



INDIANA
CIVIL
RIGHTS
COMMISSION



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ICRC No.: EMra08080535
EEOC No.: 24FA80561

LIONEL McCRAY,
Complainant,

v.

PRAIRIE FARMS DAIRY,
Respondent.

NOTICE OF ADMINISTRATIVE DISMISSAL

The Deputy Director of the Indiana Civil Rights Commission ("Commission") has administratively dismissed the above-referenced case, for the following reasons: On August 29, 2008 Lionel McCray ("Complainant") filed a complaint with the Commission against Prairie Farms Dairy ("Respondent") alleging discrimination based on disability.

With the assistance of the ADR Unit, Complainant and Respondent have reached a satisfactory remedy to the complaint. With the completion of this settlement Complainant then agreed to withdraw the complaint of discrimination with the Commission.

In light of the foregoing, the Deputy Director finds (a) administrative dismissal will serve the public interest and (b) there is no substantial likelihood of payment or relief that has been or may be ordered by the Commission. 910 IAC 1-3-2(f) (2000). Thus, upon the exhaustion of the administrative appeal process without a reversal of this result, the case will be dismissed, with prejudice. 910 IAC 1-3-2 (i) (2000).

"Morality cannot be legislated, but behavior can be regulated." – Dr. Martin Luther King, Jr

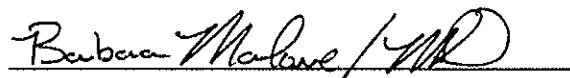
An Equal Opportunity Employer

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Complainant may appeal this Finding. 910 IAC 1-3-2 (2000). The written appeal request must be filed with the Commission within fifteen (15) days of receipt of this Notice of Finding and must include any new and additional evidence relied on by Complainant to support the appeal. **Failure to submit a timely appeal may result in a waiver of any right to further review or appeal of this Finding by the Commission or Indiana Courts.** Upon the exhaustion of the administrative right to appeal, the complaint in this case is hereby dismissed with prejudice.

As this complaint was filed under Title VII of the Civil Rights Act, which is enforced by the U.S. Equal Employment Opportunity Commission (EEOC), Complainant has the right to ask the EEOC to review this action. To secure such a review, the request must be made in writing within fifteen (15) days of receipt of this Notice of Finding, and submitted to the EEOC, 101 West Ohio Street, Suite 1900, Indianapolis, IN 46204. Should Complainant fail to seek EEOC review, the EEOC will generally follow and adopt the Commission's action in this case.

April 22, 2009


Barbara Malone, Deputy Director
Indiana Civil Rights Commission

Service List for
Notice of Finding

Served by First Class U.S. Mail, addressed as follows:

Lionel McCray
1213 East 8th Street
Muncie, IN 47302

Dan Breland, Labor Relations/Human Resources Mgr.
Prairie Farms Dairy, Inc.
1001 South Grand Boulevard
St. Louis, MO 63104