

**STATE OF INDIANA
CIVIL RIGHTS COMMISSION**

DOCKET NO. EMha05050321

TINA MICKLE,
Complainant,

v.

**COLUMBUS PEDIATRIC
DENTISTRY, PC; and
CARL D. BELL, D.D.S.;**
Respondents.

FILE DATED

MAR 28 2008

Indiana State Civil Rights Commission

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On January 31, 2008, 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.

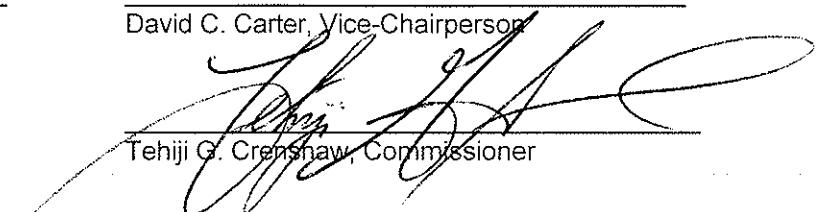
Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

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 A. Ramos, Commissioner

Dated: 28 March 2008

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

Tina Mickle
233 Lincoln Street
Columbus, IN 47201

Columbus Pediatric Dentistry, P.C.
c/o Hayley Pavlov, Resident Agent
3158 North National Road
Columbus, IN 47201

Carl D. Bell, D.D.S.
3158 North National Road
Columbus, IN 47201

SHARPBACK BIGLEY STROH & WASHBURN
BY: John A. Stroh, Esq.
Attorneys for Respondents Columbus Pediatric Dentistry, PC and Carl D. Bell, D.D.S.
321 Washington Street
Columbus, IN 47201

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

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

**STATE OF INDIANA
CIVIL RIGHTS COMMISSION**

DOCKET NO. EMha05050321

TINA MICKLE,
Complainant,

FILE DATED

v.

JAN 31 2008

Indiana State Civil Rights Commission

**COLUMBUS PEDIATRIC
DENTISTRY, PC; and
CARL D. BELL, D.D.S.;**
Respondents.

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

On January 30, 2008, Complainant, Tina Mickle ("Mickle"), filed her Agreed Motion To Dismiss, a motion to which Respondents - Columbus Pediatric Dentistry, PC and Carl D. Bell, D.D.S. - have 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. Mickle's complaint alleges that, in March of 2005, she was unlawfully terminated from employment because of disability. COMPLAINT OF DISCRIMINATION (May 24, 2005).

2. Respondents dispute Mickle's claims of unlawful discrimination. RESPONDENT'S ANSWER TO AMENDED COMPLAINT (July 12, 2007).
3. Mickle'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.

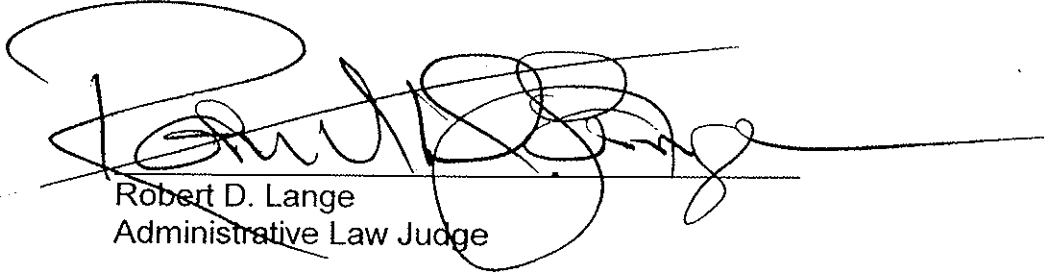
CONCLUSIONS OF LAW

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 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. Mickle's Agreed Motion To Dismiss is **GRANTED**.
2. Mickle's complaint is **DISMISSED**, with prejudice.

Dated: 31 January 2008


Robert D. Lange
Administrative Law Judge

To be served by first class mail this 31st day of January, 2008 on the following parties and attorneys of record:

Tina Mickle
233 Lincoln Street
Columbus, IN 47201

Columbus Pediatric Dentistry, P.C.
c/o Hayley Pavlov, Resident Agent
3158 North National Road
Columbus, IN 47201

Carl D. Bell, D.D.S.
3158 North National Road
Columbus, IN 47201

SHARPNACK BIGLEY STROH & WASHBURN
BY: John A. Stroh, Esq.
Attorneys for Respondents Columbus Pediatric Dentistry, PC and Carl D. Bell, D.D.S.
321 Washington Street
Columbus, IN 47201

and to be personally served this 31st day of January, 2008 on the following:

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