

STATE OF INDIANA
CIVIL RIGHTS COMMISSION

DOCKET NO. EMra11060270
EEOC NO. 24F-2011-00379

MICHAEL T. DAVIS,
Complainant,

v.

PAPA JOHN'S
INTERNATIONAL, INC. d/b/a
PAPA JOHN'S PIZZA;
Respondent.

FILE DATED

JUL 20 2012

INDIANA CIVIL RIGHTS COMMISSION

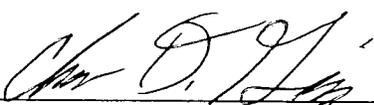
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On June 15, 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



COMMISSIONER



COMMISSIONER

Dated: 20 July 2012

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

Michael T. Davis
6241 Tybalt Place
Indianapolis, IN 46254

Papa John's Pizza
c/o Manager
5035 West 71st Street, Suite K
Indianapolis, IN 46254

Caroline Miller Oyler, Esq.; Vice President, Senior Counsel
Papa John's USA, Inc.
P.O. Box 99900
Louisville, KY 40269-0900

LITTLER MENDELSON, P.C.
BY: Brian L. Mosby, Esq.
Attorneys for Respondent Papa John's Pizza
111 Monument Circle
Suite 702
Indianapolis, IN 46204

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

MICHAEL T. DAVIS,
Complainant,
v.

PAPA JOHN'S
INTERNATIONAL, INC. d/b/a
PAPA JOHN'S PIZZA;
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FILE DATED
JUN 15 2012
INDIANA CIVIL RIGHTS COMMISSION

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

On June 14, 2012, Complainant, Michael T. Davis, ("Davis"), and Respondent – Papa John's International d/b/a Papa John's Pizza ("Papa John's") - 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 Harris filed a complaint with the ICRC on behalf of Davis alleging that Davis had been terminated from employment by Papa John's because of race. COMPLAINT OF DISCRIMINATION (May 31, 2011).
2. Papa John's denies that claim. ANSWER (June 30, 2011).
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.

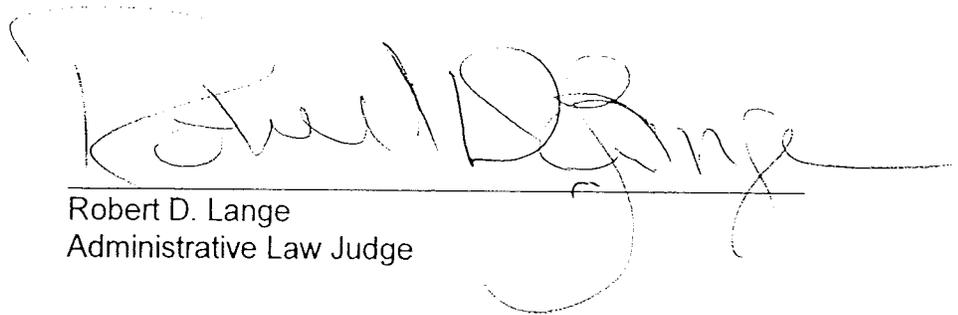
CONCLUSIONS OF LAW

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 Joint Motion To Dismiss is **GRANTED**.
2. The Status Conference that had been scheduled for July 30, 2012 is **CANCELLED**.
3. Davis's complaint is **DISMISSED**, with prejudice.

Dated: 15 June 2012



Robert D. Lange
Administrative Law Judge

To be served by first class mail this 15th day of June, 2012 on the following parties and attorneys of record:

Michael T. Davis
6241 Tybalt Place
Indianapolis, IN 46254

Papa John's Pizza
c/o Manager
5035 West 71st Street, Suite K
Indianapolis, IN 46254

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BY: Brian L. Mosby, Esq.
Attorneys for Respondent Papa John's Pizza
111 Monument Circle
Suite 702
Indianapolis, IN 46204

and to be personally served this 15th day of June, 2012 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 by electronic mail this 15th day of June, 2012 on the following:

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