



BILL RICHARDSON  
GOVERNOR

FRANCIE CORDOVA  
Human Rights Director

BETTY SPARROW DORIS  
SECRETARY

STATE OF NEW MEXICO  
DEPARTMENT OF LABOR  
HUMAN RIGHTS DIVISION  
1596 Pacheco Street  
Santa Fe, New Mexico 87505-3979

(505) 827-6838  
1-800-566-9471  
(505) 827-6878 FAX

OFFICE OF THE SECRETARY  
401 BROADWAY, N.E.  
P.O. BOX 1928  
ALBUQUERQUE, N.M. 87103  
(505) 841-8409  
(505) 841-8491 FAX

### DETERMINATION OF PROBABLE CAUSE

June 5, 2007

#### CERTIFIED MAIL RETURN RECEIPT REQUESTED

Ms. Vanessa Willock  
3039 Prenda de Plata, NW  
Albuquerque, NM 87120

RE: Vanessa Willock vs. Elane Photography  
HRD# 06-12-20-0685

Dear Ms. Willock:

By the Authority granted the Division under Section 28-1-10 (C), NMSA, 1978  
Compilation of the Human Rights Act, the following Determination is issued based on an  
investigation of the above captioned complaint.

In your December 20, 2006, charge of discrimination you allege that you were denied a  
public accommodation on the basis of Sexual Orientation in violation of the New Mexico  
Human Rights Act.

The records and statements submitted to the Human Rights Division for review show:

- You state that you requested photography services from the Respondent for a commitment ceremony with your same sex partner.
- You state that Respondent informed you, via email, that they only photographed "traditional" marriages and would not photograph same sex ceremonies.
- The evidence reflects the emails where Respondent denies you service.
- The evidence shows that your partner requested services without telling Respondent that it was a same sex ceremony and Respondent agreed to photograph the ceremony and even travel to Ruidoso to do so.
- Respondent also told the Human Rights investigator that she does not perform same sex ceremonies.

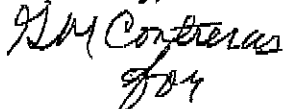
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After consideration of all the evidence presented to the Human Rights Division in connection with your complaint, I find there is sufficient evidence to believe that discrimination has occurred. Therefore I am issuing a **PROBABLE CAUSE** determination on the basis of Sexual Orientation. The Respondent will be notified by copy of this Determination.

I would prefer to achieve a conciliation of this complaint and by copy of this letter, I am requesting all parties to explore conciliation. If conciliation efforts fail, a Formal Hearing has been scheduled for **December 12 & 13, 2007**, in accordance with Section 28-1-10 (F), of the Human Rights Act.

Pursuant to Section 28-1-10 (J) of the Human Rights Act, you have the right to request a waiver of right to hearing. This request must be received in writing within sixty days from the date of service of the written probable cause determination. Notice of the waiver will be served upon the Complainant and Respondent. The complainant may request a trial de novo pursuant to Section 28-1-13, NMSA 1978 within ninety days from the date of service of the waiver.

Respectfully,



Francie Cordova  
Director

FC/pw

cc: Jordan Lorence, Attorney for Respondent