

August 19, 2024 Agenda

- I. Meeting convened and *quorum* established
- II. Announcement of Agenda
- III. Approval of previous meeting minutes
- IV. ICRC Directors' Report
- V. Old Business
 - a. Commissioners Appointed to Appeals Report Determinations:

- i. Sarah Griesinger v. Paul Marsh Insurance, Inc.
(EMse24010065)
Appeal Date: May 16, 2024
Oral Argument

Commissioner Harrington

- ii. Cassandra Palmer v. Community Health Network, Inc. (EMha23010070)
Appeal Date: May 27, 2024
Oral Argument

Vice-Chair Ramos

- iii. Betty Lewis v. Biggs Inc., Missy Shawler, Country View MFRD4 LLC & Country

View Senior Apartments (HOha23120944)

Appeal Date: June 17, 2024

Oral Argument

Commissioner Silberberg

- iv. Armida and Mark Castaneda v. Heartland Crossing Foundation, James Dean King, and Samuel Tyrone King (HOra23100779)
Appeal Date: June 20, 2024

Commissioner Tolliver

- v. Yovanis Mejia Alvarez v. Old Dominion Freight Line, Inc.
(EMno23070604)
Appeal Date: June 25, 2024

Oral Argument

Chair Slash

- vi. Sarah E. Johnson v. Terre Haute Housing Authority & Lockport Road Community (HOfs24020112)
Appeal Date: July 2, 2024

Commissioner Jackson

b. Motions and Other Filings:

VI. New Business

a. Appointment of Commissioners to Complainants' Appeals of Director's Findings

- i. Mary Kay & John Garcia v. Lost Run Farm Community Association & Armour Property Management LLC (HOno240100006)
Appeal Date: June 28, 2024
Requesting Oral Argument
- ii. Comonic Shorter v. D & M Hospitality, Inc. D/B/A Baymont By Wyndham (EMra23060578)
Appeal Date: July 26, 2024
- iii. William Babineaux v. Olynger Management Corporation (HOha23120943)
Appeal Date: July 22, 2024
- iv. Gabrielle R. Millar v. Shweta Khanna & Gaurav Madaan (HOha24040284)
Appeal Date: July 12, 2024
- v. Judith K. Williams v. Southern Indiana Housing Community Development Corporation (HOha24030155)
Appeal Date: August 6, 2024
- vi. Therese Whitsett v. Ground Effects, LLC (EMra23050462)
Appeal Date: August 9, 2024
Requesting Oral Argument

“The Chair shall appoint a Commissioner to review and rule on each appeal.” 910 IAC 1-3-2(h).

b. Motions and Other Filings:

- i. Brittany Hernandez v. The Pony and Scott Winterburn (PAse23070631)

Complainant, by counsel, respectfully moves to vacate and set aside the notice/finding of Default Order currently before the commission. Respondents were originally thought to have not provided an answer to the Complaint within the time provided by law, but further information provided by them indicates that it was provided in a timely manner.

Filed with the Commission June 18, 2024

- ii. Derrick Young v. Camelot Care Center (EMra24040257)

Respondent is filing a Motion for More Specific and Definite Statement from Complainant.

Filed with the Commission May 8, 2024

- iii. Andria Moss v. Miller Transportation

(PAha21110432)

Complainant is filing an Objection to the Administrative Law Judge's Nonfinal Administrative Decision.

Filed with the Commission August 13, 2024

- iv. Gerald Rowe v. The Health & Hospital Corporation Of Marion County d/b/a Eskenazi Health (PAha22010026)

Respondent files a Response in Opposition to Complainant's Objection to ALJ Order

Filed with the Commission July 19, 2024

c. Review of ALJ Decisions and Orders

"The Administrative Law Judge's Order Disposing of the proceeding becomes a final order when affirmed under [IC 4-21.5-3-29]." IC 4-21.5-3-27(a). Votes Required.

- i. Gerald Rowe v. The Health and Hospital Corporation of Marion County D/B/A Eskenazi Health (PAha22010026)

Submitted to the Commission June 7, 2024

The Administrative Law Judge in this matter has determined that the Complainant's Motion for Partial Summary Judgment as to liability is DENIED, that the Complainant's Motion to Strike Evidence is DENIED, and that the Respondent's Motion for Summary Judgment is GRANTED, with the Complaint of the Complainant being hereby DISMISSED with prejudice. Complainant's attorneys have filed an objection to the Summary Judgment. Respondents have filed an objection to the Complainant's objection. **The objection period in this matter has closed, but with both sides having filed Objections in this matter, oral arguments will be scheduled for the September meeting.**

- ii. Gregory L. Wilson, Sr., in his official capacity as the Executive Director of the Indiana Civil Rights Commission v. ML Indianapolis I, LLC, and Eighteen Capital Group (HOra23100795) Submitted to the Commission July 3, 2024

The Administrative Law Judge in this matter has determined that the Notice of Election that the Respondent's counsel filed in this matter was timely and thus successful in moving this case out of the administrative forum and is DISMISSED with prejudice 910 IAC 2-7-9(a). **The objection period in this matter has now closed.**

- iii. Gregory L. Wilson, Sr., in his official capacity as the Executive Director of the Indiana Civil Rights Commission v. ML Indianapolis I, LLC, and Eighteen Capital Group (HOra23100796)
Submitted to the Commission July 3, 2024

The Administrative Law Judge in this matter has determined that the Notice of Election that the Respondent's counsel filed in this matter was timely and thus successful in moving this case out of the administrative forum and is DISMISSED with prejudice 910 IAC 2-7-9(a). **The objection period in this matter has now closed.**

- iv. David Dominguez v. Shield Exteriors, Inc.
(EMra23100772)
Submitted to the Commission July 24, 2024

The Administrative Law Judge in this matter has, after having scheduled a telephonic status conference for July 16, 2024, that neither the Complainant or counsel was present for, issued a Notice of Proposed Default Order that failed to have a response filed within the seven (7) day deadline, resulting in a Default Order against the Complainant. **The objection period in this matter has now closed.**

- v. Andria Moss v. Miller Transportation
(PAha21110432)
Submitted to the Commission July 29, 2024

The Administrative Law Judge in this matter has determined that the Complainant has failed to meet their burden of proof, rules in favor of the Respondent and against the Complainant, DISMISSING their complaint with prejudice. Complainant's attorneys have filed an objection to the Nonfinal Administrative Decision and the Respondents still have time to file a response to The objection before it is set for an oral argument. **The objection period in this matter has not closed and no decision on this matter is due at this time.**

- vi. Mary Beth Mott v. Franciscan Alliance, Inc.
d/b/a Franciscan Health Indianapolis
(EMre22110697)
Submitted to the Commission July 31, 2024

The Administrative Law Judge in this matter, after having considered all the evidence and testimony presented by both parties, GRANTED Respondent's Motion for Summary Judgment and DISMISSES Complainant's complaint with prejudice. **The objection period in this matter has now closed.**

- vii. ICRC/Christine Harris v. Dominic Pitzel
(HOra21040110)
Submitted to the Commission August 2, 2024

The Administrative Law Judge in this matter, after having considered all the evidence and testimony presented by both parties, GRANTS Respondent's Motion for Summary Judgment, DENIES Complainant's Motion for Summary

Judgment, and DISMISSES Complainant's Complaint, with prejudice. **The objection period in this matter has now closed.**

d. ALJ Decisions Automatically Confirmed

Automatically Confirmed under Commission's Order on Automatic Adoption and Approval of Certain Non-Final Decisions—No Vote Required.

- i. ICRC/Aisha Rashid v. Kenneth & Sherry Thompson (HOha22080395)
Submitted to the Commission July 16, 2024
- ii. ICRC/Robert Groves v. Southwind Apartments, LLC & AGM Management, LLC (HOha24030169)
Submitted to the Commission August 1, 2024
- iii. Matt Brennan v. FCA US, LLC d/b/a Kokomo Engine Plant (EMre23090749)
Submitted to the Commission August 15, 2024

VII. Meeting Dates for 2024

August 19, 2024

October 21, 2024

November 18, 2024

September 16, 2024

December 16, 2024

VIII. Election/Training/Other

IX. Announcements

X. Public Comment

XI. Adjournment