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BEFORE THE STATE OF INDIANA
CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF FEBRUARY 27, 2009

- - -

ORIGINAL

PROCEEDINGS

in the above-captioned matter, before the Indiana
Civil Rights Commission, David C. Carter,
Chairman, taken before me, Lindy L. Meyer, Jr., a
Notary Public in and for the State of Indiana,
County of Shelby, at the Indiana Government
Center South, Conference Center, Room A, 402 West
Washington Street, Indianapolis, Indiana, on
Friday, February 27, 2009 at 10:13 o'clock a.m.

- - -

William F. Daniels, RPR/CP CM d/b/a
ACCURATE REPORTING OF INDIANA
12922 Brighton Avenue
Carmel, Indiana 46032
(317) 848-0088

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APPEARANCES:

COMMISSION MEMBERS:

David C. Carter, Chairman
Barry Baynard
John E. Garcia
Steven A. Ramos
Tehiji G. Crenshaw

INDIANA CIVIL RIGHTS COMMISSION
By Barbara Malone, Deputy Director
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, Indiana 46204
On behalf of the Commission.

OTHER COMMISSION STAFF PRESENT:

Robert D. Lange
Joan Essex
Tawanda Sharp
Pamela Cook

- - -

1 10:13 o'clock a.m.
2 February 27, 2009

3 - - -

4 CHAIRMAN CARTER: I'd like to call
5 the February meeting of the Indiana Civil Rights
6 Commission to order, and we do have a quorum.
7 All of the Commissioners but Chairperson Alpha
8 Blackburn and Comm. Charles Gidney are -- they
9 are absent. Everyone else is here.

10 We have approval and adoption of the
11 meeting minutes, which you've got in your packet.
12 Please pull it out. Most of you were here last
13 month, so you can decide if there's anything to
14 say about them. I read them and was sufficiently
15 entertained. Do we have a motion to approve?

16 COMM. RAMOS: So moved.

17 COMM. CRENSHAW: Second.

18 COMM. GARCIA: Second.

19 CHAIRMAN CARTER: All in favor?

20 COMM. RAMOS: Aye.

21 COMM. BAYNARD: Aye.

22 COMM. CRENSHAW: Aye.

23 COMM. GARCIA: Aye.

CHAIRMAN CARTER: Aye.

1 Anyone opposed?

2 (No response.)

3 CHAIRMAN CARTER: All right. That
4 passes.

5 Ms. Essex, the financial report, which I
6 believe you have a copy of.

7 MS. ESSEX: You should have a copy of
8 the financial report in your packets. We are on
9 target to meet our reversion requirement. We
10 have not heard any additional -- about any
11 additional funding cuts up until this point, so
12 that's good news.

13 And one thing I did want to bring up.
14 Comm. Ramos had asked about trends over the last
15 couple of years. I'm working on -- there is a
16 report that's generated monthly within the office
17 that gives us some statistical information, and
18 hopefully for the next meeting I'll be able to
19 give you some sort of graph or some sort of
20 report on what trends we have seen in the last 12
21 to 18 months. So, I'm putting that together and
22 hopefully we'll have that in your next month's
23 packet.

1 COMM. RAMOS: On a federal level, do
2 you -- did they send out anticipatory reports,
3 like projections, any of that kind of stuff?

4 MS. ESSEX: You know, I have not seen
5 any. I'm sure that they probably do. We have
6 not gotten any in our office. What we're -- what
7 we're waiting on right now is: There is a grant
8 through the Federal Government that we have
9 applied for, which is the Fair Housing
10 Initiatives Program grant.

11 It was supposed to be announced last
12 September, and as of today we have still not
13 received notification as to whether that grant --
14 we've been awarded that grant or not. There's
15 some speculation that those moneys for those --
16 that particular grant series are being either put
17 on hold or reverted to some other use.

18 What we're finding is that there are a lot
19 of companies that usually give out grants that
20 are choosing not to, and I think that's going to
21 be a trend on the local as well as the federal
22 level as we move forward. So, our agency is not
23 particularly grant dependent except for our EEOC

1 and HUD grants that we receive, but we do not
2 have to pay salaries or anything out of those
3 grants. We're fully funded by the state.

4 So, while it would not -- we surely
5 wouldn't want to lose those grant dollars, it
6 would not cause us to lay folks off should those
7 grant dollars not come to us, but we've not heard
8 any indication that those types of grants are
9 going to change, but a lot of the other grants
10 have had some modifications to them.

11 COMM. RAMOS: Do you participate any
12 change in the stimulus? Have you heard anything
13 positive or anything?

14 MS. ESSEX: Not on our level. There
15 are a couple of bills that are out there that may
16 affect us, one being the age discrimination bill.
17 It's passed the House and it's in the Senate now,
18 so if that bill is passed, then we would start
19 taking on age discrimination cases. And I'm --
20 from a financial standpoint, there aren't any
21 grant dollars associated with that.

22 Barbara can probably speak to how that
23 would affect the administrative and, you know,

1 the unit functions, but it would not affect us.
2 We wouldn't get any additional dollars for it,
3 although we have stated that should we get
4 those -- that task, we would request an
5 additional staff member to handle those
6 additional cases.

7 CHAIRMAN CARTER: Do you know off --
8 does anyone know -- I haven't seen this year's
9 version of that bill, but I know that in the
10 past, Senator Bray specifically objected to the
11 age discrimination bill because it didn't have
12 language that addressed law enforcement and fire
13 prevention personnel, who he felt should -- I
14 don't know -- I don't want to put words in his
15 mouth, but he objected to it because they should
16 not be subject to the same age considerations.

17 MS. ESSEX: I don't think that's
18 specifically addressed in the bill. I read it.
19 I don't remember seeing anything in there about
20 that. One clause in the bill does say that there
21 are certain businesses and certain job
22 classifications that have age restrictions and
23 that this would have no bearing on those.

1 CHAIRMAN CARTER: Uh-huh. All right.
2 They've probably covered that objection. I know
3 several years in a row he sat on the commit -- he
4 was the chair of the committee, and they just sat
5 on it and it never got voted on, so it never got
6 to where it is apparently now.

7 COMM. RAMOS: So, are you -- you're
8 in the process of submitting for the budget for
9 the next -- next year?

10 MS. ESSEX: That was submitted last
11 August --

12 COMM. RAMOS: Okay.

13 MS. ESSEX: -- so it is already with
14 the Budget Agency. Right now it appears that we
15 will have ten percent -- a ten-percent cut from
16 what our appropriation is this year going into
17 the next two years. I can't say that the bill is
18 going to pass as -- as that. I mean they may
19 come back with additional cuts, because things
20 seem to be changing daily, and especially if we
21 institute a one-year budget, you know, things
22 could change drastically.

23 COMM. RAMOS: You were anticipating

1 that, though, as I recall.

2 MS. ESSEX: Pardon me?

3 COMM. RAMOS: You were anticipating a
4 cut anyway.

5 MS. ESSEX: Yes, yes. That's not
6 unusual.

7 CHAIRMAN CARTER: Any more questions
8 for Ms. Essex?

9 (No response.)

10 CHAIRMAN CARTER: Hearing none, we
11 will move on to Old and/or New Business. I'm
12 lumping the two together because there never is
13 any. Is there any this time?

14 MR. LANGE: Is there any business?

15 CHAIRMAN CARTER: Any business of any
16 age? We're not discriminatory as far as the age
17 of business goes.

18 (No response.)

19 CHAIRMAN CARTER: You have -- I've
20 been instructed to eliminate one of the Consent
21 Agreements, and so there are -- there's Sinclair
22 versus Family Medical Consultants Corp. and Sims
23 versus Spurlino Materials of Indianapolis. May I

1 have a motion to accept those Consent Agreements?

2 COMM. GARCIA: I move we accept them.

3 CHAIRMAN CARTER: All -- a second?

4 COMM. BAYNARD: Second.

5 CHAIRMAN CARTER: All in favor?

6 COMM. RAMOS: Aye.

7 COMM. BAYNARD: Aye.

8 COMM. CRENSHAW: Aye.

9 COMM. GARCIA: Aye.

10 CHAIRMAN CARTER: Aye.

11 Any opposed?

12 (No response.)

13 CHAIRMAN CARTER: Okay. And those
14 two have passed.

15 Findings of Fact, Conclusions of Law and
16 Order, we have Wilkerson & Jessie versus Remax
17 Leaders and Britt versus Capital Athletic
18 Ventures, Inc. doing business as Club
19 Indianapolis. May I have a motion to accept
20 those Findings of Fact, et cetera?

21 COMM. CRENSHAW: So moved?

22 CHAIRMAN CARTER: And a second?

23 COMM. GARCIA: Second.

1 CHAIRMAN CARTER: All in favor?

2 COMM. RAMOS: Aye.

3 COMM. BAYNARD: Aye.

4 COMM. CRENSHAW: Aye.

5 COMM. GARCIA: Aye.

6 CHAIRMAN CARTER: Aye.

7 Any opposed?

8 (No response.)

9 CHAIRMAN CARTER: I suppose
10 Mr. Roberts [sic] would like me to say at some
11 point there, "Is there any discussion?" but we
12 generally don't have discussion.

13 MR. LANGE: Robert's Rules of
14 Order --

15 CHAIRMAN CARTER: Yes.

16 MR. LANGE: -- or the Chief Justice?

17 CHAIRMAN CARTER: No, no, no, an
18 antecedent.

19 (Laughter.)

20 CHAIRMAN CARTER: Okay. Report of
21 Commissioners on Complainant Appeals. Do we have
22 word from Chair Blackburn?

23 MS. SHARP: No, there's no word from

1 Chair Blackburn.

2 CHAIRMAN CARTER: Okay. So, we'll
3 continue those cases.

4 Comm. Baynard?

5 COMM. BAYNARD: Yes. In the cases of
6 Wiggins versus Debbie Weimer & Stonehedge
7 Apartments and the case of Castro versus TGI
8 Friday and the case of Sricastava versus
9 Congregation B'Nai Torah, I recommend that we
10 uphold the Director's finding of no probable
11 cause.

12 CHAIRMAN CARTER: May I have a motion
13 to accept that recommendation?

14 COMM. CRENSHAW: So moved.

15 CHAIRMAN CARTER: Second?

16 COMM. RAMOS: Second.

17 CHAIRMAN CARTER: All in favor?

18 COMM. RAMOS: Aye.

19 COMM. BAYNARD: Aye.

20 COMM. CRENSHAW: Aye.

21 COMM. GARCIA: Aye.

22 CHAIRMAN CARTER: Aye.

23 Any opposed?

1 (No response.)

2 CHAIRMAN CARTER: All right. Thank
3 you.

4 Comm. Crenshaw?

5 COMM. CRENSHAW: In the case of
6 Walker versus Meka Marinkovic and Tica
7 Enterprises, I recommend we uphold the Deputy
8 Director's finding of no reasonable cause.

9 CHAIRMAN CARTER: All right. May I
10 have a motion to accept that recommendation?

11 COMM. BAYNARD: So moved.

12 COMM. RAMOS: Second.

13 CHAIRMAN CARTER: All in favor?

14 COMM. RAMOS: Aye.

15 COMM. BAYNARD: Aye.

16 COMM. CRENSHAW: Aye.

17 COMM. GARCIA: Aye.

18 CHAIRMAN CARTER: Aye.

19 Any opposed?

20 (No response.)

21 CHAIRMAN CARTER: Okay. Thank you.

22 Any word on Comm. Gidney?

23 MS. SHARP: No word from Comm. Gidney

1 also.

2 CHAIRMAN CARTER: Okay. We'll
3 continue those.

4 Comm. Garcia?

5 COMM. GARCIA: In the case of Smith
6 versus Applied Extrusion Technologies, in the
7 absence of any threatened additional evidence by
8 Mr. Smith -- we don't have any, and he's had
9 plenty of time -- I concur with the Director's
10 recommendation of no probable cause.

11 CHAIRMAN CARTER: Okay. May I have a
12 motion to accept that recommendation?

13 COMM. BAYNARD: So moved.

14 CHAIRMAN CARTER: A second?

15 COMM. RAMOS: Second.

16 CHAIRMAN CARTER: All in favor?

17 COMM. RAMOS: Aye.

18 COMM. BAYNARD: Aye.

19 COMM. CRENSHAW: Aye.

20 COMM. GARCIA: Aye.

21 CHAIRMAN CARTER: Aye.

22 Any opposed?

23 (No response.)

1 CHAIRMAN CARTER: And --

2 COMM. GARCIA: In the case of --

3 CHAIRMAN CARTER: -- Comm. Garcia
4 again?

5 COMM. GARCIA: Yes -- Moredock versus
6 Carmel Clay Board of Parks and Recreation, I
7 concur with the Director's conclusion of no
8 probable cause.

9 CHAIRMAN CARTER: Okay. May I have a
10 motion to accept that recommendation?

11 COMM. CRENSHAW: So moved.

12 CHAIRMAN CARTER: And a second?

13 COMM. GARCIA: Second.

14 CHAIRMAN CARTER: All in favor?

15 COMM. RAMOS: Aye.

16 COMM. BAYNARD: Aye.

17 COMM. CRENSHAW: Aye.

18 COMM. GARCIA: Aye.

19 CHAIRMAN CARTER: Aye.

20 Any opposed?

21 (No response.)

22 CHAIRMAN CARTER: Mr. Ramos, you have
23 a full slate there.

1 COMM. RAMOS: I do. In the case of
2 Ross versus Kasper Life Center, Incorporated, I
3 recommend that we uphold the Deputy Director's
4 finding of no probable cause.

5 CHAIRMAN CARTER: May I have a motion
6 to accept -- would you like to do a group or --

7 COMM. RAMOS: We can do them
8 individually.

9 CHAIRMAN CARTER: Okay.
10 May I have motion to accept that
11 recommendation?

12 COMM. CRENSHAW: So moved.

13 CHAIRMAN CARTER: And a second?

14 COMM. BAYNARD: Second.

15 CHAIRMAN CARTER: All in favor?

16 COMM. RAMOS: Aye.

17 COMM. BAYNARD: Aye.

18 COMM. CRENSHAW: Aye.

19 COMM. GARCIA: Aye.

20 CHAIRMAN CARTER: Aye.

21 Any opposed?

22 (No response.)

23 CHAIRMAN CARTER: And?

1 COMM. RAMOS: And in the case of --
2 and my eyes are failing me. It's either Kall or
3 Kali versus Housing --

4 CHAIRMAN CARTER: Kali.

5 COMM. RAMOS: -- Opportunity &
6 Carolyn Shook. I also recommend to uphold the
7 Deputy Director's finding of no probable cause.

8 CHAIRMAN CARTER: Okay. May I have a
9 motion to accept that recommendation?

10 COMM. GARCIA: I'll move we accept
11 his recommendation.

12 CHAIRMAN CARTER: Second?

13 COMM. CRENSHAW: Second.

14 CHAIRMAN CARTER: All in favor?

15 COMM. RAMOS: Aye.

16 COMM. BAYNARD: Aye.

17 COMM. CRENSHAW: Aye.

18 COMM. GARCIA: Aye.

19 CHAIRMAN CARTER: Aye.

20 Any opposed?

21 (No response.)

22 COMM. RAMOS: In the case of Sanchez
23 versus Employment Plus, I remand this case back

1 to the Civil Rights Commission for further
2 investigation.

3 CHAIRMAN CARTER: Do you have a
4 thumbnail sketch of why, of what it is that you
5 want investigated exactly?

6 COMM. RAMOS: Well, I put it into the
7 document, but there clearly seem to be some
8 inequities in the case with Mr. Sanchez that I
9 felt that might have been missed in the overall
10 investigation.

11 CHAIRMAN CARTER: Do you --

12 COMM. RAMOS: I didn't reinvestigate
13 the --

14 CHAIRMAN CARTER: You have made a
15 note --

16 COMM. RAMOS: I have.

17 CHAIRMAN CARTER: -- for guidance for
18 why you did that?

19 COMM. RAMOS: Yes.

20 CHAIRMAN CARTER: We just were asked
21 some time ago to make some sort of comment --

22 COMM. RAMOS: Yes.

23 CHAIRMAN CARTER: -- as to why we

1 were remanding things.

2 And Washington versus Webb Ford?

3 COMM. RAMOS: I recommend that we
4 uphold the Deputy Director's finding of no
5 probable cause.

6 CHAIRMAN CARTER: Okay. May I have a
7 motion to accept that recommendation?

8 COMM. CRENSHAW: So moved.

9 COMM. BAYNARD: So moved.

10 CHAIRMAN CARTER: That's a motion and
11 a second. Can we count that as a motion and a
12 second? Two simultaneous motions sound like one
13 of them is a second.

14 All in favor?

15 COMM. RAMOS: Aye.

16 COMM. BAYNARD: Aye.

17 COMM. CRENSHAW: Aye.

18 COMM. GARCIA: Aye.

19 CHAIRMAN CARTER: Aye.

20 Any opposed?

21 (No response.)

22 CHAIRMAN CARTER: Okay. Assignment
23 of Appeals to Commissioners. I will take Hughes

1 versus Gayda Associates, and that is the only
2 case. Since I wasn't here last month, I guess
3 that's only fitting.

4 Which takes us to the Administrative
5 Update.

6 Ms. Malone?

7 MS. MALONE: Thank you.

8 As far as our agency's concerned, we've
9 been doing a couple of things to try to move
10 forward some of the cases that have gotten way
11 late or backlogged.

12 In the past several weeks we've gone
13 through what I call -- what we've labeled --
14 kindly labeled as the purge days. Initially we
15 went through the re-PACE or just the Pace cases,
16 that being Public Accommodation and Credit cases.
17 There weren't -- and Education. There weren't
18 any credit cases, but there were public
19 accommodation and education cases, and so we set
20 forth a plan of action for the investigator to go
21 forward and to give us a date as to when that
22 particular case would be completed.

23 I think that met with success in two ways

1 in that we were cross-training our -- each side
2 of the investigative units, that being employment
3 and re-PACE. We did have two days of employment,
4 which was probably -- it was interesting. I
5 learned a lot about my staff in both of those two
6 days, and I won't further comment on that, but
7 the problems that I thought I saw just on the
8 surface truly are there with the -- you know,
9 certain staff members.

10 But in any event, I think that in some
11 sense we need some further training, but also we
12 need to probably further evaluate some of the --
13 some of the staff's continuance at our agency.
14 We've completed evaluations of employees, but
15 those haven't been disseminated yet. As you
16 know, we are not getting a raise this year, so
17 the value of those evaluations are somewhat
18 questionable.

19 The other thing is, is that -- and Joan
20 didn't mention -- is in regard to out-of-state
21 travel. We have asked a special dispensation
22 from the Governor about out-of-state travel, and
23 Joan just indicated to me that we have a number

1 of staff members that have come on board that
2 need further training or they need -- there are
3 staff members who need additional to complete the
4 Fair Housing Training, the remainder of the
5 five -- four or five weeks, and so we've gotten
6 dispensation or permission to send several people
7 to training in April at the National Fair Housing
8 Academy.

9 CHAIRMAN CARTER: And these are
10 trainings required by the Federal Government
11 anyway.

12 MS. MALONE: It's required pursuant
13 to the contract with HUD. We have a little bit
14 more difficult task in finding training for EEOC,
15 for whatever reason, and I did mention prior to
16 having the purge days, we did have in-service
17 training of our staff members, and I thought they
18 could speak to that, but I thought that went
19 pretty well in just doing -- trying to catch up
20 on some things, the points of law.

21 We attempted -- and we probably need to go
22 revisit the ADA Amendments Act, so that's very --
23 at this time, we don't know what the guidelines

1 are with EEOC, and I don't think I've seen the
2 regs that have come out on that yet as well, so
3 we're probably -- we're going to revisit that
4 topic and probably do another in-service training
5 sometime in April or May.

6 It was my intent to invite you guys, and I
7 just kind of forgot to -- if you care to do that.
8 Also, I would think that if any of you wanted to
9 attend the NAFTA training, the Fair Housing
10 training, that you could very well do that. I
11 personally --

12 CHAIRMAN CARTER: I would be
13 interested in training on the new ADA, the new
14 restored ADA.

15 MS. MALONE: EEOC is actually
16 supposed to do the regulations, but obviously
17 they'll impact housing -- I think they'll impact
18 all areas as well, including housing, so until we
19 get some guidance from EEOC, but certainly I
20 would think that in your looking at the notice of
21 findings, that you probably do need some
22 training.

23 That was not my particular strength when I

1 came here was housing. I had more experience in
2 employment and didn't have a lot in housing, so
3 that's been -- I've had to, you know, kind of
4 bone up, and certainly the Training Academy has
5 been very beneficial in that regard.

6 I think that's -- that's about it.

7 MS. ESSEX: Do you want to introduce
8 Pam?

9 MS. MALONE: Yes, I'm sorry. And we
10 have a new accountant, Pam Cook, Pamela Cook. I
11 asked her to come, so --

12 COMM. RAMOS: I notice that it looks
13 like the recommendation for the cultural
14 competency and education classroom, which I know
15 is one of the things that Director Kirkland was
16 recommending, at least passed the House or --

17 MS. MALONE: Right. I anticipated it
18 probably should have passed last year, with some
19 last-minute amendment that didn't make a lot of
20 sense to be pended onto that particular bill, but
21 I foresee it -- I foresee it passing this year.

22 And how that will impact our agency -- I
23 really didn't speak to how the age discrimination

1 complaints will impact. I think that it will
2 impact significantly, because we do get those --
3 obviously we get those cases that come in, and
4 now EEOC will be referring those cases to us as
5 well.

6 And I think that's probably an area that,
7 one, we need further training, because it's not
8 going to be necessarily the same analysis that
9 we've already applied to other employment
10 discrimination cases. It's somewhat the same,
11 but still not exactly the same, and our
12 investigators, who have never investigated age
13 cases, probably would need that training as well.

14 CHAIRMAN CARTER: Okay. So, that
15 combines the Administrative Update and the
16 Director's Report; am I right?

17 MS. MALONE: Yeah, I was ad-libbing.

18 CHAIRMAN CARTER: Okay.

19 (Laughter.)

20 CHAIRMAN CARTER: And Ms. Cook,
21 welcome to the agency.

22 MS. COOK: Thank you.

23 CHAIRMAN CARTER: Probably delayed,

1 at least, but everyone -- by the time we meet
2 people, they're already excelling in their
3 positions.

4 Are there any additional announcements?

5 (No response.)

6 CHAIRMAN CARTER: Hearing none, there
7 are -- the next three meetings are at the new
8 10:00 o'clock meeting time, stretch, yawn.

9 (Laughter.)

10 CHAIRMAN CARTER: May I --

11 MS. MALONE: Strike the yawn.

12 CHAIRMAN CARTER: Yeah, strike the
13 yawn. You can strike the -- I can see that in
14 the minutes.

15 May I hear a motion to adjourn?

16 COMM. RAMOS: A question before you
17 do.

18 CHAIRMAN CARTER: Oh, all right.

19 COMM. RAMOS: We talked about doing a
20 road trip. Can we -- and I see that we are not
21 anticipating any in the next three months,
22 obviously, so any news on that for summer or
23 otherwise?

1 MS. ESSEX: No, I don't have anything
2 on that. I will have to get with Comm. Kirkland
3 and see if he had any thoughts on that.

4 COMM. CRENSHAW: Yeah, especially
5 right now with the economy. And that's another
6 thing I saw on TV last night, there was a rise in
7 hate crimes or the hate verbiage. We probably
8 want to make ourselves a little more visible to
9 people so that they know we're here for
10 assistance.

11 MS. MALONE: There's not a lot we can
12 do with hate crimes.

13 COMM. CRENSHAW: Oh, really?

14 MS. MALONE: Huh-uh.

15 COMM. RAMOS: Unless there's
16 legislation passed.

17 CHAIRMAN CARTER: It's just the
18 reporting.

19 MS. MALONE: It's --

20 MR. LANGE: Yeah.

21 COMM. RAMOS: That's --

22 MR. LANGE: There may be some
23 assistance to be out there.

1 COMM. RAMOS: There's a bill on the
2 floor for that. So, are you recommending we go
3 to Evansville?

4 COMM. CRENSHAW: No.

5 (Laughter.)

6 COMM. RAMOS: I just thought maybe
7 that three-hour -- that long drive, we'd have to
8 leave at 3:30 in the morning.

9 CHAIRMAN CARTER: We could have a
10 meeting in Madison and we could put a stop to the
11 whole thing, because you can't get to Madison
12 from anywhere.

13 (Laughter.)

14 CHAIRMAN CARTER: Unless, of course,
15 you're on the river.

16 Now may I hear a motion to adjourn, now
17 that I've alienated Madison.

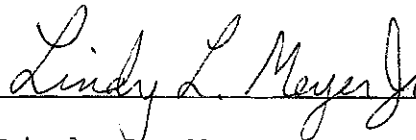
18 COMM. GARCIA: I'll move we adjourn.

19 CHAIRMAN CARTER: Okay. And we are
20 adjourned.

21 - - -
22 Thereupon, the proceedings of
23 February 27, 2009 were concluded
 at 10:37 o'clock a.m.
 - - -

1 CERTIFICATE

2 I, Lindy L. Meyer, Jr., the undersigned
3 Court Reporter and Notary Public residing in the
4 City of Shelbyville, Shelby County, Indiana, do
5 hereby certify that the foregoing is a true and
6 correct transcript of the proceedings taken by me
7 on Friday, February 27, 2009 in this matter and
8 transcribed by me.

9
10 

11 Lindy L. Meyer, Jr.,

12 Notary Public in and

13 for the State of Indiana.

14
15 My Commission expires October 27, 2016.
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