

BEFORE THE MONTANA DEPARTMENT  
OF LABOR AND INDUSTRY

IN THE MATTER OF HUMAN RIGHTS BUREAU CASE NO. 0121015699:

SHAWN SPRINGER O/B/O DUWAYNE	)	Case No. 1584-2013
SPRINGER II,	)	
Charging Party,	)	
	)	NOTICE OF INTENT
vs.	)	TO DISMISS
	)	
TERRY SCHOOL DISTRICT,	)	
	)	
Respondent.	)	

\* \* \* \* \*

Counsel for the Charging Party notified the Hearings Bureau at the final prehearing conference on April 21, 2014 that they were going to file a Motion to Dismiss as the charging party did not wish to go forward with the contested case hearing in this case and wished to dismiss the case.

Before dismissal of a complaint, in which the Human Rights Bureau has made a reasonable cause finding, on any basis other than a decision on the merits, the Hearing Officer is required to give notice to the HRB of the proposed dismissal to permit HRB an opportunity to intervene or seek redesignation for the limited purpose of obtaining appropriate affirmative relief. Admin. R. Mont. 24.8.734(6). This gives HRB the opportunity to cooperate with the respondent in an attempt to reach an agreement about the affirmative relief necessary to satisfy HRB's statutory obligation to prevent illegal discrimination from recurring.

THEREFORE, notice is hereby given that, unless by the close of the business day (5:00 p.m., M.D.T.) on May 27, 2014 HRB files and serves a motion to intervene and redesignate the charges in this case as a commissioner complaint, the Hearing Officer will dismiss the complaint. Should HRB timely request a reasonable additional time before dismissal to reach an agreement with respondent or to file and serve a motion to intervene, such motion will be granted.

The Hearing Officer is providing copies of this notice of intent to dismiss to HRB and its counsel. HRB intervention is limited to prosecution of the charges in the complaint of illegal discrimination (and any extant amendment thereof) for

purposes of seeking affirmative relief against the respondent to address the risk of recurrent discrimination of the type alleged by the charging party. HRB cannot seek recovery on behalf of the charging party.

DATED: April 25, 2014



Gregory L. Hanchett, Hearing Officer  
Hearings Bureau, Montana Department of Labor and Industry

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### CERTIFICATE OF MAILING

The undersigned hereby certifies that true and correct copies of the foregoing document were, this day, served upon the parties or their attorneys of record by depositing them in the U.S. Mail, postage prepaid, and addressed as follows:

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DATED this 25<sup>th</sup> day of April, 2014.



c: Marieke Beck, HRB  
Tim Little, DLI Legal