

**EQUAL OPPORTUNITIES COMMISSION
CITY OF MADISON
210 MONONA AVENUE
MADISON, WISCONSIN**

<p>Vernon A. Williams 220 Bay View Madison, WI 53715</p> <p style="text-align: center;">Complainant</p> <p style="text-align: center;">vs.</p> <p>China House Restaurant 1256 South Park Street Madison, WI 53715</p> <p style="text-align: center;">Respondent</p>	<p>RECOMMENDED FINDING OF FACT RECOMMENDED CONCLUSIONS OF LAW RECOMMENDED ORDER</p> <p>Case No. 3067</p>
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On February 12, 1980, a CHARGE OF DISCRIMINATION originally filed with the Wisconsin Equal Rights Division was referred to and received by the Madison Equal Opportunities Commission (MEOC), said Charge alleging discrimination on the basis of race in regard to a public place of accommodations in violation of Section 3.23 of the Madison General Ordinances.

Upon referral, said charge was assigned to and investigated by Investigator Mary Pierce on behalf of the MEOC. An Initial Determination issued on April 8, 1980 finding probable cause to believe discrimination had occurred.

Conciliation having been waived or unsuccessful, the case was certified to public hearing. Said hearing was scheduled for November 14, 1980 at 8:30 a.m. in the Madison Room of the Madison Public Library, 201 West Mifflin Street, Madison, Wisconsin. The Complainant, Vernon Williams, appeared in person without an attorney.

The Respondent appeared by Attorney John Walsh of Brynelson, Herrick, Gehl and Bucaida. D. Peou Chen and Jackson Cheng appeared as employee-representatives of Respondent.

The Examiner proposes the following Recommended Decision:

BACKGROUND

Upon reassurance that the Complainant was seeking no monetary award from this forum, the Respondent agreed to concede to a finding of discrimination in this matter. The Complainant was satisfied with Respondent's concession.

The Examiner, after several inquiries, being satisfied that Complainant was seeking neither a monetary award nor for the MEOC to refer the case to the City Attorney's office for prosecution of an ordinance violation, accepted the "No contest" concession of the Respondent. The Examiner further notes that the Complainant and Respondent entered into this agreement prior to the introduction of any evidence into the record. The Examiner also notes that the Complainant did not waive any rights to pursue this matter in other forums for any remedies he would be entitled to. Therefore, the Examiner enters the following:

CONCLUSIONS OF LAW

1. Based on Respondent's plea not to contest the charge of discrimination filed in this matter (attached), it is concluded that Respondent discriminated against Complainant on the basis of race in regard to a public place of accommodation in violation of Section 3.23(5)(a) of the Madison General Ordinances.

ORDER

1. That the Respondent cease and desist from discriminating against the Complainant on the basis of his race in regard to the enjoyment of Respondent's public place of accommodation.

Dated at Madison, Wisconsin on this 26th day of November, 1980.

/s/ Allen T. Lawent
Allen T. Lawent
Hearing Examiner