

JUN 03 2014

INDIANA STATE  
CIVIL RIGHTS COMMISSION

STATE OF INDIANA  
INDIANA CIVIL RIGHTS COMMISSION

ERIKA MIRELES,

Complainant,

vs.

TEQUILA RESTAURANTE,

Respondent.

) Docket No.: EMno12061298

) EEOC No.: 24F-2012-00655

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

On May 28, 2014, Noell F. Allen Administrative Law Judge (“ALJ”) for the Indiana Civil Rights Commission (“ICRC”) entered her 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 this 30<sup>th</sup> Day of May, 2014.

To be served by Certified Mail upon the following parties:

Erika Mireles  
1329 Burnham Avenue  
Calumet City, IL 60409  
Certified Mail #: 9214 8901 0661 5400 0033 8243 65

Tequila Restaurante  
110 South Main Street  
Crown Point, IN 46307  
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Robin Remley  
Law Office of Robin Remley  
270 N. Main St. #A  
Crown Point, IN 46307-3249  
Certified Mail #: 9214 8901 0661 5400 0033 8245 32

and to be personally served on the following attorney of record:

Frederick S. Bremer, Esq.; Staff Counsel  
Indiana Civil Rights Commission  
Indiana Government Center North  
100 North Senate Avenue, Room N103  
Indianapolis, IN 46204-2255

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

On May 28, 2014, Complainant, Erika Mireles, by counsel, and Respondent, Tequila Restaurante, by counsel, filed their JOINT MOTION TO DISMISS and WAIVER OF OBJECTION PERIOD (“Motion”).

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. This proceeding involves a complaint of discrimination against Respondent alleging Respondent discriminated against Complainant on the basis of National Origin. (Complaint of Discrimination, June 20, 2012).

2. The parties have reached a private settlement agreement.

3. The parties are satisfied with the terms of the settlement agreement.

4. There is no evidence of fraud, coercion, duress, or any other reason not to approve of the requested dismissal.

5. The parties waived the 15-day period for filing objections.

6. Any Conclusion of Law that should have been deemed a Finding of Fact is hereby adopted as such.

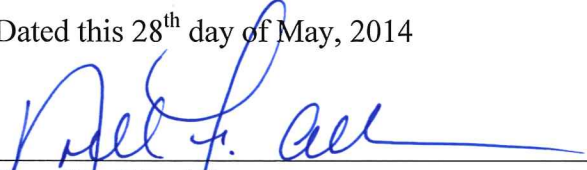
### CONCLUSIONS OF LAW

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 fifteen (15) days after service of this proposed decision. IC 4-21.5-3-29(d).
4. The Parties waived the opportunity to present objections on this proposed decision.
5. Any Finding of Fact that should have been deemed a Conclusion of Law is hereby adopted as such.

### ORDER

1. The parties' Joint Motion to Dismiss is **GRANTED**.
2. Erika Mireles' complaint is **DISMISSED**, with prejudice.

Dated this 28<sup>th</sup> day of May, 2014

  
\_\_\_\_\_  
Hon. Noell F. Allen  
Administrative Law Judge  
Indiana Civil Rights Commission

To be served by Certified Mail upon the following parties:

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