



Maine Human Rights Commission

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INVESTIGATOR'S REPORT MHRC Case No. PA17-0060 November 15, 2018

Martin Van Hall, Sr. (Eddington)¹

v.

Fraternal Order of Eagles #3177 (Brewer)²

I. Summary of Case:

Complainant, a former member of Respondent's fraternal organization ("Club"), alleged that Respondent retaliated against him for testifying against its interests in a sexual harassment trial ("Civil Trial").³ Respondent denied retaliating against Complainant and stated it followed Club's internal rules when it refused him service at Club's bar, suspended his Club membership, and expelled him from Club. The Investigator conducted a preliminary investigation, which included reviewing the documents submitted by the parties, conducting an Issues and Resolutions Conference ("IRC"), and requesting additional information. Based upon this information, the Investigator recommends a finding that there are reasonable grounds to believe Respondent retaliated against Complainant for engaging in protected activity.

II. Jurisdictional Data:

- 1) Dates of alleged discrimination: July 24, 2016 through January 22, 2017.
- 2) Date complaint filed with the Maine Human Rights Commission ("Commission"): February 8, 2017.
- 3) Respondent is a "public accommodation" and is required to abide by the Maine Human Rights Act ("MHRA") and applicable regulations.

¹ Complainant named himself as "Marty Panther, Sr." in his complaint but legally changed his name during the pendency of the investigation. This report will refer to Complainant by his legal name, "Martin Van Hall, Sr."

² Complainant named Respondent as "Fraternal Order of Eagles #3177" in his complaint. Respondent provided that its name is "Penobscot Aerie No. 3177, Fraternal Order of Eagles." Complainant has not amended his complaint, so we used the name he did.

³ Complainant also alleged discrimination on the basis of race and national origin, as he had done in a 2015 Commission complaint. Complainant provided at the IRC that there had been no new race/national origin-based discriminatory action or statement since his 2015 charge. This is supported by the record, which includes no new evidence of post-2015 race and/or national origin discrimination. He also alleged that the retaliation he alleges here was due to his prior Commission complaint. The record does not support that Complainant's prior charge was the cause of any retaliation he experienced.