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BEFORE THE STATE OF INDIANA

CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF APRIL 21, 2025

- - -

PROCEEDINGS

in the above-captioned matter, before the Indiana
Civil Rights Commission, Adrienne L. Slash,
Chairperson, 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 North, 100 North Senate Avenue,
Room N300, Indianapolis, Indiana, on Monday,
April 21, 2025 at 1:39 o'clock p.m.

- - -

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1 APPEARANCES:

2 COMMISSION MEMBERS:

3 Adrienne L. Slash, Chairperson
4 Alpha Blackburn
5 Steven A. Ramos
6 Holli Harrington
7 Sue Silberberg
8 James W. Jackson
9 Terry Tolliver

10 INDIANA CIVIL RIGHTS COMMISSION
11 By Jose Evans, Director
12 & David Fleischhacker, Deputy Director
13 Indiana Government Center North
14 100 North Senate Avenue, Room N300
15 Indianapolis, Indiana 46204
16 On behalf of the Commission.

17 OTHER COMMISSION STAFF PRESENT:

18 Michael Lostutter
19 Christiana Afuwape
20 Yvette Kirchoff
21 Vanessa Powell
22 Diane Graves
23 Izzo

ALSO PRESENT:

Spenser Bengé
Clifford Robinson
Christopher Myers

- - -

1 1:39 o'clock p.m.
2 April 21, 2025

3 - - -

4 CHAIRPERSON SLASH: It is 1:39 p.m.
5 on Monday, April 21st. I call this meeting of
6 the Indiana Civil Rights Commission to order.

7 MR. LOSTUTTER: All right.

8 Please be advised no party will be allowed
9 to speak directly to the Commission during any
10 Commission meeting except during previously
11 scheduled oral arguments. Concerning appeals,
12 the Commissioners will make their initial
13 determination based on the complaint, the notice
14 of finding, the appeal, and the final
15 investigative report. You must not address the
16 Commission members except and unless you are
17 addressed directly by them, and if you have any
18 questions about your case, please wait to speak
19 to the Docket Clerk until after the Commission
20 meeting.

21 Thank you.

22 CHAIRPERSON SLASH: Thank you.

23 Well, we have a quorum, I can guarantee
that.

1 If you'd like to announce the agenda.

2 MR. LOSTUTTER: We will have approval
3 of previous meeting minutes. We will then have
4 the ICRC Director's Report. Old Business, we
5 have six cases that those findings are appealed
6 on. We then have seven new cases to assign to
7 Commissioners. We also have an order approving a
8 proposed rule change. ICRC civil penalties will
9 be considered there. I think the Deputy Director
10 will go over that maybe a little bit more. And
11 then we have review of ALJ Decisions and Orders,
12 of which one will include an oral argument
13 scheduled for today. We have no ALJ Decisions
14 Automatically Confirmed.

15 So, that's the agenda.

16 CHAIRPERSON SLASH: Can you mute
17 everyone that's up there?

18 (Discussion off the record.)

19 CHAIRPERSON SLASH: All right. We'll
20 go ahead and we'll begin. Do I have a motion to
21 approve the February meeting minutes?

22 VICE-CHAIR RAMOS: So moved.

23 CHAIRPERSON SLASH: Thank you.

1 There's a motion by Comm. Ramos.

2 COMM. JACKSON: Second,

3 Comm. Jackson.

4 (Comm. Tolliver arrived.)

5 CHAIRPERSON SLASH: All in favor?

6 (Commission members responded, "Aye.")

7 CHAIRPERSON SLASH: Any opposed?

8 (No response.)

9 CHAIRPERSON SLASH: Okay. And we're
10 all here, so we don't have to call roll.

11 COMM. TOLLIVER: I will abstain.

12 CHAIRPERSON SLASH: You'll abstain,
13 because you were walking in. I appreciate that.

14 COMM. TOLLIVER: Because I just
15 walked in.

16 CHAIRPERSON SLASH: Appreciate that.

17 Okay. We'll begin with the ICRC
18 Director's Report.

19 MR. FLEISCHHACKER: All right. Thank
20 you, Chair Slash. I'll try to keep it brief.

21 We just had a Fair Housing Month Webinar
22 last week, focused on seniors and second chances,
23 in addition to a review of the Fair Housing Laws.

1 It was well attended -- well attended. I think I
2 saw, at its highest, like around 115 or so
3 participants in the Webinar, so it was a great
4 opportunity to reach out to the community and
5 talk about the Fair Housing Laws, especially now
6 that it's -- April is Fair Housing Month, so it's
7 an opportune time to do that.

8 Our Internal Affairs team has been busy
9 scheduling CORE throughout the Indianapolis area
10 and beyond, where we go out and do -- have staff
11 available for intake and education purposes at
12 local community centers and libraries, so we've
13 got that stuff going on.

14 As far as a few ongoing matters, obviously
15 the Commission's aware that the legislature is in
16 session currently, so outside of the budget bill,
17 which obviously has an impact on every agency
18 within the state government, very few other bills
19 have a direct impact on the Civil Rights Law
20 statute or the Fair Housing Act statute.

21 There are some that have some indirect
22 impacts on things that can or can't happen, like
23 House Bill 1041 -- actually House Enrolled Act

1 1041 now -- the Student Eligibility in
2 Interscholastic Sports. There's a provision in
3 there that talks about educational institutions
4 not being subject to liability in administrative
5 matters if they have complied with the law, so
6 that would preclude somebody from filing an
7 administrative matter with the Civil Rights
8 Commission regarding -- regarding that, and then
9 that speaks to male and female sports and
10 athletics on the intercollegiate level. So,
11 that's what's going on legislatively.

12 We're following the budget. The General
13 Assembly still has another week or so in session.
14 I think they're required to be done by the 29th.
15 They were trying to be done by this -- or late
16 this week. We'll see if that happens, given the
17 budget revenue shortfalls that were announced
18 last week, or projections. So, again, we're
19 monitoring that to see what kind of impact
20 that'll have on the agency.

21 The -- we have initiated some
22 administrative rulemaking as a Commission, and
23 you'll see that on the agenda later on, for House

1 Enrolled Act 1003 -- no, 1623. A law that got
2 passed in 2023 required all agencies that had
3 statutes or rules that had civil penalties, fines
4 or fees that were not -- that didn't have
5 guidance to them, that those agencies were then
6 required to adopt rules to provide further
7 guidance on those.

8 So, we have, under the Fair Housing Act, a
9 civil penalty that's available up to \$10,000, but
10 there's no further guidance on that. So, what
11 we're doing is we're incorporating into the
12 Commission's rules the Federal Fair Housing
13 Standards and factors that ALJ's on the federal
14 level consider when -- whether to adopt or issue
15 a civil penalty, and then in what amount, and
16 just incorporating those into our rules. So,
17 we'll talk a little bit more about those when we
18 get to that on the agenda.

19 And then I did want to mention we do have
20 a matter that's pending on the appellate review.
21 It's our oldest litigation case, or actually, the
22 oldest case for any of them. The initial
23 complaints were filed back in 2015. The -- the

1 case did go up on judicial review. The Indiana
2 Court of Appeals ruled in the Commission's favor
3 and upheld the Commission's decision in January.
4 The Respondents in that case, the Fikes, they
5 filed for a petition to the Indiana Supreme Court
6 to review the matter.

7 The Attorney General's Office has issued
8 or submitted a response on the Commission's
9 behalf, and now we're waiting on the Indiana
10 Supreme Court to determine whether or not to
11 accept that petition to transfer and then proceed
12 as they would. So, if they deny it, then the
13 matter is resolved and the Court of Appeals
14 ruling stands, and then the Commission's decision
15 stands. If they -- if they take the matter up,
16 then obviously there would be oral argument
17 before the Supreme Court at some point in the
18 future.

19 As far as a few metrics, our numbers for
20 the first quarter of 2025, some of those are
21 increased compared to same point in 2024. Our
22 inquiries are up 17 percent, 702 versus 599 over
23 that time period. Our formalized complaints are

1 up seven percent. We've had 223 complaints
2 formalized in 2025 -- that's through the end of
3 March, it does not include April -- compared
4 to 208 during the same time period last year.

5 Closures are down a little bit, just under
6 nine percent, but we still closed 177 cases in
7 the first three months. With the gubernatorial
8 transition and Executive Director transition,
9 some efforts have been needed in other places to
10 manage those kind of things and to prepare things
11 in those situations. So, we're still on track.
12 We're within ten percent of where we were last
13 year.

14 And then so far in 2025, we've recovered
15 over \$132,000 in compensatory relief for
16 complainants through our mediation and settlement
17 services. That's compared to \$164,000 last year
18 during the same time period, but still, again, a
19 fair amount of monetary relief for those
20 individuals. And again, that's in addition to
21 any affirmative relief, training, policy reviews,
22 things of that nature.

23 We currently have 30 open litigation

1 cases. We've closed seven so far in 2025. Last
2 year at this time we had 51 open litigation
3 cases, so we've been able to move those cases
4 along quite a bit and bring a lot of those to
5 resolution, and then we'll continue to do so.

6 Thank you.

7 CHAIRPERSON SLASH: Thank you.

8 Commissioners, are there any questions?

9 (No response.)

10 CHAIRPERSON SLASH: Okay. Great.

11 All right. With that, we'll go ahead and
12 we'll begin with Old Business. The first case,
13 Gregory T. Ward, Sr. versus Bosma Enterprises,
14 Inc. A/k/a Bosma Industries for the Blind,
15 Case EMra24020121, that case was assigned so
16 Comm. Jackson.

17 Do you have a recommendation?

18 COMM. JACKSON: I recommend to uphold
19 the Director's finding of no probable cause.

20 CHAIRPERSON SLASH: Is there a
21 motion?

22 COMM. TOLLIVER: So moved.

23 COMM. HARRINGTON: Second.

1 CHAIRPERSON SLASH: Is there a
2 second?

3 COMM. HARRINGTON: Second.

4 CHAIRPERSON SLASH: All in favor?
5 (Commission members responded, "Aye.")

6 CHAIRPERSON SLASH: Any opposed?
7 (No response.)

8 CHAIRPERSON SLASH: Okay. Motion
9 carries.

10 The next case, Elliot Myrick versus Hayes
11 Gibson Property Services/Redwood Terrace
12 Apartments, Case HOha24060514.

13 Comm. Silberberg, this case was assigned
14 to you.

15 COMM. SILBERBERG: Yes. I have no
16 reasonable cause under the Indiana Fair Housing
17 Act and no probable cause under the Indiana Civil
18 Rights Law.

19 CHAIRPERSON SLASH: Is there a
20 motion?

21 COMM. TOLLIVER: So moved.

22 CHAIRPERSON SLASH: Is there a
23 second?

1 COMM. HARRINGTON: Second.

2 CHAIRPERSON SLASH: Oh, second
3 Comm. Harrington?

4 COMM. HARRINGTON: Uh-huh.

5 CHAIRPERSON SLASH: Okay.

6 All in favor?

7 (Commission members responded, "Aye.")

8 CHAIRPERSON SLASH: Any opposed?

9 (No response.)

10 CHAIRPERSON SLASH: Motion carries.

11 Next case was the -- is the case of Ruth
12 Castro versus Hamashbir LTD d/b/a Highgates
13 Property Management/Lancaster Lofts,
14 Case HOno24060452. The case was assigned to
15 Comm. Tolliver.

16 COMM. TOLLIVER: There are two
17 issues, and I recommend that we uphold the
18 Commissioner's findings of no reasonable cause
19 under the Indiana Fair Housing Act, or no
20 probable cause under the Indiana Civil Rights
21 Law.

22 CHAIRPERSON SLASH: Thank you.

23 Is there a motion?

1 COMM. HARRINGTON: So moved.

2 COMM. JACKSON: So moved.

3 CHAIRPERSON SLASH: I'll take the
4 motion from Comm. Harrington and the second from
5 Comm. Jackson.

6 The next case is the case of Lynne
7 Million --

8 VICE-CHAIR RAMOS: We've got to vote.

9 CHAIRPERSON SLASH: Oh.

10 MR. LOSTUTTER: We need a vote.

11 CHAIRPERSON SLASH: Thank you. Oh,
12 great. Thank you.

13 All in favor? I'm sorry; I'll go back and
14 reread. This is in the case of Ruth Castro
15 versus Hamashbir LTD d/b/a Highgates Property
16 Management/Lancaster Lofts, and the
17 recommendation from Comm. Tolliver was to uphold
18 the finding of no reasonable cause under the Fair
19 Housing Law and no probable cause under the
20 Indiana Civil Rights Law.

21 Now, is there a -- we already had a
22 motion, that was Comm. Jackson, and a second,
23 Comm. Harrington. All in favor?

1 (Commission members responded, "Aye.")

2 COMM. TOLLIVER: It was the other
3 way, Harrington, Jackson.

4 CHAIRPERSON SLASH: Would you like
5 for me to restate it, or do you have it?

6 THE REPORTER: I have it.

7 CHAIRPERSON SLASH: Okay. It's
8 Monday.

9 Okay. The next case of Lynne Million
10 versus Senior Living Management LLC/Whispering
11 Pines Apartments, Case HOha24060726, the case was
12 assigned to Vice-Chair Ramos, and he's asked that
13 we continue to next month, and I'm going to grant
14 that. So, we'll revisit that next month.

15 The next case, Tasha Williams versus Lake
16 County Community Corrections, Case EMse23050494,
17 that case is assigned to me, and I believe we
18 have oral arguments today.

19 Do we have parties present for that?

20 MR. LOSTUTTER: I don't believe that
21 we do.

22 CHAIRPERSON SLASH: Okay.

23 I believe you should be able to take

1 yourself off mute, so if you are here
2 representing either Tasha Williams or Lake County
3 Corrections.

4 (No response.)

5 MR. LOSTUTTER: I see --

6 CHAIRPERSON SLASH: Okay.

7 MR. LOSTUTTER: -- no one responding.

8 CHAIRPERSON SLASH: We have no one
9 responding, so with that being said, I don't see
10 anything in the chat or anyone that looks like
11 they're trying to take themselves off mute.
12 Going once.

13 (No response.)

14 CHAIRPERSON SLASH: Going twice.

15 (No response.)

16 CHAIRPERSON SLASH: With that in
17 mind, I will issue my recommendation. There were
18 two issues, and I would like to recommend that we
19 uphold the Deputy Director's finding of no
20 probable cause under the Indiana Civil Rights Law
21 on both issues.

22 Is there a motion?

23 VICE-CHAIR RAMOS: So moved.

1 COMM. BLACKBURN: So moved.

2 CHAIRPERSON SLASH: Okay. I'll take
3 a motion from Comm. Blackburn and a second from
4 Comm. Ramos. All in favor?

5 (Commission members responded, "Aye.")

6 CHAIRPERSON SLASH: Any opposed?

7 (No response.)

8 CHAIRPERSON SLASH: Okay.

9 The next case, which is Renee
10 Glunt-Schlaback -- I hope I pronounced that --
11 Schlaback on behalf of Minor Child L.G. versus
12 Fairfield Inn & Suites, Case PAha2404267 [sic].
13 This one was assigned to Comm. Harrington.

14 Do you have a recommendation?

15 COMM. HARRINGTON: Yes. I recommend
16 we uphold the no probable cause under Indiana
17 Civil Rights Law.

18 CHAIRPERSON SLASH: Is there a
19 motion?

20 COMM. JACKSON: So moved.

21 VICE-CHAIR RAMOS: Second.

22 CHAIRPERSON SLASH: Okay. All in
23 favor?

1 (Commission members responded, "Aye.")

2 CHAIRPERSON SLASH: Okay. Any
3 opposed?

4 (No response.)

5 CHAIRPERSON SLASH: All right.
6 Motion carries. So, that concludes our Old
7 Business.

8 Moving to New Business, I will make
9 assignments kind of as we go down the line here.

10 Comm. Blackburn, would you like a case?

11 COMM. BLACKBURN: No.

12 (Laughter.)

13 CHAIRPERSON SLASH: I will begin with
14 Comm. Harrington, then. Comm. Harrington, you're
15 being assigned Lydia Lum versus Trustees of
16 Indiana University.

17 Dennis -- the next case, Dennis Oelheim
18 versus WIN Energy REMC, Vice-Chair Ramos.

19 Jennifer Illyes versus Jim's Chrome Zone
20 d/b/a Bob's Chrome Zone, I'll assign to myself.

21 Todd Boyce versus Dana Incorporated, I
22 will assign to Comm. Tolliver.

23 Katrina Williams versus Inglewood

1 Development Company, Inc. d/b/a The Inglewood
2 Group & Richmond Apartments, LP, I'll assign that
3 one to Comm. Jackson. That one has an oral
4 argument, just as a heads-up, a request.

5 The next case, Andre Abron versus RMK
6 Management Corporation & New Lakes at 8201
7 Property LLC, that case I will assign to
8 Comm. Silberberg, also requesting oral argument.

9 The next one, Lensay versus -- Lensay
10 versus -- or Lensay Lee, sorry, Lensay Lee
11 Bowling versus Harrah's Hoosier Park Racing &
12 Casino, I'll assign that one back to
13 Comm. Harrington. Okay.

14 COMM. TOLLIVER: And just for the
15 record, I'll figure out what the process is, but
16 I don't want to take part in that case against
17 Indiana University.

18 CHAIRPERSON SLASH: Thank you.

19 COMM. HARRINGTON: Which one?

20 CHAIRPERSON SLASH: That's the case

21 versus --

22 COMM. TOLLIVER: IU.

23 CHAIRPERSON SLASH: -- Indiana

1 University.

2 MR. LOSTUTTER: The first one.

3 COMM. HARRINGTON: Tolliver?

4 CHAIRPERSON SLASH: Tolliver will not
5 participate in that one.

6 Okay. So, next we have -- I'm going to
7 read this into the record, but this case here for
8 oral argument today. Roderick Walker, Nicholas
9 Freeman, Jordan Brooks versus TD -- TKDS, Inc.
10 D/B/A Mitchell's Neighborhood Bar & Grill,
11 Case PAra2301002, Walker; PAra2301001, Freeman;
12 PAra2301007, Brooks. So, those are all of the
13 cases combined together.

14 The Administrative Law Judge in this
15 matter issued an order on the Motion for Summary
16 Judgment granting Respondent's Motion for Summary
17 Judgment filled with the ALJ -- I'm sorry --
18 filed with the ALJ on June 3rd, 2024.

19 The Complainants, by their counsels,
20 Spenser Bengé and Climford -- I'm sorry --
21 Clifford Robinson, and for the public interest in
22 the Complainant's complaint, Indiana Civil
23 Rights Commission Staff Attorney, Yvette

1 Kirchoff, submitted the Complainants' objections
2 to the order on Motion for Summary Judgment on
3 August 19th, 2024.

4 Respondent, by their counsel, provided its
5 response in opposition in the Complainants'
6 objection to the order on Motion for Summary
7 Judgment on September 25th, 2024, and also
8 submitted to their counsels -- I'm sorry -- by
9 their counsels, the response to Complainants'
10 objections to the order granting the Motion --
11 the Motion for Summary Judgment on October 2nd,
12 2024.

13 The objection period in this matter has
14 closed. With both sides having filed objections
15 in this matter, we're here for oral arguments
16 today.

17 And so, just for process --

18 MS. KIRCHOFF: Uh-huh.

19 CHAIRPERSON SLASH: -- you'll have
20 five minutes. You can also then decide if you
21 would like to hold --

22 (Mr. Fleischhacker raised ten fingers.)

23 CHAIRPERSON SLASH: David, I'm sorry?

1 I asked that question.

2 MR. FLEISCHHACKER: I'm sorry.

3 MS. KIRCHOFF: I was just about to
4 say, "What?"

5 CHAIRPERSON SLASH: And you are able
6 to let us know how much you would like to reserve
7 for rebuttal.

8 MS. KIRCHOFF: All right. Thank you,
9 Chair.

10 I did want to point out that co-counsel
11 for the Complainants, their private attorneys,
12 are on-line. That is Spenser Benge and Cliff
13 Robinson. I'm here representing the public
14 interest in the case, and also esteemed opposing
15 counsel, Chris Myers, in the upper right is here
16 on behalf of the Respondent.

17 Hi, Chris.

18 This case --

19 CHAIRPERSON SLASH: Thank you. How
20 much would you like to reserve?

21 MS. KIRCHOFF: One minute.

22 CHAIRPERSON SLASH: One minute; okay.

23 MS. KIRCHOFF: Are you ready?

1 made a mistake. She misinterpreted the -- our
2 Indiana Appellate -- I'm sorry -- Administrative
3 Code rule that applies to retaliatory acts that
4 take place after a complaint has been filed. So,
5 we objected to the granting of Summary Judgment
6 based on: Material facts are in dispute. She
7 got it wrong, with all due respect.

8 There's also a complete exclusion of the
9 retaliatory acts that took place after this
10 incident happened, and that's not the way the law
11 reads. The law says retaliatory acts can be in
12 front with -- are properly admitted in front of
13 the presiding officer, but they may not be
14 admissible in evidence thereafter. The ALJ just
15 said, "No, this is not properly before us." She
16 got it wrong, and I'm sorry to have to say that,
17 because she's a brilliant judge.

18 Anyway, what happened is: These three
19 young men -- two went together, one went
20 separately -- went to have a good time with their
21 friends at Mitchell's, and this happened on the
22 night before Thanksgiving. And over the course
23 of the evening, apparently there was a complaint

1 made that there were some rowdies in a certain
2 section of the bar. And I'm going to tee up a
3 video for you to try to narrate where this took
4 place and where the three Complainants are.

5 But anyway --

6 (Discussion off the record.)

7 MS. KIRCHOFF: Anyway, there was a
8 lot of crowding and overcrowding in this bar, and
9 for some reason, our three Complainants were
10 requested to leave the bar. Two were together,
11 Jordan Brooks and Nicholas Freeman. They were
12 escorted out by staff, the staff of the
13 establishment.

14 There is a very material fact in dispute
15 here in that Roderick Walker, who did not go with
16 the other two, was standing by the bar, and
17 Respondents have alleged that he just voluntarily
18 went out because these were his friends. They
19 weren't his friends. He was there with a group
20 of other friends, which consisted of Caucasians,
21 Asians, mixed, and African-American friends. So,
22 you will see, when we tee this up, Todd Smith
23 specifically pointing to Roderick Walker, who was

1 not with these folks, to be sent out.

2 Similarly situated folks were not sent out
3 and asked to leave. That's where the
4 discriminatory act took place. Their protected
5 class is: All three of these wonderful young men
6 are African-Americans. They are very successful
7 young men, they were there with friends, they
8 were having a good time, but they were profiled
9 to leave when others weren't.

10 I'd ask the Clerk to -- or the Docket
11 clerk to tee up the video, and before you start,
12 I'll explain a little bit about where everybody's
13 at. This is -- whoops -- surveillance video that
14 we're going to start part of the way through.

15 Am I -- is my moving causing this?

16 MR. FLEISCHHACKER: No.

17 MR. LOSTUTTER: No.

18 MS. KIRCHOFF: Okay. All three of
19 the Complainants are in the area that is on the
20 upper right-hand side of the screen, and I'm
21 going to attempt to narrate this and tell you
22 what's going on. And please observe how crowded
23 this bar is. It's really sectioned, and our

1 three gentlemen are in the section in that corner
2 that you can't even tell where people are.

3 The gentleman with the white hair is
4 alerting somebody from the staff that somebody
5 has complained about elbowing or something going
6 on in that section, in that corner. So, you will
7 watch this a little bit more, and you'll see
8 eventually another staff member comes up, and
9 then two armed officers come up, and I'll let you
10 watch this as it unfolds. And please continue to
11 observe all of the elbowing, all of the crowding
12 and everything that's going on here during the
13 course of it.

14 I just realized I might be blocking your
15 view.

16 Okay. Another staff member has joined in
17 to remove the Complainants from the bar. They
18 are then going over to the area -- and watch how
19 hard it is for the staff to even get to the area.
20 That's how crowded it was. Now, a very
21 particularly identifiable Complainant is Roderick
22 Walker. The gentleman with the very large
23 striped shirt and the white hat is Roderick

1 Walker. He's there with other people.

2 Here comes the armed officers, who start
3 taking two of the Complainants out. You can see
4 Mr. Walker standing there having nothing to do
5 with this. And here's the material fact in
6 dispute coming up. Mr. Smith, Todd Smith, is
7 pointing to Roderick -- there he goes -- to have
8 him escorted out, a material fact in dispute.
9 He's not friends with the other people, although
10 he may be now, but he was escorted out.

11 We can stop now, as time's running short.

12 That's where the discriminatory act took
13 place. That's it. You can see that similarly
14 situated patrons not being taken out. Three
15 black young men are being taken out, and nobody
16 else.

17 So, now what happens next is -- gets even
18 more difficult. The Judge got it wrong by
19 stating that retaliatory acts can't be reviewed
20 by her because they weren't in the complaint.

21 May I approach, Chair?

22 CHAIRPERSON SLASH: Uh-huh.

23 MS. KIRCHOFF: Here is the relevant

1 Code highlighting where she got it wrong.

2 CHAIRPERSON SLASH: And you're in
3 your last 30 seconds.

4 MS. KIRCHOFF: Oh, yeah. Okay. Then
5 I'll pass out the retaliatory ban from multiple
6 establishments on a community bar ban, that these
7 three young men are still on bar bans all of this
8 time, late after the fact. Here's copies of the
9 screen shot from the bar ban for your review that
10 clearly shows retaliation because they filed a
11 Civil Rights complaint.

12 CHAIRPERSON SLASH: Okay. You're in
13 your last ten seconds.

14 MS. KIRCHOFF: It's a thing. Here's
15 copies of the screen shot.

16 So, in summary, this ALJ got it wrong, and
17 we're requesting that you send this case back
18 down to the ALJ for an evidentiary hearing and,
19 if proper, for a damages hearing.

20 Thank you, Commissioners.

21 CHAIRPERSON SLASH: Thank you.

22 Respondent's counsel, you have the same
23 opportunity. You now have ten minutes. Please

1 let me know if there is an amount of time that
2 you wish to reserve for rebuttal.

3 MR. BENGE: Can you hear me okay?

4 CHAIRPERSON SLASH: Yes.

5 MR. BENGE: We recuse our time, and
6 we're relying on Ms. Kirchoff's presentation.

7 Thank you.

8 MS. KIRCHOFF: Mr. Benge and
9 Mr. Robinson -- we decided that I would do our
10 arguments in total.

11 CHAIRPERSON SLASH: Okay.

12 MR. FLEISCHHACKER: Yeah, that's
13 fine. That's fine.

14 CHAIRPERSON SLASH: Okay. Now we can
15 hear from Respondent.

16 MR. LOSTUTTER: Mr. Myers?

17 CHAIRPERSON SLASH: Mr. Myers, are
18 you still with us?

19 (No response.)

20 CHAIRPERSON SLASH: He may be having
21 some trouble.

22 There you are. We can see you now.

23 MR. LOSTUTTER: We see you.

1 I think he's unmuted.

2 CHAIRPERSON SLASH: Okay.

3 We can see you, Mr. Myers. Can you unmute
4 yourself?

5 MR. MYERS: I'm not muted.

6 CHAIRPERSON SLASH: Okay. All right.

7 MR. LOSTUTTER: That's good.

8 CHAIRPERSON SLASH: We will begin
9 with you at this time, and you've got ten
10 minutes, but you can let us know how much you
11 wish to reserve for rebuttal.

12 MR. MYERS: Okay. I didn't hear the
13 last five minutes of counsel's remarks, but
14 that's okay. I think I know where she was
15 headed.

16 So, to backtrack a bit, what was facing
17 this bar was the PACE notification from Indiana's
18 Alcohol Commission regarding Mitchell's being on
19 probation because of a shooting that happened
20 several months before. As a result, Todd Smith
21 and his security team employed a zero-tolerance
22 policy with respect to any kind of disturbances
23 or any kind of violence or any kind of commotion

1 by any of the patrons, because, again, they were
2 on probation.

3 So, on this particular night, it was
4 reported to Todd Smith, it was reported to Cory
5 Thomas, head of security, it is detailed in their
6 affidavits, that these three individuals were
7 reported as having engaged in conduct that was in
8 violation, they believe, of the zero-tolerance
9 policy.

10 So, initially they asked them to leave,
11 meaning go outside and talk with the security
12 team, which is what happened. Now, we don't have
13 any video of what happened outside because there
14 is no video footage out there. But once outside,
15 the young men engaged in -- nobody got angry.
16 They started raising racial epithets, they
17 started to get in arguments with the police
18 officers that had to be summoned. So, eventually
19 the police officers had these gentlemen leave.

20 Now, I asked each of these gentlemen
21 during their depositions if they had any evidence
22 whatsoever of any kind to indicate that it was
23 not reported to management that they were

1 involved in commotions or disruptive behavior.
2 Not a one of them ever indicated that there was
3 any such evidence, ever.

4 And so, what we're contending is that the
5 ALJ got it right, and that is that, first of all,
6 Petitioners did not satisfy their prima facie
7 case. They didn't identify any noncomparators of
8 the similarly situated behavior that these young
9 men were engaged in. And so, we think that it
10 was appropriate that the Court declared that
11 there was no genuine issue of material fact on
12 the public accommodations claim; thus, properly
13 ruling that that claim was adjudged out on Motion
14 for Summary Judgment, or MSJ.

15 With respect to the retaliation claim, we
16 have demonstrated, through the affidavit of Todd
17 Smith, that any indication about them being on
18 this ban -- by the way, this community ban was
19 prescribed to Todd Smith's establishment by the
20 very state entity that cited him as being under a
21 PACE notification, or probation; in other words,
22 it was a state official who worked for the
23 Alcohol Commission that suggested to Mr. Smith

1 that he look into and purchase this ban, this
2 community ban.

3 In any event, the community ban was
4 employed because Todd Smith -- and I think it's
5 at least at, I want to say, Petitioner's
6 Exhibit M, the ban documents, on their Motion for
7 Summary Judgment response. In any event, Todd
8 Smith determined that he did not want these
9 people back; okay?

10 In his mind, you know, they lied about
11 him, they defamed him, they slandered him, they
12 cost him literally hundreds of thousands of
13 dollars in lost income over the next several
14 months, if not years. And so, he did not want
15 them back, and that is listed on one of the ban
16 documents as the reason why they were banned. In
17 fact let me pull that out.

18 Counsel is right. One of the documents
19 does say Civil Rights lawsuit, but one of them
20 also says slander, defamation in law, and the
21 reference to Civil Rights lawsuit has to do with
22 the fact that the young man, once outside,
23 started, you know, bringing up the race card,

1 playing the race card, bringing up racial issues.
2 That is why there was a reference to the Civil
3 Rights.

4 But the biggest part of the retaliation
5 claim is that it was never set forth in any of
6 the charges of discrimination. The Deputy
7 Director did not have a chance to do anything
8 with the retaliation claim in his Notice of
9 Findings, because, again, it wasn't even brought
10 up.

11 And because it wasn't brought up, we claim
12 that the Respondent was denied fair notice,
13 because we do have the due process right to
14 appropriate notice of a claim so that we can
15 engage in discovery, you know, fulfill, you know,
16 my duties as a litigator to my client.

17 But the whole while, there was never a
18 retaliation claim brought up in the complaint of
19 discrimination, not any of them. There's three
20 Complainants here. You'll see that when they had
21 a chance to do their narratives, which is part of
22 their complaints for discrimination, not one time
23 did they complain about retaliation, and they had

1 plenty of time to do so. They could have issued
2 a new complaint of discrimination at any time
3 that they felt they were being retaliated
4 against. They did not.

5 And so, under these -- under the facts of
6 this case, we think that it was appropriate for
7 the ALJ to disregard the, you know,
8 Johnny-come-lately claims of retaliation that
9 were never brought up and never preserved, and
10 that there was a failure to exhaust
11 administrative remedies on it anyway.

12 So, that is basically our pitch to this
13 Commission, that, you know, there's absolutely no
14 proof that Todd Smith or Cory Thomas or any of
15 the other managers at Mitchell's did not
16 genuinely, honestly believe that these three men
17 were properly identified as the people that were
18 involved in the disturbance.

19 That's why they were asked to go outside,
20 and only once they were outside and -- did they
21 get boisterous with the police officers and did
22 they get even, you know, a little bit more
23 unhinged with respect to some of the racial

1 things they were saying. That was the only time
2 they were asked to leave, so --

3 CHAIRPERSON SLASH: Does that
4 conclude your --

5 MR. MYERS: That's all I have to say.

6 CHAIRPERSON SLASH: Okay. And so,
7 just for your reference, you have about two
8 minutes and fortyish seconds available still
9 remaining.

10 MR. MYERS: Okay.

11 CHAIRPERSON SLASH: Okay. We'll go
12 back to Complainant for --

13 MR. MYERS: Thank you.

14 CHAIRPERSON SLASH: -- your one
15 minute of reserved time.

16 MS. KIRCHOFF: One minute; all right.
17 I'm going to go fast.

18 CHAIRPERSON SLASH: Okay.

19 MS. KIRCHOFF: All right. Much has
20 been made of what happened outside and the racial
21 epithets or whatever was said. That is not where
22 the discriminatory act took place. The
23 discriminatory act took place inside of

1 Mitchell's, where three black men and no
2 similarly situated comparators were asked to
3 leave. That's where it took place. Three out of
4 the four screen shots on the ban refer to the ban
5 because of the Civil Rights lawsuit. It's right
6 there in front of you.

7 And finally, it's not true that no
8 comparators were ever identified. Mr. Walker
9 clearly identified in his affidavit that he was
10 there with other racial representative groups,
11 other comparators, and they all went together,
12 they all were doing the same thing, and none of
13 them were asked to leave.

14 We ask that you remand this for further
15 proceedings consistent therewith for an
16 evidentiary hearing, and if it should be so, a
17 damages hearing, Your Honor -- oh, I'm sorry --
18 Commissioners.

19 Thank you.

20 CHAIRPERSON SLASH: Thank you.

21 Mr. Myers, do you want -- do you wish to
22 use your remaining time?

23 MR. MYERS: Yes, I do. Thank you.

1 So, again, with respect to what happened
2 inside, because that apparently was the gravamen
3 of counsel's remarks, we agree, it does matter
4 what happened inside. But as the ALJ stated,
5 there was no reporting of any misconduct on the
6 part of anybody else, just the three
7 African-Americans. And it was reported to Todd
8 Smith, it was reported to Cory Thomas.

9 Now, as I stated in my argument in the
10 MSJ, they may have gotten it wrong, but in a way,
11 that doesn't matter on Summary Judgment. What
12 matters is: Did they honestly believe it when
13 they took the action that they did? And they
14 honestly believed it.

15 I asked repetitively of these Petitioners,
16 "Do you have any evidence to suggest that they
17 didn't honestly believe what they were doing when
18 they asked you to leave?" Every single one of
19 them said, "No, I have no such evidence." And,
20 you know, under strict analysis of the honest
21 good-faith belief rule, that's -- that's the end
22 of the game.

23 CHAIRPERSON SLASH: Does that

1 concluded your --

2 MR. MYERS: That's all.

3 CHAIRPERSON SLASH: Okay. Thank you.

4 That concludes the oral argument at this
5 time. Commissioners, does anyone have any
6 questions?

7 COMM. TOLLIVER: I do.

8 It just seems like I'm confused with the
9 standards here. This is a summary judgment
10 standard, and it sounds like we're looking at an
11 evidentiary standard. If it's summary judgment,
12 isn't it just whether there's a material issue --
13 or material fact in issue?

14 MS. KIRCHOFF: Yes, yes, that is the
15 standard.

16 COMM. TOLLIVER: So, if -- unless the
17 three said, "Yes, we were causing a disturbance,"
18 isn't that enough to create a material fact -- or
19 an issue of material fact?

20 MR. MYERS: Is that addressed to me?

21 COMM. TOLLIVER: Either one. You --
22 I guess you referred to the deposition. Did they
23 say, "We -- we were responsible for the

1 disturbance" in the deposition, or what was the
2 evidence that they were engaged in the
3 misconduct?

4 MR. MYERS: The evidence that they
5 were engaged in misconduct came from not only
6 affidavits, but also deposition testimony of all
7 of the various managers, including Cory Thomas,
8 and there were a host of them, but they're all
9 attached to Respondent's Motion for Summary
10 Judgment. They were basically of the nature of,
11 you know, "What's the state of the facts in terms
12 of whether there is a genuine issue of fact -- of
13 material fact?"

14 They stated that these individuals were
15 identified as the ones that were, you know,
16 elbowing, creating a disturbance, engaged in a
17 heightened commotion behavior. When asked of the
18 Plaintiffs, "Do you have any evidence to suggest
19 that, you know, the Respondents and their
20 management team didn't honestly believe that?" it
21 was crickets.

22 They all admitted that, no, they had no
23 evidence to suggest that any of Defendant's

1 management team did not honestly believe that
2 only these three individuals were the ones who
3 were engaged in this behavior, and that is the
4 crucial question. You know, it's easy to fall
5 into a trap, that the ques -- the right question
6 is: "Well, gee whiz, isn't -- this is a --"

7 (Mr. Myers dropped off the line.)

8 COMM. TOLLIVER: We missed the best
9 part of the argument.

10 (Laughter.)

11 CHAIRPERSON SLASH: We lost
12 Mr. Myers. We're going to allow a few minutes to
13 pass. We're going to give him a quick moment to
14 regroup and come back, but thank you, everyone,
15 for your patience.

16 MS. KIRCHOFF: Will he still have
17 time?

18 CHAIRPERSON SLASH: No, we're
19 relegating his time, but he does seem to be
20 having a technical difficulty.

21 MS. KIRCHOFF: Been there.

22 COMM. TOLLIVER: Is there any way to
23 reach out to him to let him know that he's not on

1 there?

2 CHAIRPERSON SLASH: He may not be
3 able to hear us.

4 COMM. TOLLIVER: That's a -- yeah. I
5 didn't know if he was calling.

6 VICE-CHAIR RAMOS: You could drop him
7 and then --

8 (Discussion off the record.)

9 CHAIRPERSON SLASH: Did anyone else
10 have any questions?

11 COMM. SILBERBERG: I mean this may
12 not be the right way, but how can somebody prove
13 that -- the whole thing he's saying doesn't make
14 it -- how you can prove that there isn't --

15 CHAIRPERSON SLASH: Yes. So, we have
16 some options here as to what we can do; correct?

17 MR. FLEISCHHACKER: Yeah, we'll go
18 into those once --

19 CHAIRPERSON SLASH: Yes. We're going
20 to pause just a minute until he gets back. We
21 just finished training, didn't we, on addressing
22 these?

23 (Discussion off the record.)

1 CHAIRPERSON SLASH: Okay.

2 MS. KIRCHOFF: I have the phone
3 number for Mr. Myers. Do you want me to call
4 him, or do you want to call him?

5 VICE-CHAIR RAMOS: You probably want
6 to drop him off. Is he connected by phone or --

7 COMM. HARRINGTON: No, he --

8 VICE-CHAIR RAMOS: -- probably the
9 internet; right?

10 CHAIRPERSON SLASH: No, he was --

11 COMM. HARRINGTON: He was on his --
12 he looked like he was on his computer, but it
13 could have been his phone.

14 VICE-CHAIR RAMOS: It could have been
15 his phone.

16 COMM. HARRINGTON: Uh-huh. There's a
17 phone coming in.

18 CHAIRPERSON SLASH: Mr. Myers, is
19 this you?

20 MR. MYERS: Yes, it is.

21 CHAIRPERSON SLASH: Okay.

22 MR. MYERS: It's Chris Myers.

23 CHAIRPERSON SLASH: Okay. You're

1 further advancement appropriate for the case.

2 CHAIRPERSON SLASH: Okay. Thank you.

3 Is there a recommendation?

4 COMM. HARRINGTON: I have a question.

5 CHAIRPERSON SLASH: Yes.

6 COMM. HARRINGTON: If it is remanded,
7 does it go to the same ALJ, or another?

8 MR. FLEISCHHACKER: It remands to the
9 same ALJ.

10 CHAIRPERSON SLASH: But we can put
11 instruction with that; correct?

12 MR. FLEISCHHACKER: Correct.

13 COMM. TOLLIVER: I move -- oh, I'm
14 sorry.

15 COMM. HARRINGTON: No, go ahead.

16 COMM. TOLLIVER: I move to dissolve
17 the ALJ's motion -- or granting the Respondent's
18 Motion for Summary Judgment.

19 CHAIRPERSON SLASH: Okay. Is there
20 an additional action that you'd like with that,
21 or just that?

22 COMM. TOLLIVER: Just dissolving it.

23 MR. FLEISCHHACKER: It's dissolving

1 on the ALJ decision, but then --

2 CHAIRPERSON SLASH: Okay.

3 MR. FLEISCHHACKER: -- moving it
4 forward.

5 CHAIRPERSON SLASH: Just so we're all
6 clear and that the record is clear.

7 Is there a second for the motion to
8 dissolve the ALJ's --

9 COMM. SILBERBERG: Second.

10 CHAIRPERSON SLASH: -- the ALJ's --

11 VICE-CHAIR RAMOS: Decision.

12 CHAIRPERSON SLASH: -- decision?

13 VICE-CHAIR RAMOS: And remand it back
14 for further review; correct?

15 CHAIRPERSON SLASH: Yes.

16 VICE-CHAIR RAMOS: There was a
17 second; right?

18 COMM. SILBERBERG: I seconded it.

19 CHAIRPERSON SLASH: Okay. We have a
20 second from Comm. Silberberg. Just so we're all
21 clear, the motion on the floor is that we
22 dissolve the ALJ's decision for Motion for
23 Summary Judgment, remanding it back to the ALJ

1 for furthering proceedings, specifically
2 evidentiary hearing.

3 MR. FLEISCHHACKER: That would be the
4 next step.

5 CHAIRPERSON SLASH: Okay.

6 COMM. TOLLIVER: But dissolving
7 settles it; right?

8 MR. FLEISCHHACKER: Yeah, dissolving
9 the ALJ decision would remove it, and then it
10 would continue on for further proceedings.

11 CHAIRPERSON SLASH: I just want to
12 make sure that we're all on the same boat.

13 All right. With that being said, we have
14 a motion, we have a second, we've had clarity.
15 All in favor?

16 (Commission members responded, "Aye.")

17 CHAIRPERSON SLASH: Okay. Any
18 opposed?

19 (No response.)

20 CHAIRPERSON SLASH: All right.
21 Motion carries.

22 Thank you so much for joining us, all of
23 counsel that are present today.

1 All right. Moving to our next case,
2 ICRC/Darian Day versus Jerry Wenger,
3 Case HOha23090705. The ALJ in this matter has
4 issued a Nonfinal Order that the Respondent in
5 this matter did indeed violate the Indiana Fair
6 Housing Act and the Indiana Civil Rights Law
7 regarding the Complainant on the basis of
8 discriminating against people with disabilities
9 regarding unlawful retaliation in the protected
10 area of housing.

11 The Complainant is awarded compensatory
12 damages of nine thousand seven hundred dollars,
13 emotional damages of twenty-five thousand
14 dollars. The Respondent is ordered to cease and
15 desist from discriminatory -- discriminative acts
16 and retaliating against people because of a
17 protected activity.

18 The parties in this matter came to a
19 mediated settlement, leaving the Nonfinal Order
20 before the Commission as they are requesting --
21 as they are required to approve any order after a
22 hearing has been set. The objection period in
23 this matter has closed.

1 Is there a motion to affirm?

2 VICE-CHAIR RAMOS: So moved.

3 CHAIRPERSON SLASH: Oh, I'm sorry.

4 MR. FLEISCHHACKER: You don't need to
5 act on this, given that there's the settlement,
6 or do they need to act on both of them?

7 MS. KIRCHOFF: They do actually have
8 to, but I'm very happy to say that the sides have
9 come together and there has been a complete
10 compliance letter issued to Respondent. So, for
11 the purposes of the case, it's been resolved --

12 CHAIRPERSON SLASH: Okay.

13 MS. KIRCHOFF: -- but I still need a
14 vote so I can do an administrative closure and
15 can transfer the file.

16 CHAIRPERSON SLASH: Thank you.

17 MS. KIRCHOFF: Thank you.

18 CHAIRPERSON SLASH: Is there a --

19 VICE-CHAIR RAMOS: Yes.

20 CHAIRPERSON SLASH: -- motion to
21 affirm?

22 COMM. JACKSON: So moved.

23 CHAIRPERSON SLASH: All right. I'll

1 take the original "So moved" from Vice-Chair
2 Ramos and a sec -- I'll take a second from
3 Comm. Jackson. All in favor?

4 (Commission members responded, "Aye.")

5 CHAIRPERSON SLASH: Any opposed?

6 (No response.)

7 CHAIRPERSON SLASH: Okay. Motion
8 carries.

9 The next case, ICRC/Darian Day versus
10 Jerry Wenger, Case HOha23090705.

11 The ALJ in this matter granted
12 Complainant's Motion to Dismiss this matter
13 after -- as she was able to confirm that parties
14 have reached settlement and there was no evidence
15 of any fraud, coercion, duress, or any other
16 reason not to grant the dismissal. The objection
17 period in this matter has closed.

18 MS. KIRCHOFF: And the same thing,
19 Chair. I think we need a vote so we can get
20 everything closed out administratively.

21 CHAIRPERSON SLASH: Okay.

22 (Comm. Silberberg left the room.)

23 MS. KIRCHOFF: Everybody's in

1 compliance and working very well together to come
2 to a good resolution. Thank you.

3 CHAIRPERSON SLASH: Thank you.

4 Is there a motion to affirm?

5 COMM. JACKSON: So moved.

6 CHAIRPERSON SLASH: Is there a
7 second?

8 COMM. TOLLIVER: Second.

9 COMM. HARRINGTON: Second.

10 CHAIRPERSON SLASH: Okay. So, we
11 have a motion from Comm. Jackson and a second
12 from Comm. Tolliver. I heard his first. All in
13 favor?

14 (Commission members responded, "Aye.")

15 CHAIRPERSON SLASH: Any opposed?

16 (No response.)

17 CHAIRPERSON SLASH: Okay. We have no
18 ALJ automatically confirmed decisions this month.
19 As an announcement point, our next meeting is on
20 May 19th.

21 MR. FLEISCHHACKER: Point of order.

22 We still have to go back and do the civil penalty
23 rulemaking.

1 CHAIRPERSON SLASH: Okay. We have to
2 vote on it for the record; right?

3 MR. FLEISCHHACKER: Yes.

4 CHAIRPERSON SLASH: All right.

5 With that said, we are going to go
6 backwards so that we can make sure that we hear
7 and understand the proposed rule change. So, if
8 you would, please, David, help us to understand.

9 MR. FLEISCHHACKER: Yes, Chair, I
10 can.

11 CHAIRPERSON SLASH: I'm sure we all
12 have read it, but I just want to make sure that
13 we're all in alignment.

14 MR. FLEISCHHACKER: Sure.

15 As I mentioned earlier in the Director's
16 Report, pursuant to some laws that were passed
17 in 2023, each agency that has penalties, rules or
18 fees that do not have a specific amount or other
19 factors that guide decision makers, we are
20 required to promulgate rules by July 1st of this
21 year.

22 And the Fair Housing Act provides for
23 civil penalties up to \$10,000, but it doesn't

1 provide or doesn't -- neither the statute nor our
2 rules provide any further guidance on how to
3 establish whether it's a \$2,000 civil penalty
4 versus a \$10,000 civil penalty. And so, what
5 we've done is we've put through rules, and it's
6 been through the whole rulemaking process so far.

7 We had an open comment period for the last
8 month. That ended on April 11th, and -- or maybe
9 the 12th, somewhere in there -- and then we held
10 a public hearing where the public could provide
11 comments. We received no public -- we received
12 no comments on the proposed rule.

13 But the proposed rule would add the
14 factors that are used on the federal level for
15 them to determine whether a civil penalty should
16 be issued and at what amount, so that we would
17 incorporate those factors into the state's
18 administrative rules for these proceedings. So,
19 that would meet the requirements under the laws
20 that were passed in 2023 to provide factors for
21 an ALJ or the Commissioners to consider when
22 issuing a civil penalty.

23 So, at this point we're asking the

1 Commission to approve the final rules that have
2 been -- made it through the process so far so
3 that we can submit it to the Attorney General's
4 Office and then to the Governor's Office so they
5 can be put in place hopefully by July 1st, so
6 there's no lapse in our civil penalty process.

7 CHAIRPERSON SLASH: Thank you.

8 Is there a motion to approve?

9 COMM. JACKSON: So moved.

10 CHAIRPERSON SLASH: Okay.

11 Is there a second?

12 COMM. HARRINGTON: Second.

13 CHAIRPERSON SLASH: Thank you.

14 A motion by Comm. Jackson, second,

15 Comm. Harrington. All in favor?

16 (Commission members responded, "Aye.")

17 CHAIRPERSON SLASH: Any opposed?

18 (No response.)

19 CHAIRPERSON SLASH: Okay. Now, we
20 don't have any decisions that were automatically
21 confirmed by the ALJ.

22 Our next meeting is May 19th. Do we have
23 any concerns for attendance?

1 (No response.)

2 CHAIRPERSON SLASH: Okay. We also
3 generally conduct our elections at this meeting
4 on an annual basis. I would like to make a
5 motion that we defer elections to the July 21st
6 meeting, pending some reorganization within the
7 agency and an understanding of where we're headed
8 next.

9 VICE-CHAIR RAMOS: You mean today's
10 elections?

11 COMM. JACKSON: So moved.

12 CHAIRPERSON SLASH: So moved? Okay.

13 VICE-CHAIR RAMOS: Second.

14 CHAIRPERSON SLASH: Thank you.

15 All in favor?

16 (Commission members responded, "Aye.")

17 CHAIRPERSON SLASH: All right. Thank
18 you very much.

19 We have no announcements, and I don't
20 believe that there's anyone here for public
21 comment today.

22 (No response.)

23 CHAIRPERSON SLASH: All right. With

1 that, I'll take a motion to adjourn.

2 COMM. JACKSON: So moved.

3 CHAIRPERSON SLASH: And a second?

4 VICE-CHAIR RAMOS: Second.

5 CHAIRPERSON SLASH: All right. All
6 in favor?

7 (Commission members responded, "Aye.")

8 CHAIRPERSON SLASH: All right. We
9 are now adjourned.

10 - - -
11 Thereupon, the proceedings of
12 April 21, 2025 were concluded
13 at 2:32 o'clock p.m.
14 - - -

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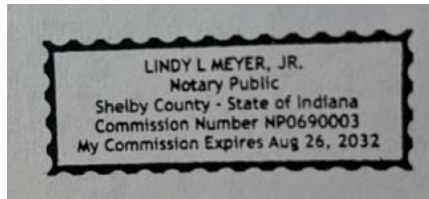
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CERTIFICATE

I, Lindy L. Meyer, Jr., the undersigned Court Reporter and Notary Public residing in the City of Shelbyville, Shelby County, Indiana, do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me on Monday, April 21, 2025 in this matter and transcribed by me.

Lindy L. Meyer, Jr.



Lindy L. Meyer, Jr.,
Notary Public in and
for the State of Indiana.

My Commission expires August 26, 2032.

Commission No. NP0690003

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