



**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF:)	
)	
ANDRAMEDA M. RANGEL,)	
)	
Complainant,)	
)	Charge No.: 2003CF3583
)	2003CN3584
and)	EEOC No.: 21BA32373
)	ALS No.: 04-201
ARNIE BRYANT and COOK COUNTY)	
CLERK OF THE CIRCUIT COURT,)	
Respondents.)	

RECOMMENDED ORDER AND DECISION

On May 21, 2004, the Illinois Department of Human Rights (IDHR) filed a complaint on behalf of Complainant, Andrameda M. Rangel. That complaint alleged that Respondent Arnie Bryant sexually harassed Complainant. On May 27, 2004, the IDHR filed a second complaint on behalf of Complainant. That second complaint alleged that Respondent Cook County Clerk of the Circuit Court sexually harassed Complainant. The two complaints were consolidated on May 11, 2005 by order of Chief Administrative Law Judge Mary Kennedy.

This matter now comes on to be heard on Respondents' motions to dismiss. Although the motions were served on Complainant by mail, she failed to file any written response or appear at the hearings on the motions. The matter is ready for decision.

FINDINGS OF FACT

The following facts were derived from the record file in this matter.

1. Respondent Cook County Clerk of the Circuit Court served its discovery requests upon Complainant, Andrameda Rangel, on or about March 1, 2005.
2. The individual Respondent, Arnie Bryant, served his discovery requests upon Complainant on or about July 26, 2005.
3. Complainant has never fully answered discovery from either Respondent.

4. On September 22, 2005, Complainant was ordered to respond to outstanding discovery by November 17, 2005.

5. On November 17, 2005, Complainant failed to appear for a scheduled status hearing.

6. On January 3, 2006, Complainant failed to appear for a scheduled status hearing. The order entered on that date stated that Complainant's claim against the Cook County Clerk of the Circuit Court would be dismissed as a result of Complainant's failure to answer discovery.

7. On February 23, 2006, all parties appeared for a scheduled status hearing. Because Complainant still had not complied with discovery propounded by Arnie Bryant, Bryant was given leave to file a motion to dismiss.

8. March 23, 2006 was the scheduled date for the hearing on Bryant's motion to dismiss. Complainant did not appear at the hearing or file any written response to the motion.

CONCLUSIONS OF LAW

1. Complainant's failure to answer discovery has unreasonably delayed the proceedings in this matter.

2. The complaint in this matter should be dismissed in its entirety, with prejudice.

DISCUSSION

Respondents in this case served their discovery on Complainant in March and July of 2005. Complainant has been ordered more than once to comply with discovery by specific dates, but she has not complied with those orders. Complainant has not filed written responses to Respondents' motions to dismiss. The motion to dismiss filed by the Clerk of the Court was noticed for hearing on January 3, 2006. Complainant failed to appear. The motion to dismiss filed by Arnie Bryant was noticed for hearing on March 23, 2006. Complainant failed to appear.

Despite repeated warnings of the potential consequences, Complainant has not complied with discovery requests filed by Respondents. In addition, she failed to appear for

hearings on motions to dismiss filed by Respondents. Her conduct has unreasonably delayed the proceedings in this matter. As a result of that conduct, it is appropriate to dismiss her claims with prejudice. See *Lee and DSC Logistics*, ___ Ill. HRC Rep. ___, (2003CF2073, January 26, 2005); *Leonard and Solid Matter Inc.*, ___ Ill. HRC Rep. ___, (1989CN3091, August 25, 1992).

RECOMMENDATION

Based upon the foregoing, Complainant has unreasonably delayed the proceedings in this matter and effectively abandoned her claims. Accordingly, it is recommended that the consolidated complaints in this matter be dismissed in their entirety, with prejudice.

HUMAN RIGHTS COMMISSION

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

ENTERED: March 29, 2006