

**BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA**

DONNA WILSON and LYNN SCHUMACHER,)	CASE NO. 0049011005-10
)	
Charging Parties,)	ORDER AFFIRMING MODIFIED
)	FINAL AGENCY DECISION
vs.)	
)	
CATHOLIC DIOCESE OF GREAT FALLS- BILLINGS, ST. LUKE’S PARISH, and FR. PAT ZABROCKI,)	
)	
Respondents.)	

The above-captioned matter came before the Montana Human Rights Commission (Commission) on March 22, 2007. The Commission considered an appeal from the Modified Final Agency Decision, dated December 29, 2006. Oral argument was requested. Appearing before the Commission were Gregory J. Hatley, Esq., DAVIS, HATLEY, HAFFEMAN & TIGHE, P.C., attorney for Respondents/Appellants, and Elizabeth A. Best, Esq., BEST LAW OFFICES, P.C., attorney for Charging Parties/Respondents.

Respondents/Appellants asserted that the Hearing Examiner’s award of damages is excessive and not supported by competent substantial evidence. They also argued that St. Luke’s Parish should not be held jointly and severally liable. Charging Parties/Respondents asserted that the award of damages is supported by competent substantial evidence and the evidence supports the liability of St. Luke’s Parish.

After careful and due consideration, the Commission concludes that the Modified Final Agency Decision in this matter is supported by competent substantial evidence and the conclusions of law are correct.

IT IS HEREBY ORDERED that the Commission **affirms** the Modified Final Agency Decision and hereby adopts and incorporates the decision in its entirety.

A person who has exhausted all administrative remedies available within an agency and who is aggrieved by a final agency decision in a contested case is entitled to file a petition for judicial review within 30 days after service of the Human Rights Commission Order. The petition must be filed in the district where the petitioner resides or has the petitioner's principal place of business, or where the agency maintains its principal office. Mont. Code Ann. § 2-4-702.

DATED this ___ day of April, 2007.

Ryan C. Rusche, Chair
Montana Human Rights Commission

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing Order

Affirming Modified Final Agency Decision to be mailed to:

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DATED this ____day of April, 2007

Human Rights Bureau