

JACQUELYN R. WORLAND,
Complainant,

FILE DATED

JUL 27 2007

vs.

Indiana State Civil Rights Commission

ELKS LODGE BPO #291,
Respondent.


FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On June 29, 2007, 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


Alpha Blackburn, Chairperson


David C. Carter, Vice-Chairperson


Barry Baynard, Commissioner


Tehiji G. Crenshaw, Commissioner


John E. Garcia, Commissioner


Charles D. Gidney, Commissioner

Steven Ramos, Commissioner

Dated: 27 July 2007

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

Jacquelyn R. Worland
1227 Audubon Road
Vincennes, IN 47591

Elks Lodge BPOE #291
c/o Exalted Ruler
2715 Washington Avenue
Vincennes, IN 47591

EMISON DOOLITTLE & ROELLEN
BY: J. David Roellen, Esq.
Attorneys for Respondent Elks Lodge BPOE #291
801 Busseron Street
P.O. Box 215
Vincennes, IN 47591-0215

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

Joshua S. Brewster, Esq.; Staff Attorney
Indiana Civil Rights Commission
Attorney for Complainant Jacquelyn R. Worland
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 4620

STATE OF INDIANA
CIVIL RIGHTS COMMISSION

DOCKET NO. PArt06060214

JACQUELYN R. WORLAND,
Complainant,

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vs.

Indiana State Civil Rights Commission

ELKS LODGE BPO #291,
Respondent.

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

On June 27, 2007, Complainant, Jacquelyn R. Worland ("Worland"), filed her Motion To Dismiss, a motion to which Respondent, Elks Lodge BPO #291 ("the Lodge"), has not responded.

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. Worland's complaint alleges that, in May of 2006, she was denied equal access to a public accommodation because she had filed a prior complaint with the ICRC and that said denial was in violation of the Indiana Civil Rights Law, IC 22-9. ("the ICRL"). COMPLAINT OF DISCRIMINATION (June 12, 2006).

2. The Lodge disputes Worland' claims of unlawful discrimination.
APPEARANCE AND ANSWER (July 10, 2006).
3. Worland's Motion is expressly motivated by a settlement.
4. There is no evidence of fraud, coercion, duress, or any other reason not to approve the stipulated dismissal.
5. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

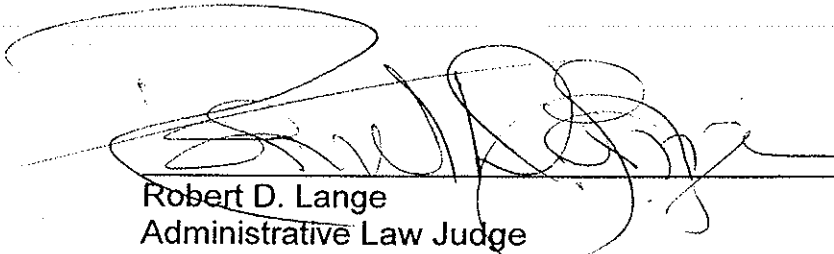
CONCLUSIONS OF LAW

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 specifying with reasonable particularity each basis for 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. Worland's Motion To Dismiss is **GRANTED**.
2. Worland's complaint is **DISMISSED**, with prejudice.

Dated: 29 June 2007


Robert D. Lange
Administrative Law Judge

To be served by first class mail this 29th day of June, 2007 on the following parties and attorneys of record:

Jacquelyn R. Worland
1227 Audubon Road
Vincennes, IN 47591

Elks Lodge BPOE #291
c/o Exalted Ruler
2715 Washington Avenue
Vincennes, IN 47591

EMISON DOOLITTLE & ROELLGEN
BY: J. David Roellgen, Esq.
Attorneys for Respondent Elks Lodge BPOE #291
801 Busseron Street
P.O. Box 215
Vincennes, IN 47591-0215

and to be personally served this 29th day of June, 2007 on the following:

Joshua S. Brewster, Esq.; Staff Attorney
Indiana Civil Rights Commission
Attorney for Complainant Jacquelyn R. Worland
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

Indiana Civil Rights Commission
c/o The Honorable Gregory Kellam Scott, Esq.; Director
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