

SUFFICIENT TO DEMONSTRATE THAT THE RESPONDENT BUSINESS ENTITY HAS NOT DISCRIMINATED AGAINST SUCH PROTECTED CLASS IN THE OVERALL CONTEXT OF ITS BUSINESS; AND

(6) ANY OTHER EVIDENCE DEEMED RELEVANT BY THE ~~ATTORNEY GENERAL COMMISSION~~.

(B) BASED ON THE OFFICE'S REVIEW AND INVESTIGATION, THE OFFICE SHALL MAKE AN INITIAL FINDING OF EACH ALLEGATION STATED IN THE COMPLAINT, THAT EITHER:

(1) THE INVESTIGATION PRODUCED SUFFICIENT EVIDENCE TO FIND THAT THE ALLEGED DISCRIMINATION OR RETALIATION DID TAKE PLACE ("SUSTAINED");

(2) THE INVESTIGATION FAILED TO PRODUCE SUFFICIENT EVIDENCE TO FIND ~~WHETHER~~ THAT THE ALLEGED DISCRIMINATION OR RETALIATION TOOK PLACE ("NOT SUSTAINED");

~~(3) THE INVESTIGATION PRODUCED SUFFICIENT EVIDENCE TO FIND THAT THE ALLEGED DISCRIMINATION OR RETALIATION DID NOT TAKE PLACE ("UNFOUNDED");~~

(4) ~~(3)~~ THE INVESTIGATION PRODUCED SUFFICIENT EVIDENCE TO ESTABLISH THAT THE COMPLAINANT KNOWINGLY MADE ONE OR MORE FALSE OR FRIVOLOUS ALLEGATIONS, AND FURTHER INVESTIGATION DID NOT APPEAR LIKELY TO PRODUCE SUFFICIENT EVIDENCE THAT THE ALLEGED DISCRIMINATION OR RETALIATION DID TAKE PLACE ("FALSE OR FRIVOLOUS");

~~(5)~~ (4) THE ALLEGATION HAS BEEN SETTLED OR OTHERWISE RESOLVED WITH THE AGREEMENT OF THE RESPONDENT BUSINESS ENTITY, THE COMPLAINANT, AND THE STATE ("SETTLED"); OR

~~(6)~~ (5) THE ALLEGATION HAS BEEN WITHDRAWN ~~WITH THE APPROVAL OF THE ATTORNEY GENERAL~~ ("WITHDRAWN").

~~(C) THE ATTORNEY GENERAL SHALL APPROVE THE WITHDRAWAL OF AN ALLEGATION BY THE COMPLAINANT UNLESS THE ATTORNEY GENERAL DETERMINES THAT PERMITTING THE WITHDRAWAL IS NOT IN THE BEST INTERESTS OF THE STATE.~~

~~(D) IF THE ATTORNEY GENERAL DETERMINES THAT THE COMPLAINANT'S WITHDRAWAL OF AN ALLEGATION IS NOT IN THE BEST INTERESTS OF THE STATE, THEN THE ATTORNEY GENERAL MAY CONTINUE THE INVESTIGATION WITHOUT THE COMPLAINANT'S PARTICIPATION AS A PARTY.~~

(C) THE OFFICE SHALL MAKE THE INITIAL FINDINGS UNDER SUBSECTION (B) OF THIS SECTION BASED ON A PREPONDERANCE OF THE EVIDENCE.

~~(E)~~ (D) ON COMPLETION OF ITS INITIAL INVESTIGATION, THE OFFICE SHALL RECOMMEND TO THE ~~ATTORNEY GENERAL COMMISSION~~ THE APPROPRIATE ACTION TO BE TAKEN, INCLUDING: