

COOK COUNTY COMMISSION ON HUMAN RIGHTS

69 West Washington, Suite 3040
Chicago, Illinois 60602

Emigdia MANZANO, Complainant)	
)	
v.)	Case No. 2012E025
)	
HEALTH FIRST CHIROPRACTIC)	Entered: January 7, 2014
WELLNESS CENTER, Respondent)	

ORDER

On June 26, 2012, Complainant Emigdia Manzano (“Manzano”) filed a complaint against Respondent Health First Chiropractic Wellness Center (“Health First”) for an alleged violation of the Cook County Human Rights Ordinance related to her termination. The Cook County Commission on Human Rights (“Commission”) has not yet made an evidence determination with respect to this matter, but on December 19, 2013, Manzano represented to Commission staff that she wished to withdraw her complaint. Commission staff provided Manzano with a Withdrawal Request Form for her execution on December 19, 2013.

The Commission’s Procedural Rules state that “[a] Complainant may request to withdraw a Complaint or any part thereof at any time prior to an Evidence Determination by the Commission.” CCHR Pro. R. 480.160. If the request is knowingly and voluntarily made, the Commission approves the request and enters an order dismissing the complaint. *Id.* The Commission’s Procedural Rules typically require that a complainant’s request to withdraw be in writing and signed by the complainant or his or her attorney of record, *see id.*, however, the Commission has waived the requirement of a written withdrawal in cases where a complainant confirms his or her oral representation of a desire to withdrawal with a voluntary action. *See, e.g., Mallette v. Cook County Health & Hospital System*, 2012E012 (Jan. 6, 2014); *Carter v. Cook County Sheriff’s Office*, 2011E020 (Oct. 21, 2013).

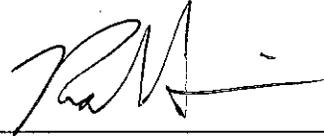
Here, Commission staff advised Manzano that if she did not return the written Withdrawal Request Form by January 6, 2014, her complaint would be dismissed based on her oral statement.¹ This deadline has passed without any further contact from Manzano. As such, the Commission presumes from the combination of her oral statement and her actions since that she has made a knowing and voluntary request to withdraw her complaint which should be granted pursuant to the Commission’s Procedural Rules. *See id.* at *1.

¹ Manzano was also advised that she could contact the Commission to withdraw her oral request. The tracking feature of the U.S. Postal Service shows that notice of the Commission’s December 19, 2013 certified letter was left for Manzano on December 23, 2013.

For the foregoing reasons, the Commission hereby grants Manzano's request to withdraw her complaint and orders that complaint 2012E025 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

January 7, 2014

By delegation:

A handwritten signature in black ink, appearing to be 'Ranjit Hakim', written over a horizontal line.

Ranjit Hakim
Executive Director of the Cook County
Commission on Human Rights