

COOK COUNTY COMMISSION ON HUMAN RIGHTS

69 West Washington Street, Suite 3040
Chicago, Illinois 60602

Heidi SLEPER, Complainant)

v.)

MADUFF & MADUFF, Respondent)

Case No. 2007E001

Entered: June 23, 2014

ORDER

On December 1, 2006, Complainant Heidi Sleper (“Sleper”) filed a complaint against her former employer, Respondent Maduff & Maduff (“Maduff”), alleging that she was retaliated against for complaining about pregnancy-based employment discrimination in violation of the Cook County Human Rights Ordinance (“Human Rights Ordinance”). The Cook County Commission on Human Rights (“Commission”) has not yet made an evidence determination with respect to this matter, but on June 6, 2014, Sleper’s attorney, Lisa M. Stauff (“Stauff”), represented to Commission staff that Sleper wished to withdraw her complaint because the matter had been resolved.

To effect Sleper’s wishes, Commission staff mailed a Withdrawal Request Form to Stauff on June 9, 2014. Commission staff advised Stauff in a letter accompanying this form that if she did not execute and return the form (or contact the Commission to rescind Sleper’s request) by June 19, 2014, the complaint would be dismissed on the basis of Stauff’s oral representation.

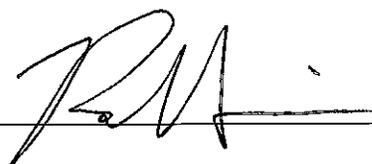
The Commission’s Procedural Rules state that “[a] Complainant may request to withdraw a Complaint or any part thereof at any time.” CCHR Pro. R. 420.160. If the request is knowingly and voluntarily made, the Commission approves the request and enters an order dismissing the complaint. *Id.* The Commission’s 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 waives this requirement of a written withdrawal in cases where a complainant confirms his or her oral representation of a desire to withdraw with a voluntary action. *See, e.g., Austin v. Sears, Roebuck & Co.*, 2010PA001 (CCHRC Feb. 5, 2014); *Carter v. Cook County Sheriff’s Office*, 2011E020 (CCHRC Oct. 21, 2013); *Malette v. Cook County Health & Hospitals System*, 2012E012 (CCHRC Jan. 6, 2014). Moreover, the Commission presumes that requests to withdraw advanced by counsel for the complainant are made with legal advice and, as such, are knowing and voluntary. *See Melzer v. Lyman & Nielsen, LLC*, 2008E054 (CCHRC June 19, 2014) (legal advice is a sufficient condition for a knowing and voluntary withdrawal).

Here, Commission staff advised Stauff that if she did not return the written Withdrawal Request Form by June 19, 2014, Sleper's complaint would be dismissed based on Stauff's oral statement. June 19, 2014 has passed without any contact from Sleper's counsel, and so the Commission presumes from the combination of the oral statements of Sleper's counsel and her actions since, that Sleper has made a knowing and voluntary request to withdraw her complaint.

For the foregoing reasons, the Commission hereby grants Sleper's request to withdraw and orders that complaint 2007E001 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

June 23, 2014

By delegation:

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

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