

STATE OF INDIANA
CIVIL RIGHTS COMMISSION

DOCKET NO. EDha11010026

DANIEL MARTIN,
Complainant,

v.

LAW SCHOOL ADMISSION
COUNCIL,
Respondent.

FILE DATED
APR 20 2012

INDIANA CIVIL RIGHTS COMMISSION

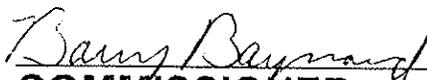
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

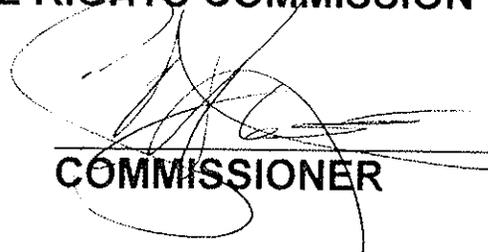
On March 13, 2012, Robert D. Lange, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC"), entered his Proposed Findings Of Fact, Conclusions Of Law, And Order ("the proposed decision").

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

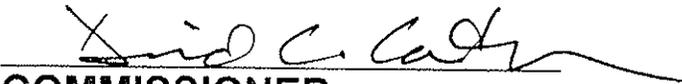
Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

INDIANA CIVIL RIGHTS COMMISSION


COMMISSIONER


COMMISSIONER


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Dated: 20 April 2012

STATE OF INDIANA
CIVIL RIGHTS COMMISSION

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DANIEL MARTIN,
Complainant,

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LAW SCHOOL ADMISSION
COUNCIL,
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**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

On February 10, 2012, Respondent Law School Admission Council ("LSAC"), filed its Motion To Dismiss Or In The Alternative Motion To Compel Compliance With Settlement Agreement, Motions to which Complainant, Daniel Martin ("Martin"), 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. This proceeding began when Martin filed a complaint with the ICRC against LSAC alleging that he had been denied a reasonable accommodation he had requested pertaining to the Law School Admission Test ("LSAT"). COMPLAINT OF DISCRIMINATION (January 18, 2011).

2. LSAC denied that it committed a violation of the Indiana Civil Rights Law, IC 22-9-1-1, *et. seq.* ("the ICRL"). LSAC contends that it did not deny an accommodation; it only deferred a decision pending receipt of documentary evidence of the nature of Martin's condition. ANSWER (February 21, 2012).
3. On September 7, 2011, the Deputy Director of the ICRC issued his Notice Of Finding, determining that there was probable cause to believe that a violation of the ICRL had occurred. NOTICE OF FINDING (September 7, 2011).
4. On or about December 14, 2011, the parties participated in mediation.
5. At the mediation, both Martin and LSAC were represented by counsel.
6. The mediation resulted in a Settlement Agreement signed by both parties in which LSAC agreed, among other things, to provide Martin with one opportunity to take the LSAT at no cost to Martin and to reevaluate Martin's request for an accommodation. In return for those promises by LSAC, Martin agreed to release LSAC from liability for all claims pending at that time and to take all necessary steps to withdraw or dismiss his complaint with the ICRC..
7. Martin has not requested that his complaint be withdrawn or dismissed.
8. On February 14, 2012, the ALJ issued an Order that, among other things, allowed Martin until March 5, 2012 in which to reply to LSAC's motions.
9. Martin did not reply to LSAC's motions.
10. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

CONCLUSIONS OF LAW

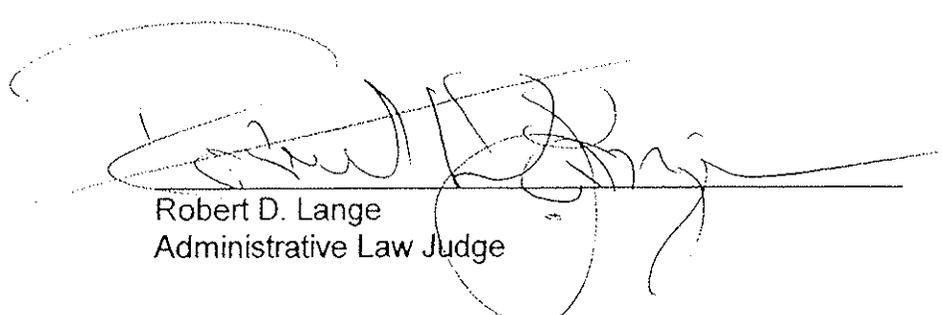
1. The ICRC has jurisdiction over the subject matter and the parties.
2. Settlement is a favored resolution and should be encouraged.
3. Release is a defense to a claim under the ICRL.

4. 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).
5. Any Finding Of Fact that should have been deemed a Conclusion Of Law is hereby adopted as such.

ORDER

1. LSAC's Motion To Dismiss is **GRANTED**.
2. Martin's complaint is **DISMISSED**, with prejudice.

Dated: 13 March 2012



Robert D. Lange
Administrative Law Judge

To be served by first class mail this 13th day of March, 2012 on the following parties and attorneys of record:

Daniel Martin
116 West 49th Street
Indianapolis, IN 46208

Law School Admission Council
c/o Joan E. Van Tol, Esq., General Counsel
662 Penn Street, Box 40
Newton, PA 18940-0040

and to be served by electronic mail this 13th day of March, 2012 on the following:

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