Cherie K. Berry
Commissioner

Investigator Name
Discrimination Investigator
Employment Discrimination Bureau

EXHIBIT 700-1

Date

Mr.

File:

Dear Mr. :

We received your complaint alleging a violation of the Retaliatory Employment Discrimination Act (REDA). However, on DATE, we were notified that the Respondent filed for bankruptcy protection pursuant to Chapter 11 of the U.S. Bankruptcy Code with the U.S. Bankruptcy Court in the District of __. The bankruptcy case number is (#). When an individual or company files for bankruptcy protection, an automatic stay immediately triggers an injunction which prohibits the initiation or continuance of any and all collection action by any creditor against the debtor(s). I am enclosing a copy of the official Notice of Bankruptcy for your records and reference.

As a result, the Employment Discrimination Bureau of the North Carolina Department of Labor is not able to complete its investigation of this case. Since this office is not able to complete the investigation, there is insufficient evidence for us to make a determination as to whether there was a violation of REDA, and your complaint file is being closed. By copy of this letter, the Respondent is being notified of this action. N.C. Gen. Stat. § 95-242(a) of REDA requires us to notify you of the right to take your own legal action in this matter.

THIS IS YOUR RIGHT-TO-SUE LETTER. THIS IS THE ONLY OFFICIAL NOTICE YOU WILL RECEIVE FROM THE DEPARTMENT OF LABOR THAT YOU HAVE A RIGHT TO TAKE ANY POTENTIAL LEGAL ACTION.

Under normal circumstances, REDA provides that a person who receives a right-to-sue letter may commence a civil action against the respondent employer in North Carolina Superior Court, and that any such action must be commenced within ninety (90) days of the date of the right-to-sue letter. However, since the Respondent is in bankruptcy, you may also be stayed from commencing any action against the employer in State court. Should you wish to pursue a claim against the Respondent in this case, you may be able to do so by filing a claim in the bankruptcy court. If you want to do that, you should contact the clerk of the bankruptcy court to obtain a form for filing such a claim. The clerk of the bankruptcy court may also be able to inform you about time limits for filing such a claim. The contact information for the bankruptcy court in question is as follows:

U.S. Bankruptcy Court
District of ____
ADDRESS

1101 MAIL SERVICE CENTER • Raleigh, North Carolina 27699-1101
phone • Fax: (919) 807-2824 • InvestigatorName@LABOR.NC.GOV

web address

Neither the U.S. Bankruptcy Court nor Trustee offices can provide you with legal advice regarding this matter. Additionally, any information received from our Department should not be construed as legal advice and is not a substitute for legal advice that can be obtained from a licensed attorney. You may want to talk with a private attorney to determine whether you should file a claim in this matter. If you do not have an attorney, you can receive a referral from The North Carolina Bar Association by calling 1-800-662-7660 and/or locate an attorney in your local yellow pages. Typically, bankruptcy consultations are free of charge, but you should be sure to address this issue when scheduling an appointment.

If you have further questions about this case please call me. If you have general questions about REDA, you should call our Information Officer at (919) 807-2823.

Sincerely,

Investigator Name