

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

ROBERT FARNHAM,

Charging Party,

-v-

TRIANGLE TELEPHONE COOPERATIVE,

Respondent.

Cause No. 0051011169

**ORDER AFFIRMING NOTICE OF
DISMISSAL**

On February 1, 2005, the Human Rights Bureau issued a Final Investigative Report and corresponding Notice of Dismissal and Notice of Right to Sue in the above-captioned matter. Charging Party, Robert Farnham (Farnham), filed objections with the Montana Human Rights Commission (Commission). The Commission considered the matter on May 17, 2005.

In the Final Investigative Report (FIR), the Human Rights Bureau Investigator determined a preponderance of the evidence did not support Farnham's assertion that Respondent, Triangle Telephone Cooperative, discriminated because of age. After careful and due consideration, the Commission concludes the determination of the Human Rights Bureau is sufficiently supported by the record and there was no abuse of discretion in the issuance of a Notice of Dismissal. *Admin. R. Mont. 24.9.1714(3)*.

Charging Party will have 90 days after the receipt of this order to petition a district court in the district where the alleged violation occurred for the appropriate relief. *Mont. Code Ann. § 49-2-509(5) (2003); Admin. R. Mont. 24.9.1714(5)*. If Charging Party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Charging Party's objection is **overruled**. The Commission adopts the determination of the Human Rights Bureau and the Notice of Dismissal is affirmed.

DATED this ____ day of May 2005.

Chair Franke Wilmer
Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned employee of the Human Rights Bureau certifies that a true copy of the forgoing Human Rights Commission ORDER was served on the following persons by U.S. mail, postage prepaid, on May ____ 2005.

ROBERT FARNHAM
1069 LINCOLN AVENUE
HAVRE MT 59501

TRIANGLE TELEPHONE COOPERATIVE
MANAGER
PO BOX 1220
HAVRE MT 59501

MARY VANBUSKIRK
BOSCH KUHR DUGDALE & KAZE PLLP
PO BOX 7152
HAVRE MT 59501

MARIEKE BECK
DEPARTMENT OF LABOR AND INDUSTRY
OFFICE OF LEGAL SERVICES
PO BOX 1728
HELENA MT 59624

Montana Human Rights Bureau