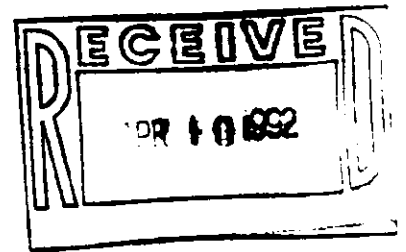


City of Chicago
COMMISSION ON HUMAN RELATIONS
500 Peshtigo Court, 6th Floor
Chicago, Illinois 60611
(312) 744-4111 [Voice]
(312) 744-1088 [TDD]



IN THE MATTER OF :)
DANIEL P. MAY)
)
Complainant,)
)
-v-)
)
BRUNO ANDRIUKAITIS and)
SUZANNE ANDRIUKAITIS,)
)
Respondents.)

No. 91-FHO-140-5725
Consolidated with 91-FHO-140-5726

TO: Stacey L. Beckman Andrew B. Kagan
Kenneth N. Flaxman P.C. Lawrence Y. Schwartz, Ltd.
122 S. Michigan 7366 N. Lincoln
Suite 1850 Suite 404
Chicago, IL 60603 Lincolnwood, IL 60646

O R D E R

The Complainant has filed Objections to the Document Requests propounded by the Respondent in the within case. Having reviewed the Document Requests and the Objections, the Commission makes the following rulings:

1. Document Request #1: The respondent seeks "Copies of each and every law, statute, code, ordinance rule, regulation and/or standard which Complainants allege Andriukaitis violated, breached and/or otherwise failed to comply with." This Request is overbroad since it is not tailored to any issues to be raised in the within case. Indeed, respondent's Request #2, which complainant intends to comply with, should provide respondent

with the information necessary to the defense of this case. The objection is sustained.

2. Document Request #11: Complainant objects to that part of Interrogatory #11 which requests documentation or communications (including medical records) which refer to, relate to, pertain to or arise out of , are connected with and/or otherwise tend to substantiate" the fact that the complainants are homosexuals and the circumstances under which the respondent became aware that the complainants are homosexuals. The Commission finds that subsection [a] is overbroad and that subsection [b] is reasonably related to the issues presented in the case since respondent's knowledge of the complainants' sexual orientation and the length of time respondent was aware of the complainants' sexual orientation may be relevant factors here. Therefore , the objection to Request 11a is sustained and the objection to Request 11b is overruled.

3. Document Request #12a,c,d: Respondent requests that complainants produce all case law that they intend to rely on and/or introduce at the administrative hearing to prove certain aspects of their case . The Commission has a difficult time understanding how case law would be admissible evidence at an administrative hearing. There will be ample time for post hearing briefs. Additionally, either side may include a short trial brief within the Pre-Hearing Memoranda if they believe there are legal issues which will need ruling at or prior to the administrative hearing. Therefore, the objection to Requests 12a,c and d is sustained.

4. Document Request #14: The Commission interprets this Request as seeking those documents which are required to be listed in the Prehearing Memorandum pursuant to Section 240.105 of the Rules and Regulations Governing the Chicago Human Rights Ordinance and which have not been requested in a specific document request. under that interpretation of this "catch-all" Request, the objection on the grounds of overbreadth is overruled.

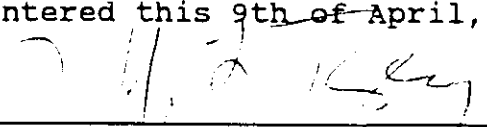
A PARTY MAY OBTAIN REVIEW OF THIS ORDER ONLY AFTER THE COMMISSION HAS ISSUED AN ORDER DISMISSING THE COMPLAINT OR RULING UPON AN ADMINISTRATIVE HEARING.

CHICAGO COMMISSION ON HUMAN RELATIONS

Clarence N. Wood
Chair/Commissioner

By: Jeffrey L. Taren
Hearing Officer

Entered this 9th of April, 1992



Jeffrey L. Taren