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**Via Electronic Mail Only**

Eric Dreiman, Chairman  
BOARD OF FIREFIGHTING PERSONNEL STANDARDS AND EDUCATION  
302 West Washington Street, Room E208  
Indianapolis, Indiana 46204  
E-mail: [firefighterboard@dhs.in.gov](mailto:firefighterboard@dhs.in.gov)

Re: Request for reimbursement of attorney fees per Indiana Code 4-21.5-3-27.5

Dear Chairman Dreiman:

This law firm represents Captain Troy Dulaney from the Muncie Fire Department. As you likely recall, Captain Dulaney had all his numerous certificates revoked indefinitely on June 5, 2023. Captain Dulaney appeared through the Office of Administrative Law Proceedings ("OALP") and a hearing was held on June 27, 2024. The administrative law issued her non-final order on September 24, 2024 (the "Order"). Captain Dulaney did not file an objection with the ultimate authority, which is the Board of Firefighting Personnel Standards and Education (the "Board").

As you have likely seen, the Order was a complete and decisive victory for Captain Dulaney. Not only did the Order find that the Department of Homeland Security ("DHS") failed to meet its burden on every alleged violation, OALP found that the Board lacked the authority to revoke his certificates at all for fraud as defined in Ind. Code § 35-43-5-4. (*See Order at ¶ 16*). OALP ultimately ordered all of Captain Dulaney's certificates to be completely reinstated immediately. (*See Order at p. 18*). It is Captain Dulaney's view that the Board acted in bad faith when it issued its revocations on June 5, that the agency's actions were not supported by a statute or valid rule, and that the Board failed to act within its legal authority. Such action authorizes Captain Dulaney to seek reimbursement of his fees per Indiana Code § 4-21.5-3-27.5.

This letter is a formal request to the Board that it reimburse Captain Dulaney for the over \$50,000 he spent fighting what was ultimately a frivolous, groundless, and bad faith endeavor by the Board. Detailed invoices will be provided once agreement is made that the fees will be reimbursed. We request a response to this request after your next board meeting. If resolution cannot be achieved, Captain Dulaney intends to go back to OALP and request an award of fees per the statutory authority cited above.

Please do not hesitate to contact my office with any questions. I can be reached at (317) 576-8580 or by e-mail at [chris@mjcattorneys.com](mailto:chris@mjcattorneys.com)

Sincerely,

Chris Jeter