



**STATE OF INDIANA
OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**

FILED: Sep 21, 2026

Rachel Thornton,
Complainant,

Administrative Cause No.: ICRC-2505-001868

V.

Agency Action Nos.: EMse23120974/24F-2024-
00161

Exel Inc. d/b/a DHL Supply Chain
(USA),
Respondent.

Ultimate Authority: Office of Administrative Law Proceedings

FINAL ORDER ON NOTICE OF WITHDRAWAL

PROCEDURAL HISTORY AND JURISDICTION

The Indiana Civil Rights Commission (ICRC) has subject matter jurisdiction over employment discrimination complaints based on race that are filed under the Indiana Civil Rights Law (ICRL). Indiana Code (IC) §§ 22-9-1-2 and 22-9-1-6. On May 28, 2025, the ICRC, after conducting a neutral investigation, made a probable cause finding on Rachel Thornton's (Complainant) December 20, 2023, complaint that alleged Respondent violated the ICRL by discriminating against Complainant in the protected area of employment on the basis of race. When a finding of probable cause is made under the ICRL, pursuant to ICRC's June 19, 2020, Finding of Necessity, the Office of Administrative Law Proceedings (OALP) appoints an Administrative Law Judge (ALJ) to preside over the matter and to conduct a hearing. IND. CODE § 22-9-1-6; IND. CODE § 4-15-10.5-12; IND. CODE § 4-15-10.5-13. ALJ Bonar was appointed to preside over this matter.

ISSUE

Whether the notice of withdrawal via the Request for Withdrawal of Complaint (Request) filed by Complainant is effective in dismissing this matter.

FINDINGS OF FACT

1. On May 29, 2025, Complainant, by counsel, Vanessa Powell, filed a Petition for Administrative Review, thus initiating this proceeding.
2. Several prehearing conferences were held in this matter, with the parties ultimately agreeing to stay this case as settlement negotiations progressed.

3. On September 18, 2026, the ICRC filed a Notice of Request for Withdrawal of Complaint (Notice of Withdrawal) in this proceeding, enclosing the above Request by Complainant.
4. As represented in the Notice, Complainant seeks to withdraw the complaint because the parties have settled this matter.
5. The Notice of Withdrawal was served on all Parties before a Notice of Hearing was issued.
6. There is no evidence of fraud, coercion, duress, or any other reason not to grant the requested dismissal.

CONCLUSIONS OF LAW

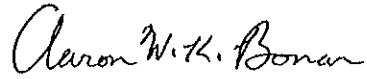
1. The Commission has jurisdiction over the subject matter and the Parties. IC §§ 22-9-1-2, 22-9-1-3, and 22-9.5-5-5.
2. A Complainant can withdraw an ICRC complaint by filing a Notice of Withdrawal with the Commission. 910 IAC 1-2-6.
3. A Notice of Withdrawal is a written statement made by the Complainant in which the Complainant requests that the matter be closed. *Id.* The Notice of Withdrawal must be served on all parties. *Id.*
4. If a hearing has been set, then the majority of the Commission must agree to the withdrawal before the withdrawal is effective in closing the matter. *Id.*
5. However, if a hearing has not been set, then the Notice of Withdrawal filed by a Complainant is immediately effective in closing the matter as of the date of filing. *Id.*
6. Complainant filed his Request before the setting of a hearing in this matter, and the Notice of Withdrawal complies with 910 IAC 1-2-6.
7. Accordingly, this matter is dismissed pursuant to IC § 4-21.5-3-27(a).

DECISION

Having duly considered the above, the undersigned ALJ for OALP hereby orders as follows:

1. Complainant's request to dismiss this matter as stated in their Request and Motion is **GRANTED**.
2. Complainant's May 29, 2025, Complaint is **DISMISSED** with prejudice.
3. Either Party to a dispute filed under IC § 22-9 may, not more than thirty (30) days after the date of receipt of this final appealable order, appeal to the court of appeals under the same terms, conditions, and standards that govern appeals in ordinary civil actions. IC § 22-9-8-1.

So ordered on: September 21, 2026.

A handwritten signature in cursive script that reads "Aaron W. K. Bonar".

Aaron W. K. Bonar
Administrative Law Judge

Distribution List:

Complainant, Rachel Thornton, served by email at bellis@hkm.com

ICRC Staff Attorney, Vanessa Powell, served by email at attyvpowell@yahoo.com

Respondent, Exel Inc. d/b/a DHL Supply Chain (USA), served by email at mckenzie.mcelroy@dhl.com, bhession@fbtlaw.com, and awilson@fbtlaw.com; and by US Mail at: Exel Inc. d/b/a DHL Supply Chain (USA); c/o McKenzie R. McElroy, Esq., Senior Legal Counsel; 360 Westar Blvd, Westerville, OH 43082