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BEFORE THE STATE OF INDIANA

CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF MARCH 16, 2026

- - -

PROCEEDINGS

in the above-captioned matter, before the Indiana
Civil Rights Commission, Steven A. Ramos,
Vice-Chair, 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, March 16, 2026
at 1:11 o'clock p.m.

- - -

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1 APPEARANCES:

2 COMMISSION MEMBERS:

3 Steven A. Ramos, Vice-Chair
4 Holli Harrington (virtual)
5 James W. Jackson
6 Sue Silberberg
7 Terry Tolliver

8 INDIANA CIVIL RIGHTS COMMISSION
9 By J. Philip Clay, Director
10 & Scott Kreider, Deputy Director
11 Indiana Government Center North
12 100 North Senate Avenue, Room N300
13 Indianapolis, Indiana 46204
14 On behalf of the Commission.

15 OTHER COMMISSION STAFF PRESENT:

16 Michael Lostutter
17 Frederick S. Bremer

18 ALSO PRESENT:

19 Molly Radecki
20 Leslie Harrison
21 Bianca Black
22 William Barnhart (virtual)
23 Phil Rizzo (virtual)
Holly June Lewis (virtual)
Mark Molter (virtual)
William Wilson (virtual)
Alexandria Pittman (virtual)
Angela Jones (virtual)
Kate Trindall (virtual)

- - -

1 1:11 o'clock p.m.
2 March 16, 2026

3 - - -

4 VICE-CHAIR RAMOS: I call to order
5 the Indiana Civil Rights Commission meeting for
6 March 16th, 2026. It's like 1:0 -- 1:12, and we
7 have an agenda, and we do have a quorum, four
8 Commissioners present and one on the line.

9 So, Michael, if you'd like to go through
10 the agenda.

11 MR. LOSTUTTER: All right.

12 First, please be advised no party will be
13 allowed to speak directly to the Commission
14 during any Commission meeting except during a
15 previously scheduled oral argument or during our
16 Public Comments time directly before the end of
17 the meeting.

18 Concerning appeals, the Commissioners will
19 make their initial determination based on the
20 complaint, the notice of finding, the appeal, and
21 the final investigative report. You must not
22 address the Commission members except and unless
23 you are addressed directly by them.

If you have any questions about your case,

1 please wait to speak to the Docket Clerk until
2 after the Commission meeting ends. If you are
3 here to make remarks during the Public Comments
4 time, be aware that you will only be allowed two
5 minutes to speak.

6 Thank you.

7 VICE-CHAIR RAMOS: Thank you,
8 Michael. Would you like to announce the agenda?

9 MR. LOSTUTTER: I will do so.

10 We will have approval of previous meeting
11 minutes; we will have the ICRC Director's Report;
12 we will have Old Business of notice of findings
13 that have been appealed, I believe at least five
14 of which have oral arguments; and we have a
15 couple of issues involving cases that need a vote
16 by the Commissioners.

17 We have New Business that needs to have an
18 assigning of -- to Commissioners; we have review
19 of ALJ Decisions and Orders on one case; and then
20 we have no ALJ Decisions Automatically Confirmed
21 to read into the record this month; and then we
22 need to go over meeting dates for next month and
23 May.

1 VICE-CHAIR RAMOS: Very good.

2 MR. LOSTUTTER: You're welcome.

3 VICE-CHAIR RAMOS: Are there any
4 questions on the agenda?

5 (No response.)

6 VICE-CHAIR RAMOS: Hearing none, I
7 need a motion to approve the previous meeting
8 minutes.

9 COMM. COLEMAN: So moved.

10 COMM. SILBERBERG: Second.

11 VICE-CHAIR RAMOS: And --

12 MR. LOSTUTTER: We will call the
13 roll.

14 Comm. Harrington?

15 COMM. HARRINGTON: I apologize; I
16 couldn't come off mute. One quick question: The
17 agenda that was -- and minutes that were sent
18 match what you e-mailed? There were no updates
19 in the e-mail; correct?

20 MR. LOSTUTTER: That is correct.

21 COMM. HARRINGTON: Then aye.

22 MR. LOSTUTTER: All right.

23 Comm. Silberberg?

1 COMM. SILBERBERG: Aye.

2 MR. LOSTUTTER: Comm. Tolliver?

3 COMM. TOLLIVER: Aye.

4 MR. LOSTUTTER: Comm. Coleman?

5 COMM. COLEMAN: Yes.

6 MR. LOSTUTTER: And Acting Chair

7 Ramos?

8 VICE-CHAIR RAMOS: Yes.

9 MR. LOSTUTTER: They are approved.

10 VICE-CHAIR RAMOS: Okay. That takes
11 us to the Director's Report.

12 MR. CLAY: You've got this.

13 MR. KREIDER: Sure, I'll start.

14 The first thing is an update on one of the
15 cases. You recall from last month's meeting we'd
16 asked for some direction on a -- we paused an
17 untimely appeal. I just wanted to give you a
18 report on that.

19 We investigated, and we did confirm it
20 looks like it's untimely in our opinion. The
21 address that we had been provided by the
22 Complainant was actually a business address from
23 one of those mailbox companies, so that's the

1 address that she chose for us to -- for
2 notification.

3 That's the address that we used to send
4 the notice of finding to, which was received and
5 signed for by that agency on January 16th. So,
6 the request for appeal that we subsequently
7 received in February was therefore untimely, so
8 we notified her of that decision on our end.

9 VICE-CHAIR RAMOS: Okay. Do we need
10 to make a motion on --

11 MR. KREIDER: I don't think there's
12 any motion needed on that.

13 The only other thing that I have to update
14 you on is just the process of rulemaking. We are
15 in the process of updating our rules to comply
16 with the Governor's request to reduce the
17 language. We've gotten recent feedback from SBA
18 and OMB on that.

19 We need to make a few adjustments on that,
20 get their final approval, so we can push that
21 forward to the next phase for further review, and
22 then obviously submitting it for public comment,
23 and then hopefully approval by you all and then

1 the A.G., and the Governor ultimately will have
2 to sign off on it as well. So, we're progressing
3 on that issue.

4 And then finally, just the trainings
5 coming up. You know, next month we're planning
6 to do some training. We have to do the ethics
7 training. There's some other trainings that we'd
8 like to do as well.

9 I don't know how the Commission feels on
10 structuring those, if you want to do -- meet
11 beforehand, or if you want to kind of spread it
12 over two meetings to get all of those in. It is
13 probably -- it would probably make the meeting a
14 little bit longer to have all of that jammed in.

15 So, we want to be cognizant of your time
16 and how you want to proceed with that. Certainly
17 we could do the ethics training before the
18 official meeting, if you'd like, and then maybe
19 hold over some of the other training for the next
20 meeting, do that beforehand, if you want to come
21 and join us, perhaps, for lunchtime before.

22 VICE-CHAIR RAMOS: Yeah, we've kind
23 of done the lunch before.

1 MR. KREIDER: Yeah.

2 VICE-CHAIR RAMOS: And just -- we
3 need some idea on how long the other training
4 would be. If it's hours, then we probably want
5 to split that up. If it's, you know, an hour, I
6 think we could get it all done in --

7 MR. KREIDER: Yeah, we could try to
8 squeeze everything into one hour. I know the
9 ethics training is about 10, 15 minutes, just an
10 update. I'm sure you've heard -- most of you
11 have heard this similar --

12 VICE-CHAIR RAMOS: Yeah.

13 MR. KREIDER: -- information before.
14 We just are required to do it every year.

15 VICE-CHAIR RAMOS: Yes.

16 MR. KREIDER: There's been real
17 changes in the law on that, so --

18 VICE-CHAIR RAMOS: Yeah. I would
19 recognize that if we can get it done with one
20 day, that works out for everybody, because
21 otherwise, we miss some people sometimes.

22 MR. KREIDER: Okay. So, we can plan
23 on doing those like at noon to 1:00, and then --

1 VICE-CHAIR RAMOS: Yeah.

2 MR. KREIDER: -- try to get all of
3 the training done next meeting.

4 VICE-CHAIR RAMOS: Yeah.

5 Is everyone okay for the next meeting,
6 just so we're --

7 COMM. SILBERBERG: Our meeting is --
8 which one is that?

9 MR. BARNHART: I'm just here
10 listening. I'm kind of confused on what's going
11 on. Are we talking about another meeting?

12 MR. LOSTUTTER: Right at the moment
13 they are going over Commission-related business.
14 We usually do that first, before we get into all
15 of the hearings and oral arguments.

16 MR. BARNHART: Okay. It's just
17 through the audio, it's kind of -- I'll slow
18 down -- it's kind of hard to hear you guys, so
19 I'm really trying to focus --

20 MR. LOSTUTTER: I --

21 MR. BARNHART: -- as hard as I can to
22 hear you.

23 MR. LOSTUTTER: I understand.

1 MR. BARNHART: I was told in the
2 e-mail I would have five minutes to give my case.

3 MR. LOSTUTTER: Right. You will,
4 sir. You will. It's -- and we'll try to speak
5 up as loudly as we can.

6 MR. BARNHART: Yes, yes, sir. I
7 appreciate it.

8 MR. LOSTUTTER: Uh-huh.

9 MR. BARNHART: Thank you. I'm just
10 going to --

11 MR. LOSTUTTER: Okay.

12 VICE-CHAIR RAMOS: We were discussing
13 April 20th. Is that okay with you?

14 COMM. SILBERBERG: That works for me.

15 VICE-CHAIR RAMOS: Comm. Tolliver?

16 COMM. TOLLIVER: April 20th should be
17 okay with me.

18 VICE-CHAIR RAMOS: Comm. Coleman?

19 COMM. COLEMAN: That's for training;
20 correct?

21 VICE-CHAIR RAMOS: Well, Commission
22 meeting and --

23 MR. KREIDER: Commission meeting to

1 follow.

2 COMM. TOLLIVER: So, we're meeting at
3 noon; is that the proposal?

4 MR. LOSTUTTER: Yes, that's --

5 COMM. TOLLIVER: Yeah, that should be
6 fine.

7 MR. LOSTUTTER: -- what we normally
8 would do on it there is schedule a training
9 for -- from like noon to 1:00, if that meets with
10 everybody's approval.

11 VICE-CHAIR RAMOS: Comm. Harrington?

12 COMM. HARRINGTON: Yes, I was asking
13 if you can state the date, because, as he said,
14 it is a little bit hard to hear you guys. I just
15 want to know; are you verifying the date?

16 VICE-CHAIR RAMOS: Yes.

17 MR. KREIDER: April 20th.

18 MR. LOSTUTTER: April 20th.

19 COMM. HARRINGTON: And what time are
20 you proposing?

21 VICE-CHAIR RAMOS: Noon.

22 MR. LOSTUTTER: At noon.

23 MR. BARNHART: April 20th? I know we

1 have another meeting.

2 MR. LOSTUTTER: No, sir. That --
3 this is for training for the Commissioners that
4 they're talking about right at the moment.

5 MR. BARNHART: I'm sorry.

6 MR. LOSTUTTER: That's fine.

7 VICE-CHAIR RAMOS: Comm. Harrington,
8 does that work for you?

9 COMM. HARRINGTON: At noon I can be
10 available, but I will have a hard stop at about
11 2:45 -- or I'm sorry -- 2:30.

12 MR. LOSTUTTER: Okay.

13 VICE-CHAIR RAMOS: We're cutting it
14 close.

15 COMM. TOLLIVER: I think we all will.

16 (Laughter.)

17 VICE-CHAIR RAMOS: We also do our
18 elections at that time as well.

19 MR. LOSTUTTER: Yes.

20 VICE-CHAIR RAMOS: So, that'll be a
21 part of that agenda.

22 COMM. HARRINGTON: Can we block the
23 additional time, since I -- because I'm assuming

1 you want everyone there live.

2 MR. LOSTUTTER: Yes, that would be --
3 that would be better.

4 COMM. HARRINGTON: Yes. Okay.

5 VICE-CHAIR RAMOS: Thanks,
6 Comm. Harrington.

7 Okay. Executive Director Clay.

8 MR. CLAY: Yeah. Welcome to March.
9 I hope the month is finding you all well.

10 As always, we've been busy at work. Most
11 recently, past our February meeting, we hosted
12 the North Central JROTC program here at the
13 office, about 16 individuals that Deputy Director
14 Kreider and I had an opportunity to speak with,
15 future leaders not only in the military, but in
16 their communities.

17 A really unique opportunity for us to give
18 an opportunity to see inside the Civil Rights
19 Commission, explain a little bit about what we
20 do, what our functions are, and what we're
21 looking for -- looking forward for in the future.

22 On March 6th, we partnered with the Asian
23 American Alliance, Incorporated and hosted the

1 International Women's Day in the Government South
2 Building. I had the honor of standing alongside
3 the Governor and the First Lady as we presented
4 the proclamation for International Women's Day.
5 I believe Comm. Harrington was in attendance. It
6 was a good event. Always exciting to see women
7 empowered and have the opportunity to advance
8 professionally.

9 Upcoming, Direct -- Deputy Director
10 Kreider and I will be speaking with the Indiana
11 Consortium on State and Local Human Rights
12 Agencies. That's a virtual meeting. I think
13 there's 16 agencies in total from across the
14 state. Back in, I want to say, 1964 or '65,
15 somewhere in there, Harold Hatcher, the first
16 Executive Director of the Civil Rights
17 Commission, called together local human rights
18 agencies, and it's been going ever since.

19 I believe the Commission has taken a step
20 back in years past. We've kind of moved forward
21 with some meetings, and again, just setting the
22 standard as the state's leading civil rights
23 enforcement agency. That's on March 25th and

1 it's virtual, and I believe that's closed to just
2 Consortium members.

3 In April, on April 23rd, at 2:00 p.m.,
4 we've got our Fair Housing Seminar for Fair
5 Housing Month. We're anticipating a larger
6 turnout this year. We're partnering with the
7 Indiana Apartment Association, working to partner
8 with the realtors to drive up some of our
9 attendance.

10 Historically, this event has gotten us
11 anywhere from eighty to a hundred attendees.
12 We're hoping that with increased partnerships and
13 outreach efforts, we can tap into some of their
14 networks, where their seminars yield anywhere
15 from eight hundred to a thousand per training.
16 So, I'm very excited for that opportunity.

17 I'm not sure if you heard, but there was a
18 recent legislative session, and I'm sure
19 Comm. Coleman can agree, it was very fast and
20 furious. About 935 bills were introduced; 152 of
21 them passed. We were fortunate enough to have
22 two of the bills that we sponsored, the only two
23 that passed out of the House and Senate and have

1 been signed into law by the Governor, with a
2 July 1st effective date.

3 House Bill 1003 was the first bill that we
4 were a part of, which was the priority bill for
5 the administration. That's a wide look at all of
6 the boards and commissions across the state for
7 the Civil Rights Commission, specifically
8 overseeing the five Cultural Commissions.

9 This legislation now says that those five
10 Commissions will be consolidated into one
11 singular Commission, in Indiana Cultural
12 Commission, and we were in the process of -- our
13 timeline for that, obviously, with a July 1st
14 rollout, there's a lot of moving pieces,
15 especially with anywhere from 45 to 50
16 Commissioners in total across those five
17 different Commissions.

18 So, we're working to be in contact with
19 the agencies that are involved in this, as well
20 as the Commissioners, and working with the
21 Governor's Office to make sure -- the Governor's
22 Office and the General Assembly -- to make sure
23 all of the appointments are timely and we're able

1 to roll this out effectively on July -- or in
2 July.

3 House Bill 1193 -- or I guess House
4 Enrolled Act 1193 -- was the Commission's agency
5 bill. This was the first major piece of Civil
6 Rights legislation that's been passed in a
7 decade. It codified multiple existing practices,
8 stating that we don't represent individuals, we
9 represent the state's interest. There's been
10 some misconceptions about how that's gone into
11 effect or what we do and don't do that we are
12 continuing to clarify.

13 In a nutshell, this bill broadens the
14 lanes that the Civil Rights Commission currently
15 operates in. It gives us the opportunity to
16 enforce retaliation, which our partners at the
17 EEOC were happy with. They've been pushing for
18 that since, I think, 1999, and we've been finally
19 able to get it across the finish line for them.

20 Overall, this gives the agency more
21 authority, more opportunity to be collaborative
22 with other state agencies, and to ensure that all
23 complaints are centralized through the Civil

1 Rights Commission and then moved out accordingly.

2 Another update for you. I believe we had
3 spoken previously about our HUD funding. That's
4 finally been approved and sent to us. We're in
5 the process of drawing it and how we're having
6 those funds sent to us. We were expecting about
7 660,000 from HUD in total. The final number, I
8 think, was \$705,410, so extra funding from HUD,
9 which is good.

10 And then we are also working to plan our
11 all-staff retreat for our team. I think in years
12 past Commissioners have been invited to that.
13 We're looking at a May type -- a May date. As
14 soon as we get more details on that, we would
15 love to have you involved in that, and just
16 experiencing from our staff just what the
17 different departments are working on, what we are
18 doing on a day-to-day basis, as well as some
19 team-building opportunities.

20 And then, again, post-session we're
21 focusing on operational improvements and trying
22 to find inefficiencies and make those efficient
23 and continuing to set the standard amongst

1 agencies. We've got a lot of really good things
2 going for us, and we're excited to continue that
3 track.

4 I'm happy to answer any questions that you
5 all may have.

6 VICE-CHAIR RAMOS: Go ahead.

7 COMM. COLEMAN: If members of the
8 public are interested in being a part of the
9 Cultural Commission, how should they do that?

10 MR. CLAY: Yeah. So, I've got a form
11 that I can send out to the Commissioners that
12 just kind of explains the process. Ultimately,
13 we don't have final say, the Governor's Office
14 does on the four appointments. The same thing
15 goes for the President Pro Tem, the Minority
16 Leader -- I'm sorry -- the President Pro Tem, the
17 Speaker, as they have public appointments on that
18 as well, but we'd be happy to get that
19 information to you and get you through the
20 process.

21 COMM. COLEMAN: Thank you.

22 VICE-CHAIR RAMOS: So, each -- so,
23 effective in July, each of the Commissions and

1 their boards are no longer --

2 MR. CLAY: Right.

3 VICE-CHAIR RAMOS: -- in place, so
4 that the Governor will appoint --

5 MR. CLAY: Yeah.

6 VICE-CHAIR RAMOS: -- a new board
7 for --

8 MR. CLAY: The Governor has four
9 appointments, and then there's also four state
10 agencies that are included in that: The Civil
11 Rights Commission, FSSA, Department of Education,
12 the Department of Corrections, and the Department
13 of Health.

14 Then you've got the President Pro Tem, the
15 Minority Leader of the Senate, and the President
16 Pro Tem also has a public appoint -- appointment,
17 and then you have the Speaker with a member of
18 the General Assembly, a public appointment, and
19 then the Minority Leader of the House with an
20 appointment from the House as well.

21 VICE-CHAIR RAMOS: So, each of their
22 budgets will be consolidated accordingly?

23 MR. CLAY: Yes, they'll be

1 consolidated into the singular Commission, so
2 there shouldn't be any lapse in funding. We've
3 been going through all of our partnerships and
4 re-evaluating, just to make sure that the
5 partnerships that we have are still impactful and
6 still in line with the Commission and the
7 direction that we're wanting the Commissions to
8 head, but obviously happy to make any connections
9 or move forward with anything you guys might
10 have.

11 VICE-CHAIR RAMOS: So, I presume
12 that, I guess, Brooklyn --

13 MR. CLAY: Yes.

14 VICE-CHAIR RAMOS: -- will put
15 together a release on that --

16 MR. CLAY: Yes.

17 VICE-CHAIR RAMOS: -- to help us
18 to --

19 MR. CLAY: Yeah.

20 VICE-CHAIR RAMOS: -- understand
21 that, because I'm sure that'll get some
22 attention.

23 MR. CLAY: Yeah, very much so, yeah.

1 And this was, again, a priority bill for the
2 House and for the Governor's Office. We were
3 very instrumental in its passing. We got some
4 praise from the Governor's Office and from the
5 General Assembly for being able to handle it.
6 Coming out of conference, I think the final vote
7 was -- was it 42 to 3, what it was out of the
8 Senate?

9 MR. KREIDER: Yeah.

10 MR. CLAY: I think so. Really
11 impactful work, a lot of bipartisan support in
12 that, and we're excited for that.

13 VICE-CHAIR RAMOS: Congratulations.

14 MR. CLAY: Thank you.

15 VICE-CHAIR RAMOS: That's great.

16 Any other questions?

17 (No response.)

18 COMM. SILBERBERG: Thanks.

19 VICE-CHAIR RAMOS: Okay. We will
20 begin with our Old Business, and we do have oral
21 arguments, so just to qualify the rules on that,
22 both sides will have five minutes. At the end of
23 the fourth minute, the Docket Clerk will give you

1 a one-minute heads-up that you've got one minute
2 left. Then we'll -- each side will have an
3 opportunity to comment, and you will get two
4 minutes for that as well, and then at the end of
5 that, depending on where we're at, we'll -- the
6 Commission will make a decision.

7 Are there any questions on that?

8 (No response.)

9 VICE-CHAIR RAMOS: Okay. Hearing
10 none, the first case that we have is William
11 Barnhart versus the Indianapolis Public Library
12 West Perry Branch, Case No. PAre25020083. This
13 was assigned to Comm. Harrington. It is set for
14 an oral argument.

15 So, who do we have that are representing
16 the parties?

17 MR. LOSTUTTER: The Complainant,
18 Mr. Barnhart, will be doing his own presentation,
19 and then I believe that the attorney, Mr. Rizzo,
20 is representing the Respondent there.

21 So, Mr. Barnhart, if you can hear me
22 there -- you were able to earlier -- you may go
23 ahead and start. I will try and yell out when

1 you have one minute remaining.

2 VICE-CHAIR RAMOS: Before you do
3 that, Lindy, do you have all of the names of the
4 people that you need for --

5 THE REPORTER: I'll get them from
6 Michael.

7 VICE-CHAIR RAMOS: Okay. Thank you.

8 MR. LOSTUTTER: When you're ready to
9 start, Mr. Barnhart.

10 MR. BARNHART: The library has
11 training on the First Amendment rights. There's
12 over 70 books on the subject. There's been four
13 times when the librarian -- retaliation for my
14 exercising my Constitutional rights --

15 VICE-CHAIR RAMOS: Excuse me. You'll
16 need to speak up. We are --

17 MR. LOSTUTTER: Yes. I'm sorry, sir;
18 you started off fine, and then --

19 MR. BARNHART: Yes. Incident
20 no. 2144, October 4 through 24, where I reported
21 a safety issue with the handicap spots, when you
22 can't enter a clear parking spot and have a
23 vehicle encroach upon you in your -- in the bike

1 path. That was parking space 3 or 4.

2 The first suspension was incidents 1808,
3 2144, and now no. 2208, for a three-month
4 suspension dated on 11-2 of '24 that rescinded on
5 11-8 of '24 with an apology letter. The first
6 two incident numbers are for the crosswalk
7 reports, the last one is for asking questions of
8 Katelyn Raber about display of the progressive
9 flag.

10 The staff made these reports without ever
11 telling me that I'd done something wrong. They
12 complained three incidents of retaliation against
13 me for exercising my Constitutional right to
14 redress my grievances with the government and my
15 use of free speech. These reports were the cause
16 of John Helling to suspend me for three months.

17 The staff mocked me, and unbeknownst to
18 me, they converted my reports, my redress of
19 grievance, and my use of free speech into policy
20 violations, claiming that I did something wrong.
21 I challenged the suspension John Helling
22 authored, and in doing so, John acknowledged to
23 me that he did not do the due diligence and read

1 the numerous incident tracking reports put in
2 this letter that showed the basis for the
3 suspension.

4 But after John read these reports, he
5 correctly rescinded it, along with an apology
6 letter, but the damage had been done, as I had
7 been admitted to the ER for chest pains.

8 Following the lifting, staff in the library then
9 made provable false allegations against me, which
10 I have provided the proof to you.

11 These allegations formed the basis for
12 numerous retaliatory suspensions to come for me
13 simply exercising my Constitutional rights to
14 free speech and redress of my grievances with the
15 government.

16 John Helling -- there were times -- they
17 were aware that I would be reporting any time
18 something wasn't done properly, because the
19 associates would act cavalier when it came to the
20 information filed in my incident tracker reports,
21 and I feared they could conspire to have me
22 arrested, but I wanted proof of my demeanor and
23 library use.

1 The second suspension that they did was
2 on 11-16 of '24 for one day. Lindsey Haddix
3 falsely claimed in her report no. 2242, "Will
4 disturbed the library staff and followed the
5 security guard around."

6 I provide video proof that I did not
7 follow him around, but walked around him to reach
8 the front desk. So, the only contact with Nick
9 Torrio that I ever had, asking him for help in
10 finding books of my interest, though he denied
11 service.

12 The third suspension was on 11-21 of '24
13 for one month. I appealed it, but to no avail.
14 Incident no. 2251, which was by Lindsey Haddix
15 again, and she made the false claim, Will Bryan
16 was asked to leave on 11-19 of '24, came into the
17 building and was filming the circulation desk and
18 staff, when on 11-19 of '24 I was not present.

19 I was at my primary care physician, being
20 treated for the hypertension that did not exist
21 before my character was attacked. I had went to
22 the ER for what I thought was a heart attack. I
23 was on no meds prior, though that changed, and

1 have supplied afterwards the summaries supporting
2 this.

3 I was instructed by Lindsey Haddix not to
4 speak to the front desk staff, and only speak to
5 the upper level staff. Upon my return from the
6 one-month suspension, I honored it as chilling my
7 free speech.

8 The fourth suspension was on 2-10 of '25,
9 and it is indefinite. I have no incident number,
10 nor are there any details contained within the
11 report supporting this suspension, and it needs
12 to be lifted in order to mitigate the damages to
13 me in retaliation for me exercising my First
14 Amendment right to redress my grievances to the
15 government and my right to free speech.

16 I know I had asked one question of Lindsey
17 Haddix, and it was --

18 MR. LOSTUTTER: One minute.

19 MR. BARNHART: -- the manager there,
20 and Shelby Pavan Graam, who is now the branch
21 manager there, and Naomi Konja, the area manager,
22 the question: "Can you ask questions of what --
23 about what is publicly displayed at the library

1 without being suspended?" They all answered in
2 the affirmative, that she could ask and not be
3 suspended.

4 I had a follow-up question for Naomi
5 Konja, "Then why was I suspended for asking about
6 the flag?" She replied, "That was different." I
7 then replied, "Is the First Amendment not honored
8 here at the library?" Naomi affirmed that it was
9 honored.

10 On this same day I did file a free app for
11 a record request on February 10th, and on the day
12 that I was indefinitely suspended.

13 VICE-CHAIR RAMOS: Thank you.

14 MR. BARNHART: You're welcome.

15 VICE-CHAIR RAMOS: Mr. Rizzo?

16 MR. RIZZO: Thank you.

17 I would respond to Mr. Barnhart's
18 allegations by saying that this is -- the
19 evidence provided and then the library's response
20 to his arguments are misplaced, that he made a
21 routine of going into the library and targeting
22 LGBT staff members, videotaping them, and then
23 posting the videos of them with background memes

1 about guns and pointing a red dot at people's
2 foreheads.

3 The staff were extremely alarmed by this.
4 Importantly, the staff members that he targeted
5 were LGBT staff members. His YouTube videos even
6 state that. He refers to them as LGBT staff
7 members. And the library has legitimate policies
8 that prevent harassing staff members. These are
9 nondiscriminatory policies.

10 Mr. Barnhart was warned several times that
11 he needed to comply with these policies. He
12 refused to do so, he failed to do so, and
13 eventually the library did ban him from that
14 branch, which is in accordance with the library's
15 legal obligation to prevent patrons from creating
16 a hostile work environment for library staff or a
17 protected class.

18 And none of these actions have anything to
19 do with Mr. Barnhart's sex, his race, his
20 religion. It all had to do with his violations
21 of the library's common policies. And for that
22 reason, I would argue that Mr. Clay's finding
23 dated September 23rd, '25 was in accordance with

1 the law and in accordance with the evidence that
2 was submitted in this matter.

3 And I would also point out that the USPS
4 tracking for Mr. Barnhart's pickup of the notice
5 of finding was on October 28th, so his deadline
6 to file was November 13th. He didn't request an
7 appeal until December 17th.

8 So, on the merits, the appeal should be --
9 the outcome of the appeal should be that the
10 original ruling should be affirmed, and also,
11 that the appeal was late and technically
12 shouldn't be considered, as it's not within the
13 procedural rules of the Commission.

14 Thank you.

15 VICE-CHAIR RAMOS: Mr. Barnhart, you
16 have an opportunity to follow up on it. You have
17 two minutes.

18 MR. BARNHART: The government states
19 that a public library is obligated to grant the
20 public to exercise its rights that are consistent
21 with the government's intent in establishing a
22 library in a public forum for the purpose of
23 receiving information and accessing the library's

1 books.

2 Procedural issues. The lack of solving
3 the process -- the lack of due process to notify
4 a patron of misbehavior when the incident has
5 occurred, to being able to modify their behavior,
6 procedurally the consequences for the violation
7 of not adhering to IC Code 5-14-3-4 paragraph
8 (b), section 16, a library or archival reference,
9 which may be used to identify any patient -- or
10 patron -- are not admissible to public records
11 requests.

12 Lindsey Haddix broke this law by handing
13 my permanent confidential records to another
14 patron and instructing him to make delivery
15 across the premises of West Perry. Reputational
16 harm. Making incident tracker reports without
17 being candid, and containing outright things that
18 are not true.

19 Rescinding the three-month suspension
20 shows acknowledgment of an error, with potential
21 rights violation, and furthermore, the suspension
22 was rescinded when John Helling recognized that
23 the government was --

1 MR. LOSTUTTER: One minute.

2 MR. BARNHART: The government
3 neglected or disregard -- or adhered to proper
4 administration processes, apparently with less
5 than candid incident tracker reporting. My
6 actions are here. Only one contact with Nick
7 Torrio on one day that was recorded as numerous
8 times asking for things. Nick goes on to lie
9 about me recording to the records that I sent in,
10 referring to child sacrifices, and protected
11 class citizens went in and recorded, as well as
12 numerous others, and they were not suspended or
13 admonished.

14 The same protected class recorded the
15 private records at the front desk, asking
16 questions about the flag, what does it mean?
17 These were also helped finding books on this
18 interest as well, though the video says they
19 don't do that at the front desk for me.

20 Lindsey also said on video that I had the
21 right to -- and that I was targeting a lifestyle
22 flag and was officially taking a viewpoint, and
23 she said she was looking into it as well, and

1 said that I was using the library as -- intending
2 to pushing the line on videos, and I was
3 suspended moments later.

4 MR. LOSTUTTER: Time.

5 VICE-CHAIR RAMOS: Thank you.

6 Mr. Rizzo?

7 MR. LOSTUTTER: I'm sorry, sir; we
8 cannot hear you. You may have accidentally muted
9 yourself.

10 MR. RIZZO: Yes. Thank you for
11 letting me know. I was muted.

12 And again, I'll just reiterate that all of
13 the evidence that was submitted does not line up
14 with Mr. Barnhart's version. Executive Director
15 Clay, even though in his finding that he
16 reviewed, Mr. Barnhart's YouTube videos, and saw
17 that they were videos that were essentially
18 zoomed in on the staff's faces with rainbow flags
19 across the video and background music about being
20 in the bushes with a gun, scoping at people's
21 foreheads.

22 And the library simply cannot allow that
23 to go on. The library is obligated to enforce

1 its policies, and there is no First Amendment
2 right to harass and threaten people, and that's
3 exactly what Mr. Barnhart was doing, and the
4 library acted within the its legal obligations to
5 remove Mr. Barnhart from the library.

6 Thank you.

7 VICE-CHAIR RAMOS: Thank you.

8 This case was assigned to
9 Comm. Harrington.

10 Comm. Harrington, do you have a
11 recommendation?

12 COMM. HARRINGTON: Yeah. I did have
13 a clarification regarding the comment about a
14 hostile work environment. Were there complaints
15 filed by employees or observed by a supervisor?

16 MR. RIZZO: Yes. And this is Phil
17 Rizzo. The employees complained to their
18 supervisors, and the supervisors notified the
19 management of the Indianapolis Public Library
20 System, that this was the decision that was made
21 based on -- in part, based on those staff
22 members' concerns about being targeted due to
23 their sexual orientation.

1 COMM. HARRINGTON: Okay. The only
2 other question: Are there other cases where
3 individuals on staff have felt they were in an
4 unsafe environment where individuals were -- had
5 been suspended?

6 MR. RIZZO: I -- I'm not able to
7 answer that specifically. That was not part of
8 the request for information, but that's -- if
9 that's something you would like me to confer with
10 my client on and get you more information, then I
11 would be happy to.

12 VICE-CHAIR RAMOS: Comm. Harrington?

13 MR. BARNHART: I never had no threats
14 in the video. There was no red dots on anybody.
15 He's lying. Look at my videos. I submitted them
16 to you.

17 VICE-CHAIR RAMOS: Mr. Barnhart, I
18 think we have the information that we need.

19 Comm. Harrington?

20 COMM. HARRINGTON: Yes. Based on the
21 evidence, I will uphold the finding of no
22 probable cause under the Indiana Civil Rights
23 Law.

1 VICE-CHAIR RAMOS: I need a motion to
2 approve.

3 COMM. TOLLIVER: So moved.

4 VICE-CHAIR RAMOS: I need a second.

5 COMM. SILBERBERG: Second.

6 MR. LOSTUTTER: We will call the
7 roll.

8 Comm. Harrington?

9 COMM. HARRINGTON: Aye.

10 MR. LOSTUTTER: Comm. Coleman?

11 COMM. COLEMAN: Aye.

12 MR. LOSTUTTER: Comm. Silberberg?

13 COMM. SILBERBERG: Aye.

14 MR. LOSTUTTER: Comm. Tolliver?

15 COMM. TOLLIVER: Aye.

16 MR. LOSTUTTER: Acting Chair Ramos?

17 VICE-CHAIR RAMOS: Aye.

18 MR. LOSTUTTER: The ayes have it,
19 five to nothing.

20 VICE-CHAIR RAMOS: Motion passes.

21 Thank you, gentlemen.

22 The next case is Molly Radecki versus
23 Indiana University, Case No. EDha24101065. This

1 case was assigned to me.

2 Are the parties, all parties here?

3 MR. LOSTUTTER: The Complainant is
4 near. I am not sure if the -- there is a
5 representative for Indiana University that is
6 here on-line for this case. I know there is none
7 here in person.

8 VICE-CHAIR RAMOS: Is anyone on-line
9 here representing Indiana University?

10 (No response.)

11 VICE-CHAIR RAMOS: Okay.

12 COMM. TOLLIVER: Before we begin, I
13 am going to recuse myself from this because I am
14 employed by Indiana University, and my wife also
15 works there.

16 VICE-CHAIR RAMOS: Thank you,
17 Commissioner.

18 MR. LOSTUTTER: The Complainant can
19 stand up.

20 Speak loudly. If you want, you can come
21 close to where the transcriber is at there.

22 MS. RADECKI: Okay. My name is Molly
23 Radecki. I was enrolled as a Ph.D. student in

1 the Media Department at Indiana University.

2 Five minutes is not enough to explain
3 exactly what I went through trying to get
4 accommodations set up and a treatment plan
5 transferred from state, as I am a neurodivergent
6 woman, a single mother due to domestic violence.
7 So, you have neurodivergence and trauma involved.

8 I am aware of the procedures that I needed
9 to go through, and I went through an undue burden
10 to get accommodations on-line. It took over a
11 semester and a half. I was asked to give my --
12 find my childhood grade school grades to begin
13 the treatment process, but -- I know I'm short on
14 time.

15 So, just -- if you're not aware of what
16 neurodivergence is, it's an internal diversity.
17 I have more neural synapses than a neurotypical
18 person. I intake information, more information,
19 and it's more difficult to process information
20 out. It's not that I'm not intelligent, it's
21 just I'm slower at processing. That's why a lot
22 of times students with ADHD get extended time on
23 tests.

1 However, as a graduate student, I did not
2 have tests, I had -- I had papers, and I needed
3 extended time for papers and my accommodations,
4 which wasn't written in. My -- that should have
5 happened during an interactive process when I was
6 struggling to get settled at Indiana University,
7 but instead, because it took so long to get the
8 accommodations set up, I took incompletes.

9 But right after I got the accommodations
10 setup, the -- I was sanctioned with punitive
11 action, first by a staff appeal, threatening my
12 financial security, and then by academic
13 probation that was very strict and rigid, and no
14 one from the College of Arts and Science
15 Department ever spoke to me.

16 They never interacted with the
17 University's Accessibilities Office to decide
18 what would be appropriate for a graduate student
19 needing accommodations. We could have figured
20 all of this out during mediation in school, but
21 instead, what happened, as I asked for more help,
22 they -- they diverted my support needs into a
23 surveillance program called Maxient, which I only

1 became aware of after the fact in requesting
2 FERPA documentation, because I did not understand
3 how multiple people who had never met me created
4 such a caricature of who I am, and automatically
5 assumed that I deserved the dismissal that I did.

6 When I further understood what Maxient is,
7 I asked for all of my documentations. IU still
8 has not given me that evidence, as well as
9 there's evidence that's also being withheld with
10 a meeting I had with the Dean of the Student
11 Affairs in regards to another graduate student
12 accusing me of bullying when I said an
13 uncomfortable truth, but it was true, and that
14 had to do with not wanting to join the Graduate
15 Student Union, because I simply said, "Indiana
16 doesn't operate that way," and it's proved to be
17 true.

18 The Student -- the Graduate Student Union
19 was not -- by protesting, was not going to get
20 Pamela Whitten fired. Pamela Whitten hasn't been
21 fired, and she has gotten many pay raises. But
22 as a single mom, I felt like I had the right to
23 speak up and say, "I don't want to be bothered by

1 this," and I didn't know how that would mark me.

2 MR. LOSTUTTER: One minute.

3 MS. RADECKI: As well as I would like
4 to let the Commissioner -- Commission know there
5 is -- I do have a complaint with Dr. Lindemann's
6 office, who was the acting Doctor of Psychology,
7 not a psychiatrist. She was redoing my testing,
8 and she did -- her test was unethical,
9 unprofessional.

10 She had a grad student from the University
11 of Indianapolis do it, which was very -- when I
12 read the record, it was very poor form -- in poor
13 form, and I was trying to retroactively change
14 some of that. The -- that is currently with the
15 Attorney General's Office for investigation.

16 So, basically this meeting is to prove
17 probable cause. I feel like I have enough
18 evidence for probable cause, more than enough, so
19 I'm please asking you to move my case forward so
20 I can clear my record --

21 MR. LOSTUTTER: Time.

22 MS. RADECKI: -- return as a student.

23 VICE-CHAIR RAMOS: Do we have

1 questions for Ms. Radecki?

2 (No response.)

3 VICE-CHAIR RAMOS: I have a question.
4 So, I review -- we all review the cases. That's
5 part of our role as Commissioners. But there
6 were timelines in there that were defined by the
7 University that you missed, and they reference
8 other situations. Part of your case has to
9 demonstrate that others have had an advantage
10 that you didn't have as an advantage. I didn't
11 see that in the documentation as well. And so,
12 I'm just curious. You're aware of the timelines
13 that were missed? You had a September timeline
14 date that had to be --

15 MS. RADECKI: I am very aware, but
16 that is why I needed accommodations in the
17 interactive process. They never interacted with
18 me for the timelines. For example, that is
19 exactly the disability. I can't switch --
20 subject switch just on -- like, you know, back
21 and forth.

22 So, I was given like for proba -- like for
23 the staff probation, I had to finish all of my

1 semester classes or -- I had picked up, but then
2 when they added the probation, they were like,
3 "You have to finish all of your first semester
4 papers within a month." So, I had four papers
5 due in a month.

6 So -- so, what that was, that was
7 constructive denial of my accommodations. When
8 you ask someone who needs extended time on
9 writing papers to suddenly do four papers in a
10 month, they're not following the ADA Amendments
11 Act of 2009, where the University had an
12 obligation to interact with me.

13 Did they ever -- did we ever negotiate
14 about the timeline? No. You know, when you do
15 like a real restate transaction, you have
16 timelines, but you can also have an ability to
17 appeal the timelines. But the College of the
18 Arts and Science, when I tried to interact with
19 them -- and you can look at it in the Maxient
20 documents -- I -- Sarah Neggars, who I've never
21 met, her quote was, "I'm trying to hold the
22 line."

23 VICE-CHAIR RAMOS: Thank you.

1 Are there any other questions?

2 (No response.)

3 VICE-CHAIR RAMOS: This case was
4 assigned to me, and thank you very much for your
5 testimony. It is my recommendation -- there are
6 two issues outstanding, but in each of the cases,
7 I recommend that we uphold the Deputy Director's
8 finding of no probable cause under Indiana Civil
9 Rights Law. I need a motion to approve.

10 (No response.)

11 VICE-CHAIR RAMOS: No motion has been
12 approved, so therefore, the next options that we
13 have, we can remand it back -- we can have a
14 discussion. If you wish, we can remand this back
15 for further investigation, we can reverse the
16 decision, or we can uphold the Director's
17 decision. Can I have -- do I have a motion from
18 the Board -- Commission?

19 COMM. SILBERBERG: I would move to
20 remand it back for more information -- or more
21 investigation; sorry.

22 VICE-CHAIR RAMOS: Sure.

23 I have a motion on the table to remand it

1 back for further investigation. I need a second.

2 COMM. COLEMAN: Second.

3 VICE-CHAIR RAMOS: All those in
4 favor? Can you call -- make the roll call?

5 MR. LOSTUTTER: I will call the roll.
6 Comm. Harrington?

7 COMM. HARRINGTON: Aye.

8 MR. LOSTUTTER: Comm. Coleman?

9 COMM. COLEMAN: Aye.

10 MR. LOSTUTTER: Comm. Silberberg?

11 COMM. SILBERBERG: Aye.

12 MR. LOSTUTTER: Acting Chair Ramos?

13 VICE-CHAIR RAMOS: Nay.

14 MR. LOSTUTTER: Three in favor, one
15 opposed --

16 VICE-CHAIR RAMOS: The motion --

17 MR. LOSTUTTER: -- and one abstained.

18 VICE-CHAIR RAMOS: The motion carries
19 to be sent back -- to be remanded for further
20 investigation. Thank you.

21 Okay. The next case on the docket is
22 Leslie Harrison versus Whole Foods Market Group,
23 Incorporated, Case No. EMse25020119. This case

1 was assigned to Comm. Coleman.

2 Are both -- all parties here?

3 MR. LOSTUTTER: I believe the
4 Complainant is here.

5 MS. HARRISON: I am here.

6 MR. LOSTUTTER: And I'm not sure if
7 one of the attorneys on-line is -- oh, it's
8 because she's here present there.

9 MS. BLACK: Yes --

10 MR. LOSTUTTER: Sorry.

11 MS. BLACK: -- I'm present. No, it's
12 all right.

13 MR. LOSTUTTER: So, we do have both
14 parties here.

15 VICE-CHAIR RAMOS: And identify your
16 name again, please.

17 MS. BLACK: Bianca Black, for the
18 Respondent.

19 MR. LOSTUTTER: And the Complainant
20 can speak.

21 MS. HARRISON: May I just stand right
22 here?

23 MR. LOSTUTTER: You can stay right

1 there. Speak loudly.

2 MS. HARRISON: Hi. My name is Leslie
3 Harrison.

4 I just would like to say that I had four
5 witnesses, and two was IMPD officer of 20 years,
6 J.K. Pullings, and then John Dorsey is a -- was a
7 Marion County Sheriff that was there that worked
8 security, Michelle Muse, and none of them were
9 talked to, and Ian Towne as well.

10 And I would like to read this. This is
11 what I sent. This is a message to former
12 President George W. Bush. I'm experiencing acts
13 of terrorism at my work, threats of Middle
14 Eastern leaders attacking, sex trafficking, and
15 it's a disturbance of the peace.

16 As President of the United States of
17 America during 911, I know that you have
18 experience with this. I have contacted the FBI
19 multiple times, multiple incidents reports with
20 IMPD, which I'm backed by IMPD officers that are
21 on duty at the Whole Foods Market Street.

22 There is hazing and bullying going on over
23 the intercom of the sales floor. It could be

1 hacking of the conference call line of the sales
2 floor. It's quiet in the receiving area,
3 upstairs in the lunch room, it's quiet in the
4 coffee shop, and it's quiet in the taproom.

5 People go there on a first-name basis. We
6 have name tags. We're being called Dumbsville
7 Detective Crick and children's names on a
8 first-name basis, and last name. I have put it
9 in a Marion County courtroom, and a Marion County
10 judge told them to stay away from me. Excuse me.

11 And it's still continuing, habitual
12 harassment publicly, police brutality, multiple
13 witnesses, including Indianapolis Metropolitan
14 Police, too. This has gone on for months. The
15 information, the character and abuse, sexual
16 rants verbally publicly, sometimes all day long,
17 threats of shooting IMPD Officer J.K. Pullings.
18 I witnessed myself sexual rants, screaming racial
19 public threats.

20 I asked for an investigation and haven't
21 gotten a response. I can prove this in e-mails,
22 and in these rants publicly they said I wasn't a
23 Homo Sapien, I wasn't a citizen. There was the

1 murder of a child, and none are true. I have a
2 clean background check, birth certificate, I-9
3 form, Social Security card, and have never had a
4 child or murdered one.

5 Officer J.K. Pullings witnessed these
6 things being said by managers there. I said,
7 "Please help any way you can." I have an uncle,
8 and his name is on the Vietnam Wall, Michael
9 Eugene Randall, and a grandfather that was in the
10 United States Marine Corps, and a cousin that is
11 alive in active duty in the United States Army.

12 I am a citizen by birth. They have
13 violated my First, Fourth, Eighth, Ninth, and
14 Fourteenth Amendment rights. I pray you can help
15 me in the name of the Father and of the Son and
16 of the Holy Ghost. Praise Jesus. I hope to hear
17 from you soon. Have a blessed day.

18 This was sent to Jared Miller, Rich Wolf.
19 I haven't got a logical explanation for what is
20 going on on the sales floor, or a response from
21 HR, Melissa Moore. I'm forwarding this letter to
22 you. Have a blessed day. That's Sunday,
23 February 16th, 2025.

1 And to the ICRC, S. Taskie, and to Terry
2 Smith at indy.gov, he's an IMPD officer as well,
3 abused at Whole Foods Market, and Tammy Bibbs,
4 that is ICRC as well. Knowing that I had a
5 physical injury, I was not offered the nurse
6 line. I paid for the injuries myself, I mean
7 medical at IU Health. I mean I was on medic
8 leave for seven days. I used PTO. I was not --
9 I showed pictures of -- I was backed by Sedgwick.
10 They use Sedgwick.

11 It's just very concerning, and I have a
12 different job now, and one of their employees
13 actually like ran into me, and they said that
14 it's not -- I believe it's Nicholas, who works in
15 produce. He said it's the same, if not worse.
16 And I was a certified culture champion at Whole
17 Foods. I love John Mackey.

18 MR. LOSTUTTER: One minute.

19 MS. HARRISON: I love his vision, and
20 when I put on -- I mean the computer, when you
21 look at interview, you want to be a part of that,
22 and then I didn't because of the abuse going on
23 down there. I just -- and it's still going on.

1 I mean this has -- this has gone on at other
2 places.

3 I'm just asking -- I mean I didn't get a
4 right to sue these people or nothing, and it's
5 still continuing. I have multiple police
6 reports. It's just utterly dumbfounding to me
7 that with the amount of witnesses I have, that --
8 I mean two of them are IMPD, and I know I've
9 physically talked to them, and none of them were
10 spoken with.

11 So, I just find it, I mean, detestable, I
12 mean the circumstances of my work conditions, and
13 we're to work in a peaceful environment in the
14 United States of America. I'm a hard-working
15 woman, and so are they. We're hard-working
16 people, you know.

17 That's all I have.

18 VICE-CHAIR RAMOS: Thank you.

19 MS. HARRISON: Uh-huh.

20 VICE-CHAIR RAMOS: Any questions for
21 Ms. Harrison?

22 (No response.)

23 VICE-CHAIR RAMOS: Comm. Coleman,

1 this was assigned.

2 MR. LOSTUTTER: We do have --

3 VICE-CHAIR RAMOS: I'm sorry.

4 MR. LOSTUTTER: -- the Respondent.

5 MS. BLACK: Hello. I'm here for

6 Respondent.

7 Ms. Harrison was employed with Whole
8 Foods. She did resign from her employment. In
9 regard to her complaints, she did have several
10 complaints throughout her approximately two-year
11 employment. They were wide in variety. A lot of
12 them were repetitive.

13 She mentioned a few of them, that things
14 were coming through the speakers, that she was
15 being -- she was accused of being raped and
16 murdering babies by various team members, that
17 there was some unequal treatment going on.

18 Each claim was investigated. There are
19 reports. And she is right, she in fact called
20 the police to the store a few times about these
21 complaints, and those were also investigated, and
22 they were unsubstantiated. Witnesses were talked
23 to. They could not be substantiated, and she's

1 continued on in her employment until she resigned
2 in February.

3 She mentioned Ms. Moore. There are
4 e-mails there. She did handle those
5 investigations, reports. She actually spoke to
6 Ms. Harrison on numerous occasions about the
7 issues that she had brought forth, and tried to
8 work with her on those, but there just was no
9 support for the allegations that were being
10 brought.

11 VICE-CHAIR RAMOS: Thank you.

12 Ms. Harrison, you have two minutes.

13 MS. HARRISON: I would like to say
14 something. Officer Dorsey is a -- he was a
15 sheriff there, and he had lost his position as
16 well because of the lies that was being told by a
17 detective, him and his family. He was lied to,
18 but he did lose his position.

19 And I lost mine, too, and I -- I mean I
20 didn't resign. I was terminated, and I was a
21 certified culture champion. So, two people,
22 actually, and one of them was an IMPD officer,
23 and I know he was not spoken with, or J.K.

1 Pullings was not spoken with.

2 I mean I -- honestly, J.K. Pullings called
3 it an obstruction to justice. And so, I'm just
4 saying that like two people that I know of do not
5 have a position there anymore, and to say that it
6 didn't happen, I just find it absurd. I find it
7 detestable, actually.

8 VICE-CHAIR RAMOS: Thank you.

9 MS. HARRISON: Uh-huh.

10 MS. BLACK: Yes. I just -- I think I
11 would just reiterate whatever I said before, but
12 we did investigate -- or the company did
13 investigate the complaints. It was -- for
14 example, the speaker complaint, that was brought
15 up about six months throughout her employment,
16 and that -- you know, they were looking to see if
17 there were anything coming through the speakers
18 or anything like that. There was not, other than
19 the music that the store plays, and the same with
20 the kind of allegations against the team members.

21 I did miss pointing out as well, there
22 were a few times where there were allegations
23 about people who didn't even work at the store,

1 or who weren't, you know, present, and they tried
2 to even look into that, but they just couldn't
3 substantiate any of the claims.

4 VICE-CHAIR RAMOS: Thank you.

5 Any questions for either?

6 COMM. COLEMAN: I have a question.

7 Ms. Radecki, did you receive the results
8 of the investigations?

9 MS. RADECKI: I'm Ms. Radecki.

10 COMM. COLEMAN: I'm sorry.

11 VICE-CHAIR RAMOS: Harrison.

12 COMM. COLEMAN: Wrong --

13 Ms. Harrison, I apologize. Wrong page, yeah. I
14 wrote it wrong.

15 MS. HARRISON: Actually, no. I said
16 I have got no response. Absolutely. I sent that
17 to Rich Wolf. He is regional. I have it right
18 here, actually. I mean I can show it to you.
19 It's dated. Richwolf@wholefoods.com, Sunday,
20 February 16th of 2025, 12:13. I have gotten no
21 logical explanation for what is going on on that
22 sales floor, or a response from HR.

23 I mean I went to regional, "I'm forwarding

1 this letter I wrote to you. Have a blessed day."
2 And I mean I got nothing. I mean literally -- I
3 mean I love, I mean, John Mackey's vision. I
4 mean, you know, I just -- I can't be a part of
5 that. You know, I can't be a part of this.

6 Honestly, I saw J.K. Pullings. He's, I
7 mean, a 20-year IMPD officer. I saw a tear come
8 down his face almost every single day. I mean it
9 was absolutely awful, and I just -- it's a
10 detestable work environment. I mean this is the
11 United States of America. Like I have an Army
12 family.

13 You know, like to say I wasn't a Homo
14 Sapien and say I wasn't a citizen. It is -- it
15 was absolutely awful. Not only that, our names
16 being said, saying they were going to rape us and
17 shoot us, by name. I don't feel like it was
18 investigated properly at all by Whole Foods. I
19 stand by that.

20 COMM. COLEMAN: Thank you.

21 VICE-CHAIR RAMOS: Do you have a
22 recommendation?

23 COMM. COLEMAN: I do. I want to make

1 a motion to uphold the finding of no probable
2 cause.

3 VICE-CHAIR RAMOS: I need a motion to
4 approve.

5 COMM. TOLLIVER: So moved.

6 VICE-CHAIR RAMOS: I need a second.

7 COMM. SILBERBERG: Second.

8 VICE-CHAIR RAMOS: A roll call.

9 MR. LOSTUTTER: All right.

10 Comm. Harrington?

11 COMM. HARRINGTON: Aye.

12 MR. LOSTUTTER: Comm. Coleman?

13 COMM. COLEMAN: Yes.

14 MR. LOSTUTTER: Comm. Silberberg?

15 COMM. SILBERBERG: Aye.

16 MR. LOSTUTTER: Comm. Tolliver?

17 COMM. TOLLIVER: Aye.

18 MR. LOSTUTTER: Acting Chair Ramos?

19 VICE-CHAIR RAMOS: Aye.

20 MR. LOSTUTTER: The ayes have it.

21 VICE-CHAIR RAMOS: Thank you.

22 Our next case is William Wilson.

23 MR. LOSTUTTER: Yes, and William

1 Wilson is on-line. I don't believe that there is
2 an oral argument in this case. I -- if
3 Mr. Wilson wanted one, I did not receive anything
4 that indicated that to me. I don't believe that
5 there's anybody for the hospital here. They may
6 be.

7 MS. PITTMAN: Alex Pittman.

8 MR. LOSTUTTER: Okay.

9 MS. PITTMAN: Excuse me. This is
10 Alex Pittman. I'm here on behalf of IU Health.

11 MR. LOSTUTTER: Okay.

12 VICE-CHAIR RAMOS: Again, there's no
13 oral argument scheduled, so we will follow
14 procedure, though I need to --

15 MR. WILSON: I'm sorry. I'm here,
16 and everything is new to me. I had an e-mail
17 stating that it was going to be on --

18 MR. LOSTUTTER: Yes, the hearing was
19 going to be on today, but there was no oral
20 argument on it.

21 MR. WILSON: It says that I only have
22 five minutes to speak, and that it was an oral
23 argument.

1 MR. LOSTUTTER: Okay.

2 VICE-CHAIR RAMOS: Mr. Wilson, you
3 had -- we have a Public Comment. You can address
4 that at the end, but again, we'll follow
5 procedures for oral argument. That just prepares
6 the whole agenda accordingly. I do appreciate
7 that you have attended, as well as the Indiana
8 University representative, but we will follow the
9 rules for oral argument.

10 MR. WILSON: Excuse me. I don't
11 understand. I was -- I submitted an appeal, and
12 it said that I was going to get like five minutes
13 to speak, and are you saying I'm not going to be
14 able to get that?

15 MR. LOSTUTTER: Sir, did you mark the
16 section or send me an e-mail stating that you
17 wanted an oral argument? There's a section on
18 the appeal request form that clearly needs to be
19 marked to indicate that you wanted one.

20 COMM. TOLLIVER: He did.

21 MR. LOSTUTTER: He did?

22 MR. WILSON: I think that I --

23 COMM. TOLLIVER: He did.

1 MR. LOSTUTTER: Okay.

2 MR. WILSON: -- and I was e-mailed
3 back from the ICRC, and I have the date -- I have
4 the date. It says, "This means that it is
5 now --" I just jumped in the middle of it. "This
6 means that it is now scheduled for March 16th
7 at 1:00 p.m. If you wish to attend virtually,
8 there's no other links and nothing will be sent
9 to you," and I even heard from you back. On the
10 top of it, it says "The attorney representing the
11 Respondent in your case has had this scheduling
12 conflict came up that he tried to work out around
13 but was unable to do so. He asked for it to --"

14 VICE-CHAIR RAMOS: Okay. Thank you,
15 Mr. Wilson.

16 MR. LOSTUTTER: So, it's -- it sounds
17 like, then, that they were informed of that
18 there. I did not necessarily have that in front
19 of me at the time, but it sounds like it did go
20 ahead and do that, and if that is the case, I
21 will leave it to the Acting Chair whether we go
22 ahead and do it now, or --

23 VICE-CHAIR RAMOS: Comm. Tolliver?

1 MR. LOSTUTTER: -- reschedule it next
2 month.

3 Comm. Tolliver, it is marked --

4 COMM. TOLLIVER: Yes.

5 MR. LOSTUTTER: -- that way? Very
6 well. I --

7 VICE-CHAIR RAMOS: For the record --

8 MR. LOSTUTTER: I apologize for that.

9 VICE-CHAIR RAMOS: For the record --

10 MR. LOSTUTTER: That's a very big --

11 VICE-CHAIR RAMOS: -- Comm. Tolliver,
12 would you --

13 MR. LOSTUTTER: -- miss on my part.

14 COMM. TOLLIVER: What was the
15 question? I'm sorry.

16 VICE-CHAIR RAMOS: Would you like to,
17 just for the record, clarify his approval for
18 oral argument?

19 COMM. TOLLIVER: No, he's requested
20 an oral argument. I don't think it's been
21 approved.

22 VICE-CHAIR RAMOS: Well, so, it was
23 requested. All parties are here. Let's proceed.

1 MR. LOSTUTTER: Proceed. Let's go
2 ahead, then.

3 All right. Then Mr. Wilson, go ahead.
4 You may start.

5 MR. WILSON: Thank you.

6 On February 14th of 2025, the security
7 guard/officer at IU sexually violated -- sexually
8 harassed me. He made contact, hitting my
9 buttock, and it felt like I had a black eye on my
10 behind for three to four hours. I hold four of
11 the top five records for most patients
12 transported within 24 hours.

13 On the day of the incident, he went
14 somewhere where I was told no one can be, because
15 I train people. I instantly told him, "Don't
16 ever let that happen again." I lost my cool, and
17 at the same time, keeping my composure.

18 I communicated this to my supervisor, the
19 night shift supervisor, the security guard
20 supervisor. No one would give me the officer's
21 name. No -- the officer had no business being in
22 that area. They lied and said he was to mitigate
23 this in their report.

1 When we had a meeting about it nearly --
2 over a week later, I was asked who have I spoke
3 to about this? I said, "No one." I was then put
4 on paid -- I was then put on paid leave over the
5 phone. I never received any forms or documents
6 or anything about how to contact counselors or
7 therapists.

8 And I was supposed to be receiving some
9 extra payment on my paid leave. Never -- I never
10 got that. I also was receiving a third of my
11 regular pay on my pay for the day.

12 I was contacted for a return date meeting.
13 When we had the return date meeting, I was told
14 that I could switch departments. I was told that
15 I could go to a new location, that they would
16 waive the six-to-twelve-month requirement, or I
17 could come back here that Monday, and if I wanted
18 to take another week off, it would come out of
19 my PTO.

20 I mentally wasn't ready, but I didn't want
21 to lose my job, so I came back that Monday. That
22 same day of the meeting, I was given forms and
23 documents on -- the same day of my return meeting

1 I was given forms and documents for the paid
2 leave on how to contact counselors and therapists
3 and so forth going about the extra pay.

4 They still didn't have the incident report
5 a month later. That officer was reporting the
6 problem. I then -- I then had to be on the clock
7 on my lunch breaks, trying to contact counselors
8 and therapists for meetings, which added more
9 stress and mental abuse.

10 And I was asked what I wanted done. I
11 said, "I don't want to see him up here when I
12 work." They said, "Okay." They agreed, but he
13 was still up there. They said they didn't see
14 anything in the footage when they conducted their
15 investigation of anything. They said if
16 anything, it was his belt that made contact with
17 my behind.

18 I asked, "Just for mental clarity, can I
19 see the footage so I can just let it go?" They
20 laughed at me and told me, "No." I asked for his
21 name again. They laughed at me and told me,
22 "No." They told me, "Keep being that ray of
23 sunshine, keep working hard, forget about it and

1 let it go." But I can't, because it happened on
2 Valentines' Day, and -- or, too, my father, who
3 has passed away, it happened on his anniversary,
4 and every year I have to relive it.

5 And that's pretty much all that I have to
6 say about it. It's hard to talk about it.

7 VICE-CHAIR RAMOS: Thank you,
8 Mr. Wilson.

9 We have --

10 MR. WILSON: I literally had nothing
11 like that happen to me either, or I would have
12 called the police. That's what I was -- that's
13 what I was -- I told them what I should have did.
14 But like I said, "I've never had -- I've never
15 had no one sexually harass me like that, ever in
16 my life. So, it was -- it was totally new to me.

17 I kept my composure. I didn't -- I didn't
18 like thrash out and do anything, that I was
19 imagining. I just -- I had to take it one step
20 at a time, and that's how I got here, because
21 they kept trying to throw it under the bus, act
22 like nothing happened, and yet it's been very
23 hard to live with, because --

1 MR. LOSTUTTER: One minute.

2 MR. WILSON: -- when it happened, the
3 officer tried to make it look like I was
4 tripping, but he -- he's an officer, supposed to
5 be upholding the law, but he's breaking it.

6 And for a whole year after I've been up
7 there, no one else made sexual contact with --
8 with me. So, it's not hard to keep it
9 professional -- keep it professional and keep --
10 keep a professional distance. I've been a boxer
11 since I was eight years old. My behind felt like
12 it had a black eye for like three to four hours.

13 VICE-CHAIR RAMOS: Thank you.

14 Who is representing Indiana University
15 Health?

16 MR. LOSTUTTER: I believe it is Alex
17 Pittman?

18 MS. PITTMAN: Correct.

19 MR. LOSTUTTER: Okay. You may go
20 ahead and start.

21 MS. PITTMAN: Good afternoon,
22 Commission.

23 I guess I want to start with -- there's

1 two points to cover. The first is that
2 Mr. Wilson is appealing the dismissal of the
3 Commission's investigation, that some of the
4 complaint included allegations of retaliation
5 outside of the scope of the Indiana Civil Rights
6 Law.

7 You know, if you look at his actual
8 complaint, the allegations are that he allegedly
9 was discriminated based against -- on his sex,
10 and that following that, he was placed on,
11 quote/unquote, paid leave, and that he was
12 allegedly not paid according to that leave
13 policy, and it is in his discrimination claim.

14 And then during the Commission's
15 investigation, I presume, without having bona
16 fide facts, adduced additional information that
17 his allegation included retaliation. As you all
18 are well aware, the Commission's jurisdiction is
19 statutorily limited.

20 And so, presently, the claims of
21 retaliation are not included within that
22 jurisdiction, and therefore, the initial point
23 that I would request is to uphold the

1 administrative dismissal for lack of
2 jurisdiction.

3 Alternatively, if we're addressing the
4 merits, as Mr. Wilson did, even if the complaint
5 were within the Commission's jurisdiction, the
6 Commission should find no probable cause to
7 believe that any unlawful discriminatory practice
8 occurred.

9 This event -- incident that Mr. Wilson
10 referred to was a single incidental workplace
11 contact that was followed by a prompt, thorough,
12 and good-faith employer investigation, with no
13 evidence of sex-based discrimination or
14 retaliation or adverse employment action.

15 As Mr. Wilson indicated, he is -- was a
16 patient transporter at IU Health West Hospital,
17 and his job duties placed him in regular contact
18 at several areas, nurse's stations, as he
19 transported patients and completed paperwork and
20 tasks related to that.

21 On the day in question, February 14th,
22 while he was performing paperwork, he alleges
23 that a DPS officer brushed against him, "DPS"

1 meaning the Department of Public Safety, which is
2 IU Health's internal police force that has
3 regular security responsibility throughout the
4 hospital.

5 Mr. Wilson alleges that that officer
6 inadvertently -- or that he brushed against him
7 while passing through a doorway. It was in
8 Respondent's position statement there is a photo
9 that does more than my words can do to describe
10 the situation and the context of where this
11 incident happened.

12 Mr. Wilson was standing within a doorway
13 using a printer as a writing surface, and the
14 officer was walking through that doorway when
15 allegedly Mr. Wilson was touched. There was no
16 allegation of sexual comments or gestures. This
17 was a one-time unintentional touching, and
18 Mr. Wilson, during the HR investigation,
19 acknowledged that it was not intentional.

20 IU Health's response was immediate, swift
21 and appropriate, including witnesses,
22 interviewing multiple witnesses, who also denied
23 any inappropriate touching, and reviewing video

1 of the alleged incident in question.

2 Addressing the paid time away piece, you
3 know, Mr. Wilson was not suspended nor placed on
4 any type of an official leave for this incident.
5 However, as it still remains clear, and that IU
6 Health does not deny, this has had a significant
7 impact on him.

8 While IU Health disagrees as to the --
9 what actually occurred, there's no doubt that
10 it's --

11 MR. LOSTUTTER: One minute.

12 MS. PITTMAN: -- something that
13 impacted Mr. Wilson. However, because of
14 messages he sent to his thoughts following the
15 incident that -- where he said that it felt -- he
16 felt like it put a cloud over his head and that
17 he was anxious and had violent thoughts each time
18 he thought of the incident again, IU Health
19 offered him added value space -- as a value
20 space, offered to allow him time away from work,
21 where he did not have to work, but would be paid,
22 and at any point could have returned.

23 While the investigation was pending, he

1 remained on that paid leave, and at the end, when
2 IU was unable to substantiate that any sexual
3 harassment or discrimination occurred, they asked
4 Mr. Wilson to return.

5 Again, IU Health respectfully asks the
6 Commission to uphold the administrative dismissal
7 for lack of jurisdiction, or, alternatively,
8 based on the information provided in the position
9 statement and today, find no probable cause and
10 dismiss the claim in its entirety.

11 Thank you.

12 MR. WILSON: Can I speak again?

13 VICE-CHAIR RAMOS: Thank you.

14 Yes.

15 MR. LOSTUTTER: Start.

16 MR. WILSON: Because I -- I never
17 received full payment when I was on the paid
18 leave, and then when I came back, my first three
19 or four checks, they were all short as well. My
20 own supervisors, they were like, "Yeah, I feel
21 like they're retaliating," just by -- just by
22 giving me half of my pay when I was on paid leave
23 and when I came back.

1 The HR lady, she got fired. And my
2 supervisor, I reported him, because we had a new
3 supervisor. We had a -- we had a -- okay. Slow
4 down. All of the supervisors -- I would do
5 overtime, I worked real hard for the job, and I
6 would get a certain amount of check -- a certain
7 amount of my pay. My new supervisor, I had to
8 report him for not giving me my money.

9 She said something about where I agreed
10 that nothing happened. I never agreed nothing
11 happened. Everybody tried to make it like I was
12 tripping. When he walked by and hit my behind,
13 he tried to act like he was innocent. He said,
14 "Now, I didn't even touch you." They said that
15 his belt made contact with my behind, and
16 therefore, it's okay.

17 MR. LOSTUTTER: One minute.

18 MR. WILSON: But like I said -- but
19 like I said, that's never happened for a whole
20 year past that, and I can't really remember
21 every -- but I definitely -- I definitely was
22 harassed and violated. No one should have made
23 contact with my behind. I was not in no doorway.

1 It's -- he never said, "Excuse me," to let
2 me know he was coming through. He just bowled
3 right through and hit my behind. And then they
4 all said that he was over there to submit an
5 incident report. There was nothing going on, no
6 crazy anxious meeting to be at, you know, now or
7 anything like that.

8 He had -- he was actually over there
9 trying to flirt with the females, and he walked
10 by and he hit my behind on the way doing it, and
11 that's how I feel about that. I never assumed
12 Jess was behind this. They tried to throw it
13 under the rug.

14 VICE-CHAIR RAMOS: Thank you.

15 Ms. Pittman?

16 MS. PITTMAN: Yeah. I'd just
17 reiterate what I said previously to the
18 Commission, and would make the same request for
19 upholding the administrative dismissal or finding
20 no probable cause.

21 Thank you.

22 VICE-CHAIR RAMOS: Comm. Tolliver,
23 this was assigned to you. Do you have a

1 recommendation for the Commission?

2 COMM. TOLLIVER: I'd ask for -- or
3 I'd recommend that we uphold the Commission's
4 finding that this matter be dismissed
5 administratively under Indiana Civil Rights Law.

6 VICE-CHAIR RAMOS: I need a motion to
7 approve.

8 COMM. SILBERBERG: Motion.

9 VICE-CHAIR RAMOS: Silberberg. I
10 need a second.

11 COMM. COLEMAN: Second.

12 VICE-CHAIR RAMOS: Coleman seconds.

13 All those in favor?

14 MR. LOSTUTTER: We'll call the roll.

15 Comm. Harrington?

16 COMM. HARRINGTON: Chair Ramos, can
17 you restate what we're vote -- you guys were very
18 muffled.

19 VICE-CHAIR RAMOS: I'm sorry. So,
20 this is a recommendation to uphold the Director's
21 dismissal, so made by Comm. Tolliver.

22 COMM. HARRINGTON: Okay. Aye.

23 MR. LOSTUTTER: All right.

1 Comm. Coleman?

2 COMM. COLEMAN: Yes.

3 MR. LOSTUTTER: Comm. Silberberg?

4 COMM. SILBERBERG: Aye.

5 MR. LOSTUTTER: Comm. Tolliver?

6 COMM. TOLLIVER: Aye.

7 MR. LOSTUTTER: Acting Chair Ramos?

8 VICE-CHAIR RAMOS: Aye.

9 MR. LOSTUTTER: The notice of finding
10 is upheld, five to nothing.

11 VICE-CHAIR RAMOS: Thank you.

12 The next case, Holly June Lewis --

13 MR. WILSON: So, that means it's been
14 dismissed?

15 MR. LOSTUTTER: It means that the
16 notice of finding of no probable cause was
17 upheld.

18 COMM. TOLLIVER: No.

19 MR. WILSON: So, that means that it's
20 being dismissed?

21 MR. LOSTUTTER: It is the decision of
22 no probable cause, and that notice of finding was
23 upheld by the Commissioners.

1 MR. CLAY: It was an administrative
2 dismissal.

3 MR. LOSTUTTER: Administrative
4 dismissal; excuse me.

5 VICE-CHAIR RAMOS: Thank you.

6 Thank you, Mr. Wilson.

7 MR. WILSON: I still don't understand
8 what that means.

9 MR. LOSTUTTER: That means it's over
10 with as far as this end is concerned.

11 VICE-CHAIR RAMOS: Mr. Wilson, if you
12 have questions, you can contact the Docket Clerk
13 after our session for further information.

14 MR. WILSON: Can I contact somebody
15 after this call?

16 MR. LOSTUTTER: You can contact me
17 later, yes.

18 MR. WILSON: All right.

19 VICE-CHAIR RAMOS: Thank you.

20 And the next case is Holly June Lewis
21 versus Marble Products International LLC. The
22 Case Number is EMse24060594.

23 Do we have representatives from both

1 parties?

2 MR. LOSTUTTER: I believe that we do.
3 We have the Complainant on-line, and I believe we
4 have the attorney for the Respondent on-line as
5 well.

6 VICE-CHAIR RAMOS: And who is the
7 attorney?

8 MR. LOSTUTTER: The attorney would be
9 Mr. Mark Molter.

10 VICE-CHAIR RAMOS: Thank you.

11 MR. WILSON: I see nothing wrong when
12 they was -- when they was talking about moving me
13 to another department and waiving all of the --
14 the six-month requirement, the twelve-month
15 requirement.

16 MR. LOSTUTTER: Sir --

17 VICE-CHAIR RAMOS: Mr. Wilson --

18 MR. LOSTUTTER: -- you -- your case
19 is over with here at this end. You will have to
20 contact me later.

21 MR. WILSON: That's -- I --

22 VICE-CHAIR RAMOS: Okay. I'm sorry.
23 I still need to get the name of the attorney for

1 Marble Products.

2 MR. LOSTUTTER: Mr. Mark Molter.

3 VICE-CHAIR RAMOS: Molter.

4 MR. MOLTER: Yes. Can you guys hear
5 me?

6 MR. LOSTUTTER: Yes, we can, sir, or
7 we did. You'll have to speak up a little bit
8 louder, though.

9 MR. MOLTER: Yes. Can you hear me?

10 MR. LOSTUTTER: Yes.

11 VICE-CHAIR RAMOS: Yes.

12 MR. MOLTER: Okay.

13 VICE-CHAIR RAMOS: All right.

14 So, Ms. Lewis, you get to go first.

15 (Indistinct speaking on-line.)

16 MR. LOSTUTTER: I'd ask everybody to
17 respect the time now of the new case that is up.

18 Ms. Lewis, if you want to begin.

19 MS. LEWIS: Yes. Good afternoon.

20 On or around May 20th to 30th -- well,
21 starting around May 20th to 30th, where I
22 couldn't deal with it anymore, I was being
23 sexually harassed at work, at Marble Products.

1 Rahila, the owner as well as my boss, we shared
2 an office. I felt like we were pretty close.

3 She was gone that last two weeks, again,
4 between May 20th and 30th of '24, and I was
5 being -- I was being sexually harassed. This
6 person was touching me and standing in my door.
7 People were noticing it, co-workers, and I had
8 some different witnesses.

9 So, I wrote -- I'm sorry -- I wrote her an
10 e-mail, and I sent her a text that I had anxiety
11 and I couldn't come in, and I also told her I was
12 sending her an e-mail to explain more thoroughly.
13 I sent her the e-mail, and I sent you guys a
14 30-page packet of all of my screenshots and
15 everything.

16 On page 16, I sent her an e-mail saying
17 that I've been being -- I'm enduring sexual
18 harassment in the workplace, and it's been
19 getting worse and worse. And she immediately,
20 within seconds, asked me to turn in my
21 resignation, which is page 9 and 10. Those are
22 all screenshots.

23 I then called her, because she kind of

1 kept making excuses. First she said, "Well,
2 really it's because of your health," and I didn't
3 have any issues with health. But they'd asked me
4 a letter -- for a letter prior to that from my
5 doctor. I gave them a letter from my doctor, and
6 that was page 30.

7 She first started saying my health, then
8 she said it was because I was insisting on
9 remote, which, honestly, I don't feel that was
10 true. When I did tell her that I was being
11 sexually harassed, I did say, "Please, would you
12 rethink about it? Obviously you're my boss and
13 it's -- the decision is yours." I did ask her
14 to -- but she used that, she said that I was
15 insisting on getting remote when I wasn't.

16 Then she turned it to my performance. Her
17 husband was the one that was training me, his
18 name's Numan. Two things I want to say. Before
19 I accepted the position, I disclosed my scheduled
20 appointments and commitments, and additionally,
21 anytime I took off -- because during this whole
22 thing going back and forth, she basically said
23 that this was the reason, that I wasn't asking

1 for time off and stuff, and I feel like that was
2 incorrect.

3 Also, at no point during my employment was
4 I given any written or verbal warnings regarding
5 my performance. I was never placed on
6 performance improvement plans, disciplined, and I
7 was only told that after the fact that I told her
8 I was being harassed.

9 Another thing that I think was kind of
10 behind this, on pages 4, 5, 6 and 7 of this
11 packet, there were several witnesses or
12 co-workers telling me that her husband at the
13 time had been accused of doing something with
14 somebody, and I honestly think she thought I was
15 talking about him, and I wasn't, and I think
16 that's why she just immediately --

17 Basically, so then I get a Certified
18 letter. She -- I tried to call her, I tried to,
19 you know, put on my way, but, "Please, I'll do
20 anything. Don't fire me." But I just -- you
21 know, she said -- she asked me what she could do.
22 That's on page -- and it's asked, "What can I do
23 for you?"

1 Then she offered me money, sent me a
2 Certified letter July 11th, offering me two
3 weeks -- weeks of pay if I -- it's a lot of
4 information -- if I agreed to not -- let's see.
5 I'm sorry.

6 MR. LOSTUTTER: One minute.

7 MS. LEWIS: Okay. I'm losing my
8 train of thought. Anyways, I lost multiple weeks
9 of pay. It was very embarrassing. I had ended
10 up going to a mental facility, the Bloomington
11 Center for Recovery, because I'm bipolar. And I
12 felt like she was kind of offering me money to
13 not say anything, because she might have thought
14 it was her husband.

15 And right now I'm very flustered and all
16 over the place, but that's it in a nutshell, and
17 I guess I got everything.

18 Oh, wait. She said that -- did I tell
19 anybody? I told the main manager in the back,
20 who she has -- who -- the person that was -- the
21 person that was accused by her hus -- the person
22 who accused her husband of doing something went
23 to this person, so they told me that. So, I told

1 him first, and then he was one that said, "Go to
2 Rahila" the day I went to her, and writing and --

3 MR. LOSTUTTER: Time.

4 MS. LEWIS: -- verbally, basically
5 telling her it wasn't him. The end.

6 VICE-CHAIR RAMOS: Thank you.

7 Mr. Molter, you are up.

8 MR. MOLTER: Yes. (Inaudible.)

9 VICE-CHAIR RAMOS: Say that again.

10 MR. MOLTER: Are you able to hear me?

11 VICE-CHAIR RAMOS: Speak a little
12 louder.

13 MR. LOSTUTTER: Yeah, if you could,
14 please.

15 MR. MOLTER: Yes. Are you able to
16 hear me now?

17 MR. LOSTUTTER: Yes. Speak as loudly
18 as you can.

19 MR. MOLTER: Okay. Yeah. I'm not
20 sure what's happening with all of this. I'm
21 speaking on my phone now, so hopefully --
22 hopefully it comes through.

23 Okay. We have two primary offenses here.

1 One is procedural, basically the very pattern of
2 what you guys have heard through most of today.
3 We have an appeal that's beyond the 15-day
4 timeframe, thus untimely. It goes past that
5 jurisdiction of the Commission to hear this.

6 But setting that aside and going to the
7 more substantive merits of the complaint, they're
8 deficient in that they do not meet any criteria
9 of discrimination.

10 I guess at the outset, if you look at
11 Complainant's complaint here, there's a little
12 bit of ambiguity, and I think the claim is for
13 discrimination under Title 7. But insofar as it
14 may have some applicability to its retaliation
15 claim, both of them are lacking key evidence and
16 thus devoid of merit.

17 As far as the background here, so when the
18 Complainant hired on, she was in a probation
19 position. That's true of all of our new hires.
20 That's in the employee handbook that's attached
21 as an exhibit to our position statement. But her
22 tenure there only lasted two months. It was
23 within that 90-day probationary period that she

1 never got out of.

2 And the primary reason she never got out
3 of it, and the primary reason for her
4 termination, is the performance issues. There
5 were -- Complainant would call off, miss work.
6 There was the health issue. We touched on that
7 as an exhibit to our position statement as well.

8 Her -- she missed work, even had a health
9 episode of fainting at the workplace. That was
10 investigated. Marble received a notice from her
11 healthcare provider that she could return to
12 work, but Marble was repeatedly met with requests
13 to work remotely, but the job just doesn't lend
14 itself to that.

15 So, in short, the employment -- the
16 termination was made for, per their
17 investigation, reasons in that we had an
18 attendance issue, a performance issue, repeated
19 requests for remote attendance, none of which
20 could be accommodated, so the decision was made
21 to terminate.

22 And insofar as there is an allegation of
23 sexual harassment, that was sent in the e-mail to

1 Ms. Robinson, the President of Marble. It was
2 investigated by Marble, and it was found to be
3 meritless. Notably, though, in that e-mail,
4 there's a statement in there that said it was
5 from the Complainant, but a notice that clearly
6 she knew of references, but she doesn't want to
7 discuss it even -- any further at this time.

8 So, there isn't a clear allegation of who
9 it is against or whether it even occurred. There
10 was general e-mail and references to something in
11 an e-mail, and Marble thoroughly investigated it,
12 found it to be without merit whatsoever.

13 So, because of that, there are some key
14 elements that are pending determination because
15 of the lack, but number one, you can't show --
16 there's nothing to show that there's any
17 disparate treatment as far as the retaliation.
18 We don't show that there's any -- it was never
19 reported to anyone for us to give rise to it.

20 And there's -- lastly here, the one issue
21 here, one of the key elements that I'm sure the
22 Commission is aware is the a -- Complainant would
23 have to show that her job performance was done to

1 the employee's expectations, and so, the adverse
2 action was taken for an ulterior motive.

3 Here, that just -- that isn't the case. I
4 think the issues were documented, the
5 probationary period was never -- you know, the
6 employee never worked out of the probationary
7 period. It was a very short, two-month stint of
8 employment. But in view of the timeliness
9 jurisdiction issue, the complaint is without
10 merit.

11 VICE-CHAIR RAMOS: Thank you,
12 Mr. Molter.

13 Ms. Lewis, you have an opportunity to --
14 you have two minutes.

15 MS. LEWIS: Well, you know, if you
16 look through my packet, I have evidence of every
17 time I asked Rahila for time off, my son's
18 graduation. You can see her responses. I have
19 clear evidence that I told somebody before her.
20 There's -- it's clear that what he said to me was
21 not just something to look over.

22 He whispered in my ear, "I want to --"
23 sexual things, which I -- you can read in the

1 packet. He was touching my leg and he was making
2 me very uncomfortable, on top of the fact that
3 I'm hearing rumors about her husband who did this
4 to another employee, who was training me, and
5 right on top of me all day long in my station.

6 And yes, I am very high anxiety, but I did
7 go straight to her. As soon as I could get ahold
8 of her from being in the office, because she was
9 not there, I went straight to her, and my point
10 is I went calmly and I sent it in writing.

11 And I immediately called her verbally and
12 explained, and she said, "Turn in your
13 resignation," which is in these texts, in these
14 files. She also talked to me on the phone and I
15 got to send her --

16 MR. LOSTUTTER: One minute.

17 MS. LEWIS: -- the same response of
18 what he was doing to me and what he was saying to
19 me, which is also in this packet. Then she told
20 me that she talked to him and he denied it, and
21 that was it.

22 And I don't feel like they did
23 investigate, because I asked Justin, who was the

1 manager in the back, because he was the main one
2 that said -- you know, I had been talking to him,
3 because he was the next person in line, since --
4 well, while she was out, and he said that he
5 spoke to her about it, too.

6 And yeah, I did not take off any work
7 without permission. I was not ever late to that
8 job, not one time was I late, and I learned on
9 the day before she fired me, her husband said,
10 "You're doing a great job, and you're a fast
11 learner," and that's also in here.

12 And it shouldn't matter the time I was
13 there. That has nothing to do with it. I was
14 there to be employed for -- I was looking -- I'm
15 too old. I want to retire some place, and that
16 just went up, and I ended up in the psych ward.
17 I was there 14 days.

18 VICE-CHAIR RAMOS: Thank you.

19 Ms. Molter -- Mr. Molter?

20 MR. MOLTER: I think I'll just
21 address a couple of those points. I mean as to
22 the factual background, clearly there was the
23 discrepancy on some of these points. I'd just

1 invite the Commission to review, to the extent
2 they find necessary, the position statement we
3 submitted in September of 2024 that recites the
4 detailed background here.

5 As Complainant mentioned, you know, the
6 timeframe of the employment is relevant, and
7 there's the documented history, and it shows why
8 the decision was made. You know, there are
9 varying issues regarding attendance, job
10 performance. This isn't a matter of a sexual
11 harassment claim. That was reported vaguely, it
12 was investigated, and found to be without merit.

13 So, unfortunately, there's just been --
14 there's no elements here that she can satisfy,
15 even if you accept everything that Complainant
16 said as true, there's no disparate treatment,
17 that protected classes are treated differently.
18 That just isn't the case.

19 MR. LOSTUTTER: One minute.

20 MR. MOLTER: The last one I'll
21 address that I didn't the first time is severance
22 fees. Yes, Marble does offer that, just a
23 general offering. There isn't a statement or

1 anything else. It's just a severance that she
2 was offered.

3 MS. LEWIS: And those are exact
4 words, that I would not press any charges for --
5 I mean she's spelling it right out, offering to
6 pay me \$2,000.

7 MR. LOSTUTTER: Ms. Lewis --

8 VICE-CHAIR RAMOS: Ms. Lewis --

9 MS. LEWIS: I'm sorry, Committee.

10 VICE-CHAIR RAMOS: -- you had your --

11 MS. LEWIS: I'm just very -- I just
12 need you to know that things were clear.

13 VICE-CHAIR RAMOS: Thank you,
14 Ms. Lewis and Mr. Molter.

15 This case was assigned to me, and
16 Ms. Lewis referenced a pack of information that
17 was provided to the Commission. The
18 Commissioners did not get to see the content of
19 that to really make a full investigation, in my
20 opinion, so my recommendation is to remand this
21 back for further investigation. I need a motion
22 to approve.

23 COMM. TOLLIVER: So moved.

1 VICE-CHAIR RAMOS: I need a second.

2 COMM. COLEMAN: Second.

3 VICE-CHAIR RAMOS: Roll call, please.

4 MR. LOSTUTTER: Comm. Harrington?

5 VICE-CHAIR RAMOS: You're on mute,

6 Holli -- Comm. Harrington.

7 (No response.)

8 VICE-CHAIR RAMOS: You're still on

9 mute.

10 COMM. HARRINGTON: Thank you. It

11 wouldn't come off. So, aye.

12 MR. LOSTUTTER: All right.

13 Comm. Coleman?

14 COMM. COLEMAN: Yes.

15 MR. LOSTUTTER: Comm. Silberberg?

16 COMM. SILBERBERG: Aye.

17 MR. LOSTUTTER: Comm. Tolliver?

18 COMM. TOLLIVER: Aye.

19 MR. LOSTUTTER: Acting Chair Ramos?

20 VICE-CHAIR RAMOS: Aye.

21 MR. LOSTUTTER: Five to nothing, it
22 is remanded back for further investigation.

23 (Discussion off the record.)

1 MS. LEWIS: Thank you so much.

2 VICE-CHAIR RAMOS: Thank you. That
3 was not a secret. Your opportunity is -- if your
4 case has already been discussed, you're allowed
5 to leave. You don't have to sit around.

6 COMM. TOLLIVER: Before we begin the
7 next case, if I were to log in, would we lose the
8 ability to continue doing business?

9 VICE-CHAIR RAMOS: We need to have
10 three for a quorum. This is what is required, so
11 we'd be okay.

12 MR. KREIDER: We need to have four in
13 person now.

14 VICE-CHAIR RAMOS: I'm sorry?

15 MR. KREIDER: We need four in person
16 now.

17 COMM. TOLLIVER: Okay. I'll stay for
18 the next one.

19 (Discussion off the record.)

20 VICE-CHAIR RAMOS: The next case
21 we have is Jennifer Warner versus Wood Creek,
22 LLC & Vilgar Property Management, LLC,
23 Case HOra25070563. This is also scheduled for

1 oral argument.

2 Do we have Ms. Warner?

3 MR. LOSTUTTER: I'm not sure. I know
4 that we have the attorney for the Respondent. I
5 know that the Complainant was provided with the
6 date, and I believe she actually requested the
7 capability to do virtual, which was sent to her,
8 but I do not believe any of the people up there
9 are her.

10 VICE-CHAIR RAMOS: On-line, is there
11 anyone representing Ms. Warner?

12 (No response.)

13 VICE-CHAIR RAMOS: Okay. Is Woody
14 Creek represented?

15 (No response.)

16 MR. LOSTUTTER: I do not believe so,
17 but --

18 VICE-CHAIR RAMOS: Well, since
19 neither party are -- we'll give you one more
20 chance. Are there any parties from Warner or
21 from Woody Creek?

22 MS. JONES: No, but Angela Jones is
23 here on behalf of Vilgar Property Management.

1 MR. LOSTUTTER: Yes.

2 VICE-CHAIR RAMOS: Okay. Okay. Will
3 you please go ahead?

4 MS. JONES: Thank you. I will make
5 this very brief. As I mentioned, Angela Jones on
6 behalf of Vilgar.

7 The key issue that was presented by the
8 Petitioner is: Who has responsibility for the
9 conditions and the decisions involving this
10 particular tenant? Vilgar was the property
11 management company and was not responsible for
12 the maintenance or any underlying conditions that
13 led to this tenant's complaint. I outlined all
14 of those arguments in my initial response.

15 I think there was some confusion early on
16 in the citing of the Respondent, and almost
17 merging the two, Woody Creek and Vilgar. They
18 are not the same entity. Vilgar is only the
19 property management company, had no
20 responsibility whatsoever with regard to the
21 maintenance, which resulted in the complaint.

22 We ask that Vilgar be dismissed. I don't
23 think there was any decision on that, so

1 that's -- that's really our position. We have no
2 dog in this fight, Commission.

3 VICE-CHAIR RAMOS: Thank you.

4 Comm. Tolliver, do you have a
5 recommendation?

6 COMM. TOLLIVER: Yes, and I think we
7 probably should do it in two parts. The one is
8 that -- a motion to grant the motion to dismiss
9 Vilgar, and then as far as the Woody Creek,
10 uphold the Commission's finding of no reasonable
11 cause under the Indiana Fair Housing Act and no
12 probable cause under the Indiana Civil Rights
13 Act.

14 MR. KREIDER: And Chair Ramos, just
15 as a point of order, you would need to take those
16 motions one at a time and go forward.

17 VICE-CHAIR RAMOS: Okay. Let's take
18 the first one first, which is the motion to
19 dismiss Vilmar -- Vilgar.

20 COMM. TOLLIVER: And I don't know if
21 we can grant the motion to dismiss or it needs to
22 be remanded with instruction to be dismissed,
23 but --

1 MR. KREIDER: I think it's
2 effectively the same.

3 COMM. TOLLIVER: Okay.

4 MR. KREIDER: It would be the same.

5 COMM. TOLLIVER: Then yes, that would
6 be the request, for a motion to dismiss.

7 VICE-CHAIR RAMOS: I need a motion to
8 approve.

9 COMM. SILBERBERG: So moved.

10 VICE-CHAIR RAMOS: And a second.

11 COMM. COLEMAN: Second.

12 VICE-CHAIR RAMOS: All right.

13 MR. LOSTUTTER: We'll call the roll.
14 Comm. Harrington?

15 COMM. HARRINGTON: Aye.

16 MR. LOSTUTTER: Comm. Coleman?

17 COMM. COLEMAN: Aye.

18 MR. LOSTUTTER: Comm. Silberberg?

19 COMM. SILBERBERG: Aye.

20 MR. LOSTUTTER: Comm. Tolliver?

21 COMM. TOLLIVER: Aye.

22 MR. LOSTUTTER: Acting Chair Ramos?

23 VICE-CHAIR RAMOS: Aye.

1 Okay. I need a second motion,
2 Comm. Tolliver.

3 COMM. TOLLIVER: The second motion is
4 that both of Commission's findings of no
5 reasonable cause under the Indiana Fair Housing
6 Act and no probable cause claim under the Indiana
7 Civil Rights Law.

8 VICE-CHAIR RAMOS: I need a motion to
9 approve.

10 COMM. COLEMAN: So moved.

11 VICE-CHAIR RAMOS: And a second.

12 COMM. SILBERBERG: Second.

13 VICE-CHAIR RAMOS: Those in favor?

14 MR. LOSTUTTER: Comm. Harrington?

15 COMM. HARRINGTON: Aye.

16 MR. LOSTUTTER: Comm. Coleman?

17 COMM. COLEMAN: Aye.

18 MR. LOSTUTTER: Comm. Silberberg?

19 COMM. SILBERBERG: Aye.

20 MR. LOSTUTTER: Comm. Tolliver?

21 COMM. TOLLIVER: Aye.

22 MR. LOSTUTTER: Acting Chair Ramos?

23 VICE-CHAIR RAMOS: Aye.

1 MR. LOSTUTTER: It is upheld, five to
2 nothing.

3 MS. JONES: Thank you.

4 VICE-CHAIR RAMOS: Thank you.

5 We -- Comm. Tolliver, do you have the
6 opportunity to go through at least the next one?
7 There might be more discussion on the Rowe versus
8 Eskenazi.

9 COMM. TOLLIVER: Yes, I can do that
10 one.

11 VICE-CHAIR RAMOS: Thank you.

12 The next order in the agenda is the
13 Motions and Other Filings. The ICRC/Lanita Goins
14 versus Spicewood Garden Apartments II, LP, Herron
15 Property Management, and Hand, Inc. Case
16 No. HOr23080663.

17 The ALJ in this matter has determined that
18 the Complainant in this matter has failed to meet
19 her burden of proof in either issue and hereby
20 rules in favor of the Respondent against the
21 Complainant and Aggrieved Person, with the IRC
22 [sic] Director charges dismissed with prejudice.

23 The Complainant has filed an objection to

1 the proposed final order issued in this matter by
2 the ALJ, along with a motion for the Commission
3 to allow the parties to file briefs regarding
4 Complainant's objections stated within, setting
5 deadlines for the filing of such briefs and
6 scheduling opportunities for the parties to argue
7 their positions before the Commission.

8 The Respondent has filed a response and
9 objection to the Complainant's objection.
10 Commissioners are asked to decide whether or not
11 to grant the Complainant's request.

12 Anybody have any questions on this?

13 (No response.)

14 VICE-CHAIR RAMOS: So, I need a
15 motion to dismiss or to remand.

16 MR. KREIDER: Actually the re --
17 point of order -- the request to be on the --
18 request for the briefing schedule and then set
19 the deadlines is the motion that Mr. Bremer had
20 filed on behalf of ICRC and the Complainant.

21 VICE-CHAIR RAMOS: Okay. So, the
22 question is whether to -- or not -- to grant the
23 Complainant their request?

1 MR. KREIDER: Yeah, correct,
2 Mr. Chair. The request for the motion for the
3 Commission to have a briefing on the objections
4 and set a deadline for the same.

5 VICE-CHAIR RAMOS: I need a motion to
6 approve.

7 COMM. TOLLIVER: So moved.

8 VICE-CHAIR RAMOS: A second.

9 COMM. SILBERBERG: Second.

10 VICE-CHAIR RAMOS: Roll call?

11 MR. LOSTUTTER: Comm. Harrington?

12 COMM. HARRINGTON: Aye.

13 MR. LOSTUTTER: Comm. Coleman?

14 COMM. COLEMAN: Yes.

15 MR. LOSTUTTER: Comm. Silberberg?

16 COMM. SILBERBERG: Aye.

17 MR. LOSTUTTER: Comm. Tolliver?

18 COMM. TOLLIVER: Aye.

19 MR. LOSTUTTER: Acting Chair Ramos?

20 VICE-CHAIR RAMOS: Aye.

21 MR. LOSTUTTER: The request for the
22 briefing is granted.

23 VICE-CHAIR RAMOS: Thank you.

1 The next case is Gerald Rowe versus The
2 Health & Hospital Corporation of Marion County
3 doing business as Eskenazi Health, Case
4 No. PAha22010026.

5 The Administrative Law Judge in this
6 matter has found that the Respondent has violated
7 the ICRC -- RL, the Indiana Civil Rights Law, and
8 is ordered to cease and desist from
9 discriminating against people on the basis of
10 disability in the protected area of public
11 accommodations and to take the steps to make sure
12 that this does not happen again.

13 The Commissioners have requested that the
14 counsels provide a brief regarding the subject of
15 monetary relief under the Indiana Civil Rights
16 Law. Counsels have done so. Each of the
17 Commissioners have had the opportunity to review
18 these briefs.

19 Do I have a recommendation or a motion?

20 COMM. TOLLIVER: I would ask that
21 this be moved to next month's agenda so that we
22 have time to fully review the briefs and discuss
23 it, given my limited time here today.

1 VICE-CHAIR RAMOS: Do I have any
2 objections?

3 COMM. SILBERBERG: Huh-uh.

4 VICE-CHAIR RAMOS: No? The motion
5 has been made to move this discussion to the next
6 month's meeting in April. All those --

7 MR. KREIDER: You need a second.

8 VICE-CHAIR RAMOS: We do need -- I'm
9 sorry. I do need a second.

10 COMM. SILBERBERG: Second.

11 VICE-CHAIR RAMOS: All those in
12 favor?

13 MR. LOSTUTTER: We'll call the roll.
14 Comm. Harrington?

15 COMM. HARRINGTON: Aye.

16 MR. LOSTUTTER: Comm. Coleman?

17 COMM. COLEMAN: Aye.

18 MR. LOSTUTTER: Comm. Silberberg?

19 COMM. SILBERBERG: Aye.

20 MR. LOSTUTTER: Comm. Tolliver?

21 COMM. TOLLIVER: Aye.

22 MR. LOSTUTTER: Acting Chair Ramos?

23 VICE-CHAIR RAMOS: Aye.

1 MR. LOSTUTTER: It is moved to next
2 month's meeting.

3 VICE-CHAIR RAMOS: You can go.

4 COMM. TOLLIVER: Thank you.

5 MR. KREIDER: Chair Ramos, there are
6 a couple of things to vote on here.

7 VICE-CHAIR RAMOS: There are?

8 MR. KREIDER: Well, there's the
9 decision at the end, at Review of ALJ Decisions
10 and Orders, that would just need to be voted to
11 approve withdrawal, and then we were going to ask
12 that one of the new cases be assigned just to
13 simply be remanded --

14 VICE-CHAIR RAMOS: Yeah, I remember.

15 MR. KREIDER: -- by vote.

16 VICE-CHAIR RAMOS: Okay. We have to
17 have the case -- we have to do the decision for
18 the cases now, or do they just need to be
19 assigned?

20 MR. KREIDER: You can assign those,
21 but the one that had a vote just to remand it,
22 you would need a quorum to do that and have a
23 vote on it. I think you can take them out of

1 order real quick and do the votes, if that's --

2 COMM. TOLLIVER: Is that the Wendy's
3 case?

4 MR. KREIDER: The Wendy's case,
5 that's correct.

6 COMM. TOLLIVER: Okay.

7 MR. KREIDER: And then the Mannella
8 relief case, this needs approval to withdraw for
9 the ALJ.

10 VICE-CHAIR RAMOS: Okay. I'll read
11 this quickly into the record. These are the
12 appointments of Commissioners to the
13 Complainant's appeals of notices of findings in
14 our New Business section. Phillip Chappell
15 versus Jayco, Incorporated Case No. EMra25060513.
16 I'll assign that to Comm. Tolliver.

17 COMM. TOLLIVER: I may have another
18 one. I mean I have a pending case against Jayco.

19 VICE-CHAIR RAMOS: Sure.

20 COMM. COLEMAN: I'll take it.

21 VICE-CHAIR RAMOS: I'll assign that
22 to Comm. Coleman.

23 The next case, Deann Lautenbach versus

1 City of Marion Building Department,
2 Case H0se25040300, requesting an oral argument.
3 I will assign that to me.

4 The next case is Carla Walls versus Meijer
5 Stores Limited Partnership, Case
6 No. EMha25060527. I'll assign that to
7 Comm. Tolliver.

8 The next case, Nathan Curry versus The
9 Wendy's Corporation, also requesting an oral
10 argument, Case --

11 MR. KREIDER: Yeah, that's the one,
12 Chair Ramos, that we had asked just to simply be
13 remanded, if the Commission would vote on that.
14 We've agreed that it should be further
15 investigated.

16 VICE-CHAIR RAMOS: Yes. All right.

17 So, we have -- we need a motion to remand
18 this back for further investigation.

19 COMM. TOLLIVER: So moved.

20 COMM. COLEMAN: Second.

21 VICE-CHAIR RAMOS: And first and
22 seconded. Tolliver, motion.

23 COMM. COLEMAN: Second.

1 VICE-CHAIR RAMOS: Coleman, second.

2 All those in favor, signify.

3 MR. LOSTUTTER: Comm. Harrington?

4 COMM. HARRINGTON: Aye.

5 MR. LOSTUTTER: Comm. Coleman?

6 COMM. COLEMAN: Aye.

7 MR. LOSTUTTER: Comm. Silberberg?

8 COMM. SILBERBERG: Aye.

9 MR. LOSTUTTER: Comm. Tolliver?

10 COMM. TOLLIVER: Aye.

11 MR. LOSTUTTER: Acting Chair Ramos?

12 VICE-CHAIR RAMOS: Aye.

13 MR. LOSTUTTER: It is so moved, five
14 oh, remanded back.

15 VICE-CHAIR RAMOS: Thank you.

16 The next case, Frederick D. Long versus

17 Marabu Mills Apartments of Indianapolis/Elon

18 Property Management/Marabu Mills Apartments/

19 Corporation Service Company, Case

20 No. HOra250504261 [sic]. I'll assign that to

21 Comm. Silberberg.

22 COMM. SILBERBERG: Okay.

23 VICE-CHAIR RAMOS: And next case,

1 Mishia Jones versus Fastenal Company, Case
2 No. EMha25080717. I'll assign that to
3 Comm. Harrington.

4 All right. So, that moves us to our
5 Motions and Other Filings, which we don't have
6 any. Review of the ALJ Decisions and Orders, The
7 Administrative Law Judge order disposing of the
8 proceeding becomes a final order when affirmed
9 under Indiana Case Law 4-21.5-3-29, and Indiana
10 Code 4-21.5-3-27. We do have votes that are
11 required.

12 This is the ICRC/Staci Mannella versus
13 Investment Property Advisors, LLC, & Cardinal
14 Square, LLC doing business as Village Promenade,
15 Case No. HOha24040228. The ALJ in this matter
16 has found that the Complainant's notice of
17 withdrawal will stand as pending until written
18 consent by a majority of the Commissioners to
19 this matter is documented. So, I need a motion
20 to approve.

21 COMM. SILBERBERG: So moved.

22 COMM. COLEMAN: Second.

23 VICE-CHAIR RAMOS: We have --

1 COMM. HARRINGTON: Second.

2 VICE-CHAIR RAMOS: -- Silberberg
3 motions, Coleman seconds. All those in favor?

4 MR. LOSTUTTER: Comm. Harrington?

5 COMM. HARRINGTON: Aye.

6 MR. LOSTUTTER: Comm. Coleman?

7 COMM. COLEMAN: Aye.

8 MR. LOSTUTTER: Comm. Silberberg?

9 COMM. SILBERBERG: Aye.

10 MR. LOSTUTTER: Comm. Tolliver?

11 COMM. TOLLIVER: Aye.

12 MR. LOSTUTTER: Acting Chair Ramos?

13 VICE-CHAIR RAMOS: Aye.

14 MR. LOSTUTTER: The eyes have it.

15 VICE-CHAIR RAMOS: Thank you.

16 Thank you, Comm. Tolliver, for staying.

17 COMM. TOLLIVER: Thank you for that,
18 Commissioner.

19 VICE-CHAIR RAMOS: The next item on
20 the agenda is the ALJ Decisions Automatically
21 Confirmed, and we have no automatic motions that
22 have to be confirmed.

23 And now we have meeting dates. The next

1 meeting date is scheduled for April 20th. As we
2 discussed earlier, this will be a longer session,
3 with trainings, so we'll begin that at noon.
4 That training is not open to the public. Our
5 official meeting will start at 1:00 o'clock as
6 noted. And the next one after that will be
7 May 18th. Are there any conflicts anybody has on
8 May 18th?

9 (No response.)

10 VICE-CHAIR RAMOS: Comm. Harrington,
11 you're okay on the 18th for April -- or for May?

12 COMM. HARRINGTON: It's depending,
13 because that's race month, and all of the
14 activities for both the airport and track haven't
15 come out yet, so I'll -- as we get closer, I'll
16 notify you if it becomes a conflict.

17 VICE-CHAIR RAMOS: Thank you.

18 Are you okay?

19 COMM. SILBERBERG: Yes.

20 VICE-CHAIR RAMOS: Silberberg's okay.

21 Coleman?

22 COMM. COLEMAN: Yes.

23 VICE-CHAIR RAMOS: Okay. I'm okay as

1 well, so that should be fine.

2 We have no --

3 COMM. SILBERBERG: I'm sorry; go
4 ahead. Go ahead; sorry. You'll get there.

5 VICE-CHAIR RAMOS: So, the next item
6 is -- we have no Elections, Training or Other on
7 the agenda, that was item number VIII.

8 Number IX, Announcements.

9 COMM. SILBERBERG: Actually, sorry, I
10 will miss a date. September 21st is Yom Kippur,
11 which is a Holy Day on the Jewish Calendar. I
12 will not be able to be here.

13 VICE-CHAIR RAMOS: Okay. I
14 appreciate your looking ahead. We will -- at our
15 next meeting, we can look at the rest of the
16 dates that are out there, just to see, but we
17 definitely don't want to do it on the 21st out of
18 respect.

19 MR. LOSTUTTER: Noted.

20 VICE-CHAIR RAMOS: Are there any
21 other announcements?

22 (No response.)

23 VICE-CHAIR RAMOS: Any public

1 comments?

2 MR. LOSTUTTER: I want to publicly
3 thank Comm. Tolliver for catching me on that
4 mistake there. That would have been a very great
5 disservice to the Complainant and the Respondent,
6 so I'm very thankful for that.

7 VICE-CHAIR RAMOS: Thank you.

8 Public comment, you'll have two minutes
9 for comment, Ms. Radecki.

10 MS. RADECKI: Okay. In regards to my
11 case, I understand one of the issues was the
12 deadline issue. I would like the Commission, if
13 I -- this is more a question, but to be specific
14 about what documents and what deadlines so I can
15 address those, because I know there was a
16 discrepancy about me not picking my advisor on
17 time, which I refuted, and there's clear
18 documentation from a file from Indiana that I did
19 pick my advisor on time.

20 Also, I think it's important that I get
21 all of the Maxient documents, and I don't know if
22 that needs to be subpoenaed. I have done a FERPA
23 request multiple times. I still haven't received

1 it, so I think I either have to go through a
2 court procedure or ask you to subpoena that or --
3 and also my canvass files.

4 And then the other is -- one of the issues
5 with the missed deadlines is there was a DB
6 incident with my daughter's father right as I was
7 trying to write my four papers, and so, it kind
8 of moves in -- from an ADA issue to a Title IX
9 issue to a Violence Against Women's Act issue,
10 and I don't know if I -- procedurally how to
11 bring that up. It's an intersectional issue.
12 There's documentation of that, too.

13 VICE-CHAIR RAMOS: Sure. So -- so,
14 the procedure, since it was remanded back, you'll
15 be contacted, and you can provide that
16 information to the investigator at that time.
17 So, you'll get a chance to put those requests in
18 formally.

19 MS. RADECKI: Uh-huh. Will it also
20 be through written, or is there a chance to talk
21 to someone, interact face to face?

22 VICE-CHAIR RAMOS: I'll refer that to
23 the office.

1 MR. KREIDER: Yeah, we'll have to
2 have our investigation team on that.

3 VICE-CHAIR RAMOS: Yes. So, you'll
4 be contacted and you can request that.

5 MS. RADECKI: I can request
6 accommodations to me face to face rather than
7 written documentation?

8 VICE-CHAIR RAMOS: You can request
9 it. We'll see if it can be honored. If yes,
10 then we will; okay?

11 MS. RADECKI: Thank you.

12 VICE-CHAIR RAMOS: Are there any
13 other public comments?

14 (No response.)

15 VICE-CHAIR RAMOS: Hearing none, I
16 adjourn this meeting. Thank you.

17 - - -
18 Thereupon, the proceedings of
19 March 16, 2026 were concluded
20 at 3:00 o'clock p.m.
21 - - -

22

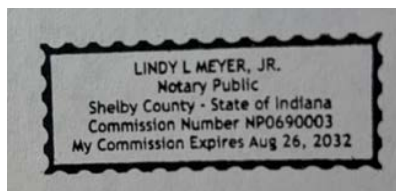
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CERTIFICATE

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, March 16, 2026 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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