STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS

IN THE MATTER OF:

ALFORD ROBERTSON,

COMPLAINANT,

AND:

WILLIAM CHEN, D.D.S.,

RESPONDENT.

## TERMS OF SETTLEMENT AGREEMENT

Pursuant to terms of settlement agreed to between Alford

Robertson , the Complainant herein, and William Chen ,

the Respondent herein, during investigation of the above captioned charge, and in accordance with the Rules and Regulations of The Department of Human Rights, it is hereby agreed as follows:

- That it is understood by all parties that this agreement in no way constitutes an admission by the Respondent of any violation of the Illinois Human Rights Act, or of any liability whatsoever, but, rather is entered into voluntarily by the Respondent to affirm a policy of accommodating equally all persons without regard to race, color, religion, sex, national origin, ancestry, physical or mental handicap unrelated to ability, unfavorable discharge from military service, age, marital status, or exclusion of children under the age of 14 years.
- 2. That in consideration of these terms, the Complainant, Alford Robertson, on his own behalf and on behalf of his heirs, assigns and estate, hereby releases the Respondent, William Hok-nin Chen, and Chen and Associates, Ltd., from any and all claims, actions, demands, rights, costs and compensation whatsoever, that the Complainant now has or which may hereafter accrue on account of or in any way growing out of any and all known and unknown, foreseen and unforeseen bodily and personal injuries from the event complained of on June 20, 1988.

IN THE MATTER OF:

ALFORD ROBERTSON V WILLIAM CHEN, D.D.	ALFORD	ROBERTSON	V	WILLIAM	CHEN,	D.D.S
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CHARGE NUMBER(S) 1989SP0061

- 3. That these terms of settlement, subscribed by all parties, once approved by the Illinois Department of Human Rights, shall then be filed with the Human Rights Commission; if approved, the Commission shall enter an order dismissing the charge pursuant to these terms of settlement.
- 4. That within thirty (30) days after entry of the Commission's order the Respondent will notify Complainant's counsel and the Director of The Illinois Department of Human Rights in writing as to compliance with the terms of settlement and the method thereof. (Notification for the Department shall be sent to the Director, Illinois Department of Human Rights, State of Illinois Center, Suite 10-100, Chicago, Illinois 60601).
- 5. That in settlement of this matter, and in full satisfaction of any claims the Complainant has, or may have, arising out of the subject matter of this dispute, the Respondent agrees:
  - (a) He will not require anyone as a condition of treatment to submit to a test for the human immunodeficiency virus ("HIV"), acquired immunodeficiency syndrome ("AIDS"), AIDS-related complex (ARC), or any suspected causative agent of AIDS.
  - (b) He will not discriminate against persons infected with HIV, persons with ARC or AIDS, persons whom he believes might be HIV-infected or have ARC or AIDS, and persons associated with others who have or are believed to have HIV-infection, ARC or AIDS.
  - (c) He will pay Complainant \$1,800.00 within 30 days of entry of an order in this case to compensate Complainant for any and all injuries, claims, rights,

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demands or actions, present or future, arising out of the event complained of on June 20, 1988, as consideration for this agreement and not as admission of causation, nature or extent of injuries.

- (d) He will provide dental care to all members of the public, including Complainant and Complainant's family members, upon the same terms, without any requirement of HIV testing.
  - (e) He will post notices in the waiting room and treatment rooms in his office indicating that discrimination against people with HIV infection, AIDS or other disabilities is illegal under the Illinois Human Rights Act, and that Dr. Chen does not deny dental services to patients who have tested positive for HIV antibodies or who have AIDS or ARC, or patients who are associated with persons who have tested positive for HIV antibodies or who have AIDS or ARC.
  - (f) He will pay to the Roger Baldwin Foundation of the ACLU of Illinois \$1,233.75 within 30 days of entry of an order in this case, in settlement of attorney fees and costs which have been incurred by the Complainant.

COMPLAINANT BY:	Agord	1. Johnson	DATE5-3-8	39
RESPONDENT BY:	(vill	iam Chen	DATE 5-10.29	<u>}_</u>
I recommend	approval of	the terms of settle	ement:	
DEPARTMENT O	F HUMAN RIG	HTS	DATED: 6-5-89	<u>2</u>