STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

IN THE MATTER OF:	)		
	)		
VALERIE PARTEE HUNTER,	)		
	)		
	)		
Complainant,	)	CHARGE NO(S):	2005CA2827
	)	EEOC NO(S):	21BA51607
and	)	ALS NO(S):	07-382
	)		
AMERICAN INVSCO,	)		
	)		
	)		
Respondent.	)		

NOTICE

You are hereby notified that the Illinois Human Rights Commission has not received timely exceptions to the Recommended Order and Decision in the above named case. Accordingly, pursuant to Section 8A-103(A) and/or 8B-103(A) of the Illinois Human Rights Act and Section 5300.910 of the Commission's Procedural Rules, that Recommended Order and Decision has now become the Order and Decision of the Commission.

STATE OF ILLINOIS)
HUMAN RIGHTS COMMISSION) Entered this 17th day of March 2009

N. KEITH CHAMBERS
EXECUTIVE DIRECTOR

STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

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VALERIE PARTEE HUNTER,	)	
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	)	**Charge No.: 2005CA2827**
and	)	**EEOC No.: 21BA51607**
	)	**ALS No.: 07-382**
AMERICAN INVSCO,	)	
	)	
Respondent.	)	

RECOMMENDED ORDER AND DECISION

On May 31, 2007, Complainant, Valerie Partee Hunter, filed a complaint on her own behalf against Respondent, American Invsco. That complaint alleged that Respondent discriminated against Complainant on the basis of her age when it discharged her.

This matter now comes on to be heard on Complainant's motion to dismiss. Respondent does not object to the motion.

The Illinois Department of Human Rights is an additional statutory agency that has issued state actions in this matter. It is therefore named as an additional party of record.

FINDINGS OF FACT

The following facts were derived from the record file in this matter and from statements made at the July 2, 2008 status hearing.

1 Complainant, Valerie Partee Hunter, represented herself in this matter, *pro se*.

2. Complainant prefers to pursue her claim against Respondent in the federal system.

3. Complainant's motion was made voluntarily.

4. Respondent expressed no objection to Complainant's motion to dismiss her claim in this forum.

CONCLUSIONS OF LAW

1 Complainant's motion should be granted and the complaint in this matter should be dismissed with prejudice.

2. The charge in this matter should not be dismissed, so Complainant can pursue her claim in the federal system.

DISCUSSION

Complainant, Valerie Partee Hunter, represented herself, *pro* se, in this matter The case was stayed for several months while Complainant mulled over the question of whether to pursue her claim in this forum. Eventually, she opted to pursue her claim in the federal system and brought the instant motion to dismiss.

Complainant explained her position at the status hearing held on July 2, 2008. It is clear that her decision was both knowing and voluntary. Respondent's representative was present at the July 2 status hearing and expressed no objection to Complainant's motion.

Clearly, Complainant has the right to pursue her claim in the way she sees fit. As a result, it is appropriate to dismiss her complaint before the Commission with prejudice. Her charge, however, should not be dismissed. That charge will be the basis of the federal claim she will pursue.

CONCLUSION

Based upon the foregoing, it is recommended that the complaint in this matter be dismissed, with prejudice. The underlying charge of discrimination should not be dismissed, so Complainant can pursue her claim in the federal system.

HUMAN RIGHTS COMMISSION

BY:_____
MICHAEL J. EVANS
CHIEF ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION

ENTERED: July 8, 2008