

DEAN MEAD,  
Complainant,

vs.

MORRISON'S TV AND  
APPLIANCE,  
Respondent.

FILE DATED

JUL 25 2008

Indiana State Civil Rights Commission

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

On July 1, 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**

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

Dated: 25 July 2008

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

Dean Mead  
1223 West Allen  
Bloomington, IN 47403

MACEY SWANSON and ALLMAN  
BY: Kimberly D. Jeselskis, Esq.  
Attorneys for Complainant Dean Mead  
445 North Pennsylvania Street, Suite 401  
Indianapolis, IN 46204

Morrison's TV and Appliance  
c/o Chief Executive Officer  
900 West Kirkwood  
Bloomington, IN 47404

Herbert L. Kilmer, Esq.  
Attorney for Respondent Morrison's TV and Appliance  
406 West Kirkwood Avenue, Suite 1  
Box 1747  
Bloomington, IN 47402

---

KELLEY, BELCHER & BROWN  
BY: Darla S. Brown, Esq.  
Attorneys for Respondent Morrison's TV and Appliance  
301 West Seventh Street  
Post Office Box 3250  
Bloomington, IN 47402-3250

---

DEAN MEAD,  
Complainant,

vs.

MORRISON'S TV AND  
APPLIANCE,  
Respondent.

FILE DATED

JUL 01 2008

Indiana State Civil Rights Commission

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

On June 27, 2008, Complainant, Karen Mead ("Mead"), and Respondent, Morrison's ("Morrison's"), filed their Joint Motion To Dismiss.

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. Mead's complaint alleges that she was unlawfully terminated by Morrison's because of disability. CHARGE OF DISCRIMINATION (December 16, 2005).
2. Morrison's disputes Mead's claims of unlawful discrimination.
3. The Joint Motion is expressly motivated by a settlement.

4. There is no evidence of fraud, coercion, duress, or any other reason not to approve the requested dismissal.
5. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

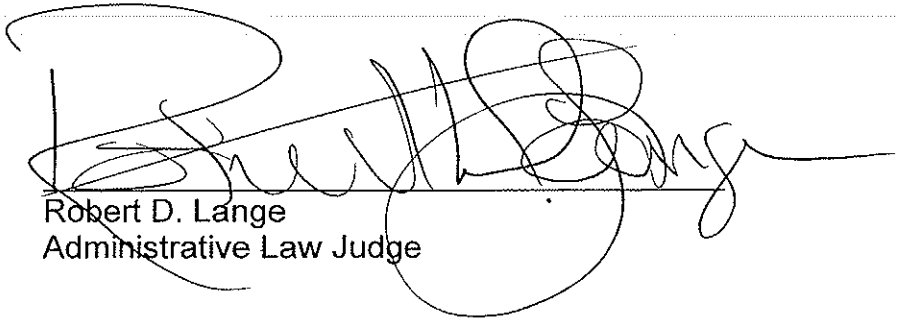
## CONCLUSIONS OF LAW

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 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. The Joint Motion To Dismiss is **GRANTED**.
2. Mead's complaint is **DISMISSED**, with prejudice.

Dated: 01 July 2008

  
Robert D. Lange  
Administrative Law Judge

To be served by first class mail this 1st day of July, 2008 on the following parties and attorneys of record:

Dean Mead  
1223 West Allen  
Bloomington, IN 47403

MACEY SWANSON and ALLMAN  
BY: Kimberly D. Jeselskis, Esq.  
Attorneys for Complainant Dean Mead  
445 North Pennsylvania Street, Suite 401  
Indianapolis, IN 46204

Morrison's TV and Appliance  
c/o Chief Executive Officer  
900 West Kirkwood  
Bloomington, IN 47404

Herbert L. Kilmer, Esq.  
Attorney for Respondent Morrison's TV and Appliance  
406 West Kirkwood Avenue, Suite 1  
Box 1747  
Bloomington, IN 47402

KELLEY, BELCHER & BROWN  
BY: Darla S. Brown, Esq.  
Attorneys for Respondent Morrison's TV and Appliance  
301 West Seventh Street  
Post Office Box 3250  
Bloomington, IN 47402-3250

and to be personally served this 1st day of July, 2008 on the following:

Indiana Civil Rights Commission  
c/o The Honorable Tony A. Kirkland, Executive Director  
Indiana Government Center North  
100 North Senate Avenue, Room N103  
Indianapolis, IN 46204-2255