

NEW YORK STATE  
DIVISION OF HUMAN RIGHTS

NEW YORK STATE DIVISION  
OF HUMAN RIGHTS

on the Complaint of

VIKKI DENISE WARREN,

Complainant,

v.

TOWN OF HEMPSTEAD, DEPARTMENT OF  
PARKS & RECREATION, JOHN LUCAS, AS  
AIDER AND ABETTOR,

Respondents.

NOTICE AND  
FINAL ORDER

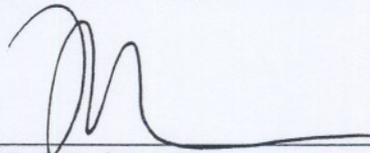
Case No. 10113466

PLEASE TAKE NOTICE that the attached is a true copy of the Recommended Order of Dismissal for Administrative Convenience ("Recommended Order"), issued on November 1, 2007, by Thomas Marlow, an Administrative Law Judge of the New York State Division of Human Rights ("Division"). An opportunity was given to all parties to object to the Recommended Order, and all objections received have been reviewed.

**PLEASE BE ADVISED THAT, UPON REVIEW, THE RECOMMENDED ORDER IS HEREBY ADOPTED AND ISSUED BY THE HONORABLE KUMIKI GIBSON, COMMISSIONER, AS THE FINAL ORDER OF THE NEW YORK STATE DIVISION OF HUMAN RIGHTS ("ORDER").** In accordance with the Division's Rules of Practice, a copy of this Order has been filed in the offices maintained by the Division at One Fordham Plaza, 4th Floor, Bronx, New York 10458. The Order may be inspected by any member of the public during the regular office hours of the Division.

**PLEASE TAKE FURTHER NOTICE** that any party to this proceeding may appeal this Order to the Supreme Court in the County wherein the unlawful discriminatory practice that is the subject of the Order occurred, or wherein any person required in the Order to cease and desist from an unlawful discriminatory practice, or to take other affirmative action, resides or transacts business, by filing with such Supreme Court of the State a Petition and Notice of Petition, within sixty (60) days after service of this Order. A copy of the Petition and Notice of Petition must also be served on all parties, including the General Counsel, New York State Division of Human Rights, One Fordham Plaza, 4th Floor, Bronx, New York 10458. Please do not file the original Notice or Petition with the Division.

**ADOPTED, ISSUED, AND ORDERED**, this 23rd day of November, 2007.

  
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KUMIKI GIBSON  
COMMISSIONER

TO:

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Complainant

Vikki Denise Warren  
57 Oakland St., Apt. D  
Hempstead, NY 11550

Complainant Attorney

Precilla Lockett, Esq.  
Frederick K. Brewington Law Office  
50 Clinton Street Suite 501  
Hempstead, NY 11550

Respondent

John Lucas  
Town of Hempstead, Department of Parks & Recreation  
1 Washington Street  
Hempstead, NY 11550

Respondent

Town of Hempstead, Department of Parks & Recreation  
Newbridge Rd. Park  
Bellmore, NY 11710

Respondent

Town of Hempstead, Department of Parks & Recreation  
200 North Franklin Street  
Hempstead, NY 11550

Respondent Attorney

Town of Hempstead, Town Attorney's Office  
Town Hall - Office of the Town Attorney,  
1 Washington Street  
Hempstead, NY 11550

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Respondent Attorney

Ryan, Brennan & Donnelly LLP, Attorneys-At-Law  
Attn: John M. Donnelly, Esq.  
131 Tulip Ave.  
Floral Park, NY 11001

Hon. Andrew Cuomo, Attorney General  
Attn: Civil Rights Bureau  
120 Broadway  
New York, New York 10271

State Division of Human Rights  
One Fordham Plaza, 4th Floor  
Bronx, New York 10458

Thomas Marlow  
Administrative Law Judge

Sara Toll East  
Chief, Litigation and Appeals

Caroline J. Downey  
General Counsel

Matthew Menes  
Adjudication Counsel

Peter G. Buchenholz  
Adjudication Counsel

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TOWN OF HEMPSTEAD, DEPARTMENT  
OF PARKS & RECREATION; JOHN LUCAS,  
AS AIDER AND ABETTOR,

Respondents.

RECOMMENDED ORDER  
OF DISMISSAL FOR  
ADMINISTRATIVE  
CONVENIENCE

Case No. 10113466

PROCEEDINGS IN THE CASE

On 8/22/2006, Complainant filed a verified complaint with the New York State Division of Human Rights ("Division"), charging Respondents with unlawful discriminatory practices relating to employment in violation of N.Y. Exec. Law, art. 15 ("Human Rights Law").

After investigation, the Division found that it had jurisdiction over the complaint and that probable cause existed to believe that Respondents had engaged in an unlawful discriminatory practice. The Division thereupon referred the case to public hearing.

The case was assigned to Margaret A. Jackson, an Administrative Law Judge ("ALJ") of the Division. Complainant was represented by Frederick K. Brewington, Esq.. Respondents were represented by John M. Donnelly, Esq., of Ryan, Brennan & Donnelly LLP.

A preliminary conference was conducted on September 14, 2007.

The case was reassigned to Thomas J. Marlow, an Administrative Law Judge ("ALJ") of the Division, to conduct public hearings on October 31 and November 1, 2007.

On October 30, 2007, Complainant's attorney sent a letter requesting dismissal of this complaint so that Complainant could commence a federal action.

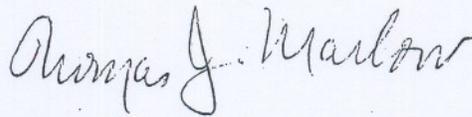
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On October 31, 2007, Respondent's attorney sent a letter stating Respondent had no objection to dismissal on the basis of administrative convenience.

Pursuant to Section 297.3(c) of the Human Rights Law, the complaint should be dismissed on the grounds of administrative convenience. The Complainant intends to pursue federal remedies in court, in which forum all the issues concerning the question of discrimination charged can be resolved.

ORDERED, that the case be dismissed for administrative convenience.

DATED: November 1, 2007  
Bronx, New York



Thomas J. Marlow  
Administrative Law Judge