

STATE OF INDIANA
CIVIL RIGHTS COMMISSION

DOCKET NO. EMra10070288
EEOC NO. 24FA10-00305

CLEOFIS SUGGS,
Complainant,

FILE DATED

v.

JUN 24 2011

OASIS CAFE,
Respondent.

Indiana State Civil Rights Commission

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On May 16, 2011, 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: 24 June 2011

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

Cleofis Suggs
4330 East Washington Street
Apartment #3
Indianapolis, IN 46201

Oasis Cafe
One Indiana Square – 5th Floor
Indianapolis, IN 46204

LEWIS AND WILKINS LLP
BY: John A. Lewis, Esq.
Attorneys for Respondent Oasis Cafe
11206 Fall Creek Road
Indianapolis, IN 46256

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

**STATE OF INDIANA
CIVIL RIGHTS COMMISSION**

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CLEOFIS SUGGS,
Complainant,

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FILE DATED

MAY 17 2011

Indiana State Civil Rights Commission

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

On May 16, 2011, Complainant Cleofis Suggs ("Suggs") and Respondent Oasis Cafe ("Oasis") 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 Suggs filed a complaint with the ICRC against Oasis alleging that he had been terminated from employment by Oasis because of race. COMPLAINT OF DISCRIMINATION (July 1, 2010).
2. Oasis denied Suggs' claim of unlawful discrimination. ANSWER (December 6, 2010).
3. The Joint Motion is expressly motivated by settlement.
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.

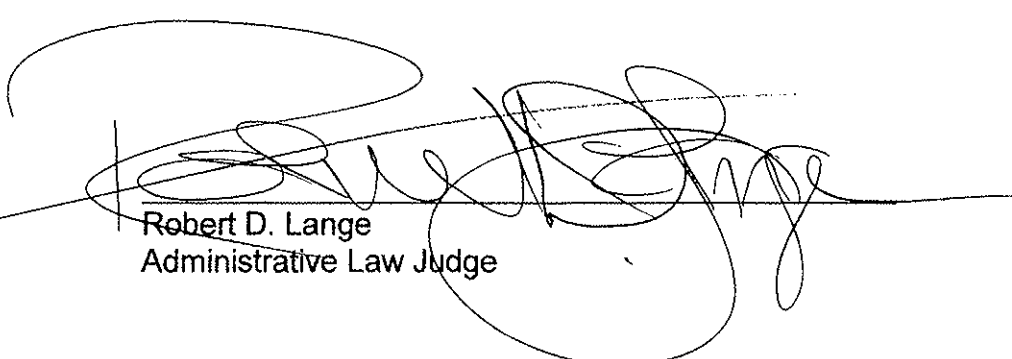
CONCLUSIONS OF LAW

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 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. The Initial Pre-Hearing Conference that had been scheduled for May 23, 2011 is **CANCELLED**.
3. Suggs' complaint is **DISMISSED**, with prejudice.

Dated: 17 May 2011



Robert D. Lange
Administrative Law Judge

To be served by first class mail this 17th day of May, 2011 on the following parties and attorneys of record:

Cleofis Suggs
4330 East Washington Street
Apartment #3
Indianapolis, IN 46201

Oasis Cafe
One Indiana Square – 5th Floor
Indianapolis, IN 46204

LEWIS AND WILKINS LLP
BY: John A. Lewis, Esq.
Attorneys for Respondent Oasis Cafe
11206 Fall Creek Road
Indianapolis, IN 46256

and to be personally served this 17th day of May, 2011 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 17th day of May, 2011 by electronic mail on the following:

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