

COOK COUNTY COMMISSION ON HUMAN RIGHTS
69 West Washington Street, Suite 3040
Chicago, Illinois 60602

Jasmine CHAVDA, Complainant)	
)	
)	Case No. 2012E018
v.)	
)	
HEALTH CARE SOLUTION GROUP,)	Entered: June 3, 2015
INC., Respondent)	

ORDER OF DISMISSAL

On May 8, 2012, Complainant Jasmine Chavda (“Chavda”) filed a complaint against her former employer, Respondent Health Care Solution Group (“HCSG”). Chavda alleged that HCSG unlawfully terminated her on the basis of her age (60 years old at the time), race/national origin (Asian of Indian origin) and religion (Zoroastrianism) in violation of the anti-discrimination provisions of the Cook County Human Rights Ordinance (“Human Rights Ordinance”). See Cook County Code of Ordinances (“County Code”), § 42-35(b)(1). After a preliminary investigation into the charge, the Cook County Commission on Human Rights (“Commission”) determined on September 29, 2014, that there was sufficient evidence to justify a hearing on the merits with respect to Chavda’s first two claims (age and race/national origin discrimination).¹

On January 6, 2015, the Commission ordered such a hearing on the remaining claims. After completing discovery on April 30, 2015, the matter was set for a contested hearing on June 2, 2015, but on June 1, 2015, the Commission received a written withdrawal request (“Request”) from Chavda. Out of an abundance of caution, Administrative Law Judge Joanne Kinoy called the case as scheduled at 10:00 a.m. on June 2, 2015. HCSG appeared through counsel along with at least three witnesses ready to proceed with a hearing in the event that Chavda had reconsidered her Request overnight. Chavda did not appear, and so Judge Kinoy issued a recommended order that this matter be dismissed with prejudice. This Commission now adopts the recommended order.

Pursuant to the Commission’s Procedural Rules:

A complainant may request to withdraw a complaint or any part thereof at any time. A Complainant’s request to withdraw a complaint shall be in writing and shall be signed by the Complainant or his/her attorney of record. Under such

¹ The Commission dismissed the final claim in Chavda’s complaint (religious discrimination) for a lack of substantial evidence.

circumstances, the request may be presumed to be knowingly and voluntarily made, and the Commission may approve the request and enter an order dismissing the complaint.

CCHR Pro. R. 420.160.

Here, Chavda's handwritten Request of June 1, 2015 states that, "I, Jasmine Chavda, [am] not continuing with this case #2012E018 against Health[]Care Solution Group." Chavda references and attaches three emails that she sent to the assigned administrative law judge, counsel for HCSG and the Director of the Commission on May 28 and May 29, 2015. These emails indicate that Chavda will not continue with the prosecution of her case against HCSG for a multitude of reasons, including a desire to avoid the additional financial cost of doing so. Although Chavda did not use the Commission's designated withdrawal request form, her Request, titled "Withdrawal Documents," states that "[t]his is the only way I know how to withdraw my case[.]" In light of Chavda's repeated and consistent assertions in various documents over the course of at least a five-day period that she no longer wishes to pursue her case and Judge Kinoy's recommendation, the Commission is satisfied that Chavda's request to withdrawal is knowingly and voluntarily made.

For the foregoing reasons, the Commission hereby grants Chavda's request to withdraw her complaint and orders that Complaint No. 2012E018 be **DISMISSED WITH PREJUDICE** pursuant to a **VOLUNTARY WITHDRAWAL**.

June 2, 2015

By delegation:



Ranjit Hakim

Executive Director

Cook County Commission on Human Rights