

STATE OF INDIANA  
CIVIL RIGHTS COMMISSION

DOCKET NO. EMsh10080381  
EEOC NO. 24FA10-00372

JENNIFER ROZELLE,  
Complainant,

v.

YORKTOWN CAFÉ, INC. d/b/a  
OSBORN'S COUNTRY  
KITCHEN;

Respondent.

FILE DATED  
JUN 22 2012

INDIANA CIVIL RIGHTS COMMISSION

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

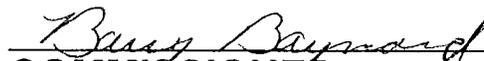
On May 3, 2012, Robert D. Lange, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC"), entered his Proposed Findings Of Fact, Conclusions Of Law, And Order ("the proposed decision").

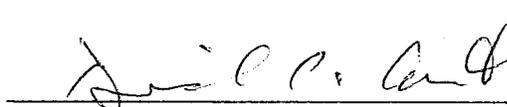
No objections have been filed to the ICRC's adoption of the proposed decision.

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**

  
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COMMISSIONER

  
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COMMISSIONER

  
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COMMISSIONER

  
\_\_\_\_\_  
COMMISSIONER

Dated: 22 June 2012

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

Jennifer Rozelle  
3601 West 27<sup>th</sup> Street  
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Attorney for Complainant Jennifer Rozelle  
309 North High Street  
Muncie, IN 47305-1618

Yorktown Café, Inc. d/b/a Osborn's Country Kitchen  
c/o Mr. and Mrs. Dean Osborn  
9144 West Smith Street  
Yorktown, IN 47396

DENNIS WENGER & ABRELL, P.C.  
BY: Jennifer J. Abrell, Esq.  
Attorneys for Respondent Yorktown Café, Inc. d/b/a Osborn's Country Kitchen  
324 West Jackson Street  
Muncie, IN 47305

JENNIFER ROZELLE,  
Complainant,

v.

YORKTOWN CAFÉ, INC. d/b/a  
OSBORN'S COUNTRY  
KITCHEN;

Respondent.

FILE DATED

MAY 03 2012

INDIANA CIVIL RIGHTS COMMISSION

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

On May 1, 2012, Complainant, Jennifer Rozelle ("Rozelle"), and Respondent - Yorktown Café, Inc. d/b/a Osborn's Country Kitchen ("YCI") - filed their Joint Stipulation Of Dismissal With Prejudice.

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 involves Rozelle's claim that she was terminated from her position at YCI as a result of unlawful sexual harassment. COMPLAINT OF DISCRIMINATION (August 20, 2010).

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

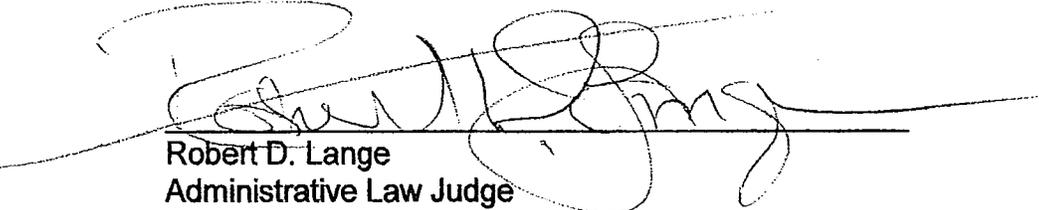
### CONCLUSIONS OF LAW

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 Stipulation Of Dismissal With Prejudice is **GRANTED**.
2. Rozelle's complaint is **DISMISSED**, with prejudice.

Dated: 03 May 2012



Robert D. Lange  
Administrative Law Judge

To be served by first class mail this 3<sup>rd</sup> day of May, 2012 on the following parties and attorneys of record:

Jennifer Rozelle  
3601 West 27<sup>th</sup> Street  
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324 West Jackson Street  
Muncie, IN 47305

and to be served by electronic mail this 3<sup>rd</sup> day of May, 2012 on the following:

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