

1. The Complaint in this matter was served on Complainant by certified mail United States Postal Service. Complainant was represented by the Law Offices of Ross J. Peters, Ltd., and it signed on her behalf on September 26, 2005.

2. The initial status date in this matter was November 1, 2005. On October 28, 2005, Respondents filed their Verified Answer and their Motion to Consolidate.

3. On November 1, 2005, an Order was entered consolidating ALS No. 05-395 and ALS No. 05-391 under the merged ALS. No. 391C.

4. On November 1, 2005, Complainant's attorney of record, Law Offices of Ross J. Peters, Inc., moved to withdraw as Complainant's legal representative. An Order was entered on November 1, 2005, that granted its motion, and ordered Complainant to retain an attorney by December 15, 2005.

5. On December 15, 2005, a status hearing was held and Complainant failed to appear despite due notice. A new status hearing date of January 24, 2006 was set. The Order also permitted Respondents to file a Motion to Dismiss for Failure to Prosecute at the following hearing if Complainant did not appear.

6. On the January 24, 2006, status hearing, Complainant again failed to appear. The Order gave Respondents leave to file their Motion to Dismiss. Respondents' counsel served a copy of the Order on Complainant. A new status date of February 28, 2006, was set.

7. On January 27, 2006, Respondents filed their Motion to Dismiss for Want of Prosecution, and served their motion on Complainant and the Illinois Department of Human Rights. Respondents' motion was set for a status hearing on February 28, 2006.

8. On February 28, 2006, Respondent appeared through counsel and Complainant was absent. It was ordered that Complainant had until March 27, 2006, to respond to Respondents' Motion to Dismiss. Respondents were ordered to serve Complainant with the February 28, 2006, Order. Respondents' Motion was taken under advisement for ruling.

9. Complainant did not file any written response to Respondents' Motion as ordered on February 28, 2006.

CONCLUSIONS OF LAW

1. Complainant's failure to appear at scheduled status hearings has unreasonably delayed the proceedings in this matter.

2. In light of Complainant's apparent abandonment of her claim, the complaint in this matter should be dismissed with prejudice.

DISCUSSION

Complainant was served with the Complaint in this matter through her attorney. She was given notice of the first time up and four subsequent status hearings. She was served with a written motion to dismiss. Nonetheless, she has taken absolutely no action to prosecute this matter since the Complaint was filed. She has offered no explanation for her failure. Her inaction has unreasonably delayed the proceedings in this matter.

For reasons unknown, it appears that Complainant has simply abandoned her claim. As a result, it is appropriate to dismiss her claim with prejudice. See. e.g., Leonard and Solid Matter, Inc., IHRC, 4942, August 25, 1992.

HUMAN RIGHTS COMMISSION

BY: _____
WILLIAM J. BORAH
ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION

ENTERED: December 1, 2006