

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

KELLI LAWHEAD,

EEOC Case No. NONE

Petitioner,

FCHR Case No. 2013-00581

v.

DOAH Case No. 13-1911

ADAMS AND REESE, FORMERLY d/b/a
IGLER & DOUGHERTY LAW OFFICES,
P.A.,

FCHR Order No. 14-039

Respondent.

**FINAL ORDER DISMISSING PETITION FOR
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

Preliminary Matters

Petitioner Kelli Lawhead filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2011), alleging that Respondent Adams and Reese, formerly d/b/a Iglar & Dougherty Law Offices. P.A., committed an unlawful employment practice on the basis of Petitioner's perceived or actual disability by terminating Petitioner from employment.

The allegations set forth in the complaint were investigated, and, on April 12, 2013, the Executive Director issued a determination finding that there was no reasonable cause to believe that an unlawful employment practice had occurred.

Petitioner filed a Petition for Relief from an Unlawful Employment Practice, and the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

A motion hearing was conducted in this matter in Tallahassee, Florida, on January 10, 2014, before Administrative Law Judge Suzanne Van Wyk.

Judge Van Wyk issued a Recommended Order of Dismissal and an Order Striking Petitioner's Amended Petition for Relief, both dated March 20, 2014.

On June 11, 2014, the Commission issued an Order Remanding Petition for Relief from an Unlawful Employment Practice (FCHR Order No. 14-022), remanding the case to the Administrative Law Judge for a determination of findings of fact and conclusions of law as to whether Respondent could be found liable in this case on the basis of "successor liability," and if so, for further proceedings on the merits of the claim.

Judge Van Wyk issued a Revised Recommended Order of Dismissal, dated July 21, 2014.

The Commission panel designated below considered the record of this matter and determined the action to be taken on the Revised Recommended Order of Dismissal.

Findings of Fact

We find the Administrative Law Judge's findings of fact to be supported by competent substantial evidence.

We adopt the Administrative Law Judge's findings of fact as set out in the Revised Recommended Order of Dismissal.

Conclusions of Law

We find the Administrative Law Judge's application of the law to the facts to result in a correct disposition of the matter.

We adopt the Administrative Law Judge's conclusions of law as set out in the Revised Recommended Order of Dismissal.

Exceptions

Neither of the parties filed exceptions to the Administrative Law Judge's Revised Recommended Order of Dismissal.

Dismissal

The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

The parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive notice of appeal within 30 days of the date this Order is filed with the Clerk of the Commission. Explanation of the right to appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 9 day of October, 2014.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Michael Keller, Panel Chairperson;
Commissioner Derick Daniel; and
Commissioner Donna Elam

Filed this 9 day of October, 2014,
in Tallahassee, Florida.

Cheyenne Castilla
Clerk
Commission on Human Relations
2009 Apalachee Parkway, Suite 100
Tallahassee, FL 32301
(850) 488-7082

Copies furnished to:

Kelli Lawhead
c/o Lauren F. Strickland, Esq.
Marie A. Mattox, P.A.
310 East Bradford Road
Tallahassee, FL 32303

Adams and Reese
c/o Leslie A. Lanusse, Esq.
Adams and Reese, LLP
701 Poydras Street, Suite 4500
New Orleans, LA 70139

Suzanne Van Wyk, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 9 day of October, 2014.

By: *Cheyenne Castilla*
Clerk of the Commission
Florida Commission on Human Relations