

MAR 27 2015

INDIANA STATE
CIVIL RIGHTS COMMISSION

STATE OF INDIANA
INDIANA CIVIL RIGHTS COMMISSION

MICHELE JANKOWSKI (MASHBURN),

Complainant,

vs.

DÉJÀ VU LOVE BOUTIQUE,

Respondent.

) Docket No.: EMha12031042

) EEOC No.: 24F-2012-00394

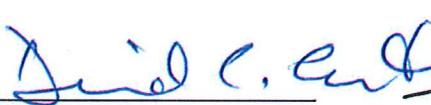
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

On February 27, 2015, Hon. 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 Complainant and Respondent did not file objections 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.

Any party aggrieved by the ICRC’s decision may seek judicial review with the Indiana Court of Appeals within thirty days following the date of notification of such decision.



COMMISSIONER



COMMISSIONER



COMMISSIONER



COMMISSIONER

March 27, 2015

To be served by Certified Mail on the following parties:

Michele Jankowski
1631 Stone Lake Drive
La Porte, IN 46350
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Déjà Vu Love Boutique
8250 E. Lansing Road
Durand, MI 48429
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SHAFER & ASSOCIATES, P.C.
BY: Matthew J. Hoffer, Esq.
3800 Capital City Boulevard, Suite #2
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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

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PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On February 27, 2015, Complainant, Michele Jankowski (Mashburn), and Respondent, Déjà vu Love Boutique, 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 matter is before the Commission on Ms. Jankowski's complaint of discrimination against the Respondent on the basis of disability. COMPLAINT OF DISCRIMINATION (March 19, 2012).
2. The parties have reached a private settlement agreement.
3. The parties are satisfied with the terms of the settlement agreement.
4. The parties wish to dismiss the matter, with prejudice.
5. There is no evidence of fraud, coercion, duress, or any other reason not to approve of the requested dismissal.
6. Any Conclusion of Law that should have been deemed a Finding of Fact is hereby adopted as such.

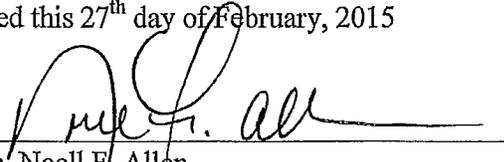
CONCLUSIONS OF LAW

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. 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. Ms. Jankowski's complaint is **DISMISSED**, with prejudice.
3. The final pre-hearing conference scheduled for March 3, 2015 and hearing scheduled for March 19, 2015 are cancelled.

Dated this 27th day of February, 2015



Hon. Noell F. Allen
Administrative Law Judge
Indiana Civil Rights Commission

To be served by US Postal mail on the following parties and attorneys of record:

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La Porte, IN 46350

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