

JUN 03 2019

STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY

SPECIAL SERVICES
ALJ

IN THE MATTER OF:)

GREAT LAKES OTHROPEDECS &)
SPORTS MEDICINE, P.C.)

Cause No. DHS-1905-FPBSC-005

NON-FINAL ORDER OF DISMISSAL

Respondent, the Indiana Department of Homeland Security, performed an inspection of Petitioner, Great Lakes Orthopedics & Sports Medicine, P.C., and issued an inspection report citing Petitioner for a violation of ASME A17.1. 8.6.11.1. Petitioner filed a petition for review of this violation. After the initiation of the appeal, Petitioner contacted the Administrative Law Judge and indicated that the petition for appeal was accidental and that Petitioner did not want to further pursue an appeal. Respondent had no objection to dismissing the appeal. See Exhibit A, which are various emails dated May 29, 2019 RE: In the Matter of Great Lakes Orthopedics & Sports Medicine, DHS 1905-FPBSC-005.

Accordingly, the Administrative Law Judge now enters this Non-Final Order of Dismissal. The ultimate authority in this matter is the Fire Prevention and Building Safety Commission (Commission). Indiana Code § 4-21.5-3-29(d) requires any party seeking to preserve an objection to this order for judicial review to file a written objection that

1. identifies the basis of the objection with reasonable particularity; and
2. is filed with the Commission within fifteen days (or any longer period set by statute) after this order is served.

In the absence of an objection from a party or notice from the Commission of its intent to review any issue related to this order, the Commission shall affirm this order in accordance with Indiana Code § 4-21.5-3-29(c). **This order will be considered by the Commission on Tuesday, July 2, 2019, at 9:00 a.m. (EDT), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.**

Date: June 3, 2019

Stephanie Mullaney

HON. STEPHANIE J. MULLANEY
Administrative Law Judge
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, 5th Floor
Indianapolis, IN 46204
Telephone: (317) 232-6285
E-mail: Stephanie.mullaney@atg.in.gov

Copies distributed on June 3, 2019, to:

Petitioner:

Cindy Whiteside
Great Lakes Orthopedics & Sports Medicine, P.C
9615 Keilman St.
St. John, IN 46373
(219) 365-0220
cwhiteside@glorthopedics.com

Service by U.S. Mail and Electronic Mail

Attorney for the Respondent:

Justin Guedel
Indiana Department of Homeland Security
302 west Washington Street
Indiana Government Center South, Room E208
Indianapolis, Indiana 46204
(317) 234-9515
jguedel@dhs.in.gov
kash@dhs.in.gov

Service by Electronic Mail

Exhibit A

Mullaney, Stephanie

From: Guedel, Justin K <JGuedel@dhs.IN.gov>
Sent: Wednesday, May 29, 2019 2:05 PM
To: Mullaney, Stephanie; Cindy Whiteside
Cc: Skarbeck, Molly
Subject: RE: In the Matter of Great Lakes Orthopedics & Sports Medicine, DHS-1905-FPBSC-005

****This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

The Department has no objections. Thanks.

Justin K. Guedel | Staff Attorney
Indiana Department of Homeland Security
302 W. Washington Street, Rm. E208
Indianapolis, IN 46204
(317) 234-9515
JGuedel@dhs.IN.gov

From: Mullaney, Stephanie [<mailto:stephanie.mullaney@atg.in.gov>]
Sent: Wednesday, May 29, 2019 2:01 PM
To: Cindy Whiteside <cwhiteside@glorthopedics.com>; Guedel, Justin K <JGuedel@dhs.IN.gov>
Cc: Skarbeck, Molly <Molly.Skarbeck@atg.in.gov>
Subject: RE: In the Matter of Great Lakes Orthopedics & Sports Medicine, DHS-1905-FPBSC-005

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Ms. Whiteside,

Thank you for following up with me – I will treat your below email as a motion to dismiss, and unless Counsel for DHS has any objections. I'll issue a Non-Final Order of Dismissal for this matter as soon as possible.

Thank you.

Stephanie Mullaney
Deputy Attorney General, Advisory Section
Office of Attorney General Curtis Hill
302 West Washington Street
IGCS-5th Floor
Indianapolis, Indiana 46204
P: 317.232.6285 F: 317.232.7979
Stephanie.Mullaney@atg.in.gov



From: Cindy Whiteside [<mailto:cwhiteside@glorthopedics.com>]
Sent: Wednesday, May 29, 2019 1:15 PM
To: Mullaney, Stephanie <stephanie.mullaney@atg.in.gov>
Subject: RE: In the Matter of Great Lakes Orthopedics & Sports Medicine, DHS-1905-FPBSC-005

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Dear Stephanie,

This was done by accident when filling out the information online. I have explained this to Justin and we don't want to take any action. Please advise on how we can get this not to go any further.

Thank you,

Cindy Whiteside
Practice Manager
Great Lakes Orthopedics & Sports Medicine, P.C.
Ph: 219-365-0220
Fax: 219-365-0226



From: Mullaney, Stephanie <stephanie.mullaney@atg.in.gov>
Sent: Wednesday, May 29, 2019 12:10 PM
To: Guedel, Justin K <JGuedel@dhs.IN.gov>; Cindy Whiteside <cwhiteside@glorthopedics.com>
Cc: Skarbeck, Molly <Molly.Skarbeck@atg.in.gov>
Subject: In the Matter of Great Lakes Orthopedics & Sports Medicine, DHS-1905-FPBSC-005

Dear Ms. Whiteside and Mr. Guedel:

Attached please find a Notice of Appointment and Prehearing Conference for the above referenced matter.

Please let me know if you have any questions.

Stephanie Mullaney
Deputy Attorney General, Advisory Section
Office of Attorney General Curtis Hill
302 West Washington Street
IGCS-5th Floor
Indianapolis, Indiana 46204
P: 317.232.6285 F: 317.232.7979
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