

STATE OF INDIANA  
CIVIL RIGHTS COMMISSION

DOCKET NO. EMra05020090  
EEOC NO. 24FA500177

TONEIA JONES,  
Complainant,

vs.

AMERICAN SENIOR  
COMMUNITIES, LLC d/b/a  
SPRING MILL MEADOWS;  
Respondent.

FILE DATED

MAR 28 2008

Indiana State Civil Rights Commission

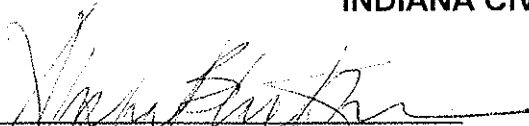
**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

On March 11, 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

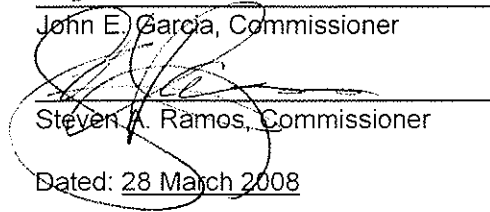
David C. Carter, Vice-Chairperson

  
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:

Toneia Jones  
7846 Bonita Court  
Indianapolis, IN 46219

American Senior Communities, LLC d/b/a Spring Mill Meadows  
c/o Chief Executive Officer  
2140 West 86<sup>th</sup> Street  
Indianapolis, IN 46260

KRIEG · DEVAULT LLP  
BY: Aaron R. Raff, Esq.  
Attorneys for Respondent American Senior Communities, LLC d/b/a Spring Mill  
Meadows  
One Indiana Square, Suite 2800  
Indianapolis, IN 46204-2079

and to be personally served on the following:

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

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

On March 7, 2008, Complainant, Tonia Jones ("Jones"), filed her Agreed Motion To Dismiss, a motion to which Respondent – American Senior Communities, LLC d/b/a Spring Mill Meadows ("ASC") - 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. Jones' complaint alleges that, in November of 2004, she was unlawfully terminated from employment because of race. COMPLAINT OF DISCRIMINATION (February 03, 2005).

2. ASC disputes Jones' claim of unlawful discrimination. ANSWER (April 1, 2005).
3. Jones' 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.

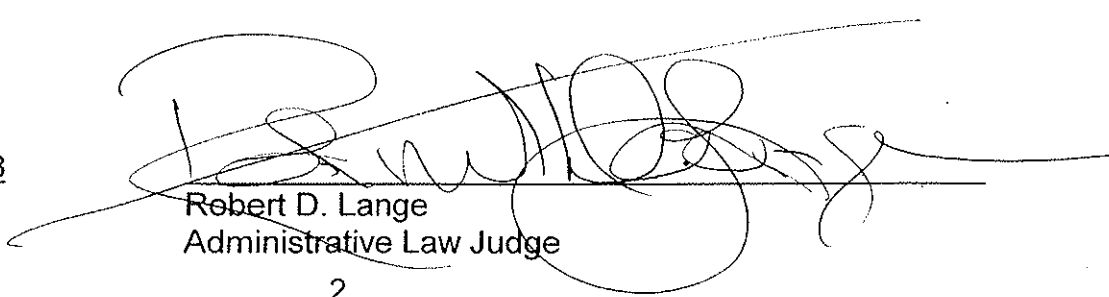
### CONCLUSIONS OF LAW

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

Dated: 11 March 2008

  
Robert D. Lange  
Administrative Law Judge

To be served by first class mail this 11<sup>th</sup> day of March, 2008 on the following parties and attorneys of record:

Toneia Jones  
7846 Bonita Court  
Indianapolis, IN 46219

American Senior Communities, LLC d/b/a Spring Mill Meadows  
c/o Chief Executive Officer  
2140 West 86<sup>th</sup> Street  
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KRIEG · DEVAULT LLP  
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One Indiana Square, Suite 2800  
Indianapolis, IN 46204-2079

and to be personally served this 11<sup>th</sup> day of March, 2008 on the following:

Joshua S. 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