact, Conclusions Of Law, And Order ("the proposed decision").

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

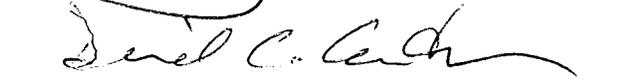
Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

INDIANA CIVIL RIGHTS COMMISSION


COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER

Dated: 22 June 2012

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

Lindsay A. Murphy
334 Bent Stream Lane
Brownsburg, IN 46112-8127

Frank & Mary, Inc.
c/o Chief Executive Officer
21 West Main Street
Pittsboro, IN 46167-9097

HOSTETTER & O'HARA
BY: Mark S. O'Hara, Esq.
Attorneys for Respondent Frank & Mary, Inc.
Suite 200
515 North Green Street
Brownsburg, IN 46112-2115

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

Michael C. Healy, Esq.; Staff Counsel
Indiana Civil Rights Commission
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

LINDSAY A. MURPHY,
Complainant,

v.

FRANK AND MARY, INC.;
Respondent.

FILE DATED

APR 05 2012

INDIANA CIVIL RIGHTS COMMISSION

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

On April 3, 2012, Complainant, Lindsay A. Murphy ("Murphy"), and Respondent – Frank & Mary, Inc. ("FMI"), filed their Joint Motion To Dismiss..

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 began when Murphy filed a complaint with the ICRC alleging that she had been ejected from FMI's restaurant and had her hours reduced because of sex. COMPLAINT OF DISCRIMINATION (June 22, 2011).
2. The Joint Motion is expressly motivated by settlement.
3. There is no evidence of fraud, coercion, duress, or any other reason not to approve of the requested dismissal.
4. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

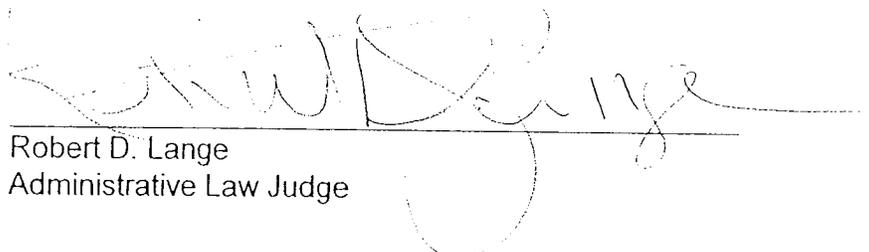
CONCLUSIONS OF LAW

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 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. The Joint Motion To Dismiss is **GRANTED**.
2. The Status Conference that had been scheduled for April 30, 2012 is **CANCELLED**.
3. Murphy's complaint is **DISMISSED**, with prejudice.

Dated: 05 April 2012



Robert D. Lange
Administrative Law Judge

To be served by first class mail this 5th day of April, 2012 on the following parties and attorneys of record:

Lindsay A. Murphy
334 Bent Stream Lane
Brownsburg, IN 46112-8127

Frank & Mary, Inc.
c/o Chief Executive Officer
21 West Main Street
Pittsboro, IN 46167-9097

HOSTETTER & O'HARA
BY: Mark S. O'Hara, Esq.
Attorneys for Respondent Frank & Mary, Inc.
Suite 200
515 North Green Street
Brownsburg, IN 46112-2115

and to be personally served this 5th day of April, 2012 on the following attorney of record:

Michael C. Healy, Esq.; Staff Counsel
Indiana Civil Rights Commission
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

and to be served this 5th day of April, 2012 by electronic mail on the following:

Indiana Civil Rights Commission
c/o Jamal L. Smith, Executive Director