

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

Hee SUH, Complainant)	
)	
v.)	Case No. 2010E017
)	
PULSAR LUBE USA, INC., Respondent)	Entered: October 9, 2014
)	

ORDER

On May 5, 2010, Complainant Hee Suh (“Suh”) filed a complaint against her former employer, Respondent Pulsar Lube USA, Inc. (“Pulsar”), for allegedly terminating her on the basis of her sex and age in violation of the Cook County Human Rights Ordinance (“Human Rights Ordinance”). On September 4, 2012, the Cook County Commission on Human Rights (“Commission”) concluded its investigation and found substantial evidence of unlawful discrimination. The Commission ordered that this matter be set for an administrative hearing on the merits of Suh’s charge. On May 30, 2014, the Hearing Officer assigned to the matter informed the Commission that the parties had settled and were working towards papering their settlement agreement.

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 request in cases, such as this, where a complainant’s conduct confirms his or her desire to withdrawal. *See, e.g., Uzokwe v. Historic Manor Condominium, et al.*, 2006H008 (CCHRC March 27, 2014) (oral request to withdraw made to legal counsel for Commission and then followed by three-and-a-half years without any further contact or communication from the complainant); *Lynch v. Sysco Food Services – Chicago, Inc.*, 2010E032 (March 27, 2014) (oral request followed by non-participation in further hearing dates and activities); *Rodriguez v. Fantastic Sam’s*, 2008E043 (CCHRC Feb. 21, 2014) (complainant represented to hearing officer that she wanted to withdraw and then ceased participating in any additional Commission proceedings).

Here, there is nothing further for the Commission to do with respect to this matter. Although the Commission’s Hearing Officer has requested that the parties execute a written withdrawal to no avail, the Commission is confident that the parties wish to withdraw the pending matter. The parties informed the Hearing Officer that they had exchanged a draft of the settlement agreement on or about July 14, 2014. Pulsar, through counsel, also informed the Hearing Officer that it had executed this settlement agreement on or about July 29, 2014. After

some negotiation about receiving certain tax disclosures from Suh, Pulsar represented that it had issued a check to Suh in early September 2014. On September 16, 2014, counsel for Suh represented his willingness to execute a written withdrawal request form or to file a joint motion to dismiss.

Although the Commission has yet to receive either filing, for the foregoing reasons, the Commission orders that complaint 2010E017 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

October 9, 2014

By delegation:

A handwritten signature in black ink, appearing to read "R. Hakim", written in a cursive style.

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