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BEFORE THE STATE OF INDIANA

CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF MARCH 18, 2024

- - -

PROCEEDINGS

in the above-captioned matter, before the Indiana  
Civil Rights Commission, Adrienne L. Slash,  
Chairperson, taken before me, Lindy L. Meyer,  
Jr., a Notary Public in and for the State of  
Indiana, County of Shelby, at the Indiana  
Government Center North, 100 North Senate Avenue,  
Room N300, Indianapolis, Indiana, on Monday,  
March 18, 2024 at 1:14 o'clock p.m.

- - -

ACCURATE REPORTING OF INDIANA, LCC  
543 Ponds Pointe Drive  
Carmel, Indiana 46032  
TELEPHONE: (317) 848-0088  
EMAIL: accuratereportingofindiana@gmail.com

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APPEARANCES:

COMMISSION MEMBERS:

- Adrienne L. Slash, Chairperson
- Alpha Blackburn (via telephone)
- Steven A. Ramos
- Holli Harrington (via telephone)
- Sue Silberberg
- Terry Tolliver

INDIANA CIVIL RIGHTS COMMISSION  
By Gregory L. Wilson, Sr., Director  
Indiana Government Center North  
100 North Senate Avenue, Room N300  
Indianapolis, Indiana 46204  
On behalf of the Commission.

OTHER COMMISSION STAFF PRESENT:

- Christiana Afuwape (via telephone)
- Michael Lostutter
- Vanessa Powell
- Jim Hodges (via telephone)
- Paris Walton (via telephone)

ALSO PRESENT:

- Melvin Lipscomb
- Kevin Ahern
- Andrew Barchet
- Michael Padgett (via telephone)

- - -

1 1:14 o'clock p.m.  
2 March 18, 2024

3 - - -

4 MR. LOSTUTTER: I think that we have  
5 everybody present, so we will begin our meeting,  
6 and before we do, I'll read my little  
7 announcement there. Please be advised no party  
8 will be allowed to speak directly to the  
9 Commission during any Commission meeting except  
10 during a previously scheduled oral argument.

11 Concerning appeals, Commissioners will  
12 make their initial determination based on the  
13 complaint, the notice of finding, the appeal, and  
14 the final investigative report. You must not  
15 address the Commission members except and unless  
16 you are addressed directly by them. If you have  
17 any questions about your case, please wait to  
18 speak to the Docket Clerk until after the  
19 Commission meeting.

20 Thank you.

21 CHAIRPERSON SLASH: Thank you.

22 It is 1:15, that's not bad for a delay.  
23 We'll go ahead and call this meeting of the  
Indiana Civil Rights Commission to order. And

1 we'll begin with the announcement of the agenda.

2 MR. LOSTUTTER: We will have an  
3 approval of previous meeting minutes; we will  
4 then have the ICRC Director's Report; we will  
5 then attend to Old Business, primarily appeals  
6 that were set last month; and then we will have  
7 New Business, Appointment of Commissioners to  
8 Complainants' Appeals of Director's Findings; we  
9 will then have the Other Motions and Filings and  
10 briefly deal with Review of ALJ Decisions and  
11 Orders; and then reading into the record  
12 Automatically Confirmed Orders.

13 CHAIRPERSON SLASH: Thank you.

14 Is there a motion to approve last month's  
15 meeting minutes?

16 COMM. TOLLIVER: So moved.

17 CHAIRPERSON SLASH: Is there a  
18 second?

19 COMM. SILBERBERG: Second.

20 CHAIRPERSON SLASH: Thank you.

21 We shall call a roll because we have  
22 Comm. Blackburn on the line.

23 MR. LOSTUTTER: Okay.

1                   And Comm. Blackburn?

2                                   (No response.)

3                   MR. LOSTUTTER: Are you voting aye on  
4 the approval of the meeting?

5                   CHAIRPERSON SLASH: Can you hear her?

6                   MR. LOSTUTTER: Yes, I can --

7                   CHAIRPERSON SLASH: Oh, okay.

8                   MR. LOSTUTTER: -- hear her.

9                   CHAIRPERSON SLASH: You can hear her,  
10 because we can't.

11                  MR. LOSTUTTER: I'm sorry.

12                  CHAIRPERSON SLASH: That's okay.

13                  MR. LOSTUTTER: She voted aye.

14                  Comm. Harrington?

15                                   (No response.)

16                  CHAIRPERSON SLASH: She's also an  
17 aye?

18                  MR. LOSTUTTER: Yes, she is --

19                  CHAIRPERSON SLASH: Okay.

20                  MR. LOSTUTTER: -- an aye.

21                  Yes, yes, we did hear you.

22                  Comm. Silberberg?

23                  COMM. SILBERBERG: Aye.

1 MR. LOSTUTTER: Comm. Tolliver?

2 COMM. TOLLIVER: Aye.

3 MR. LOSTUTTER: Vice-Chair Ramos?

4 VICE-CHAIR RAMOS: Aye.

5 MR. LOSTUTTER: Chair Slash?

6 CHAIRPERSON SLASH: Aye.

7 MR. LOSTUTTER: The eyes have it.

8 CHAIRPERSON SLASH: Thank you.

9 Now we have the Director's Report.

10 MR. WILSON: Thank you, Chair. I  
11 appreciate it.

12 Thanks, everybody, for braving this snow  
13 and different weather that we have out there.  
14 So, David's not here, so I will just kind of go  
15 through a few things. One thing is, 2024, we  
16 know at the end of the year we'll be getting a  
17 new Governor, and so, one of the things that  
18 we're trying to do, my focus is making sure that  
19 everything is in place to transition well. So,  
20 we're working on the nuts and bolts and all of  
21 the processes. That's my main concern and main  
22 focus for this year.

23 You know, of course, we're going to have

1 our conference in September, but I want everybody  
2 to -- make sure everybody understands how the  
3 Case Management System works, I want to make sure  
4 that DocuSign's working perfect for us, and all  
5 of the other different new pieces of technology,  
6 whether it's the Genesys phone system -- I just  
7 want to make sure everything is going smoothly,  
8 so that when we do transition it will be a smooth  
9 transition.

10 The other things kind of going on right  
11 now is the media campaigns. Last month we did  
12 Black History Month. This month we're doing  
13 Women's Commission. We're getting ready for  
14 Disability Month and working on those type of  
15 marketing and PSA's. Also we have Fair Housing  
16 Month in April, so we'll be having a virtual  
17 panel that will be presenting.

18 Testing program, we just signed another  
19 agreement with IACDA to do their testing program,  
20 so we're looking at another hundred properties  
21 across the state that we'll continue to test.  
22 The program continues to get better and better,  
23 and we've seen great results from the testing

1 initiative, again, another piece of our helping  
2 to eliminate discrimination.

3 Then the things David wanted to make sure  
4 that we mention, some of the caps, recaps.  
5 Again, 70 percent of our complaints have --  
6 they're race based, 31 percent was disability,  
7 and 13 percentage was sex. Seventy-five percent  
8 of our complaints were employment, and 15 percent  
9 housing, and three percent education.

10 Still we're getting more into -- you'll  
11 see us hopefully this year, with the trainings  
12 and things like that, focus more on some of the  
13 credit pieces, because we're not that strong on  
14 that, but we want to look at that, and then we  
15 will really have a better focus and partnership  
16 on the education piece as well going into 2024.

17 I'll let David talk more on the housing,  
18 the bills that just -- that haven't been signed  
19 yet, but those will be coming in place. I'll let  
20 him do that at the next meeting.

21 Questions for me?

22 CHAIRPERSON SLASH: Any Commissioners  
23 have any questions?



1 (No response.)

2 CHAIRPERSON SLASH: Any Commissioners  
3 on the phone have questions?

4 (No response.)

5 MR. WILSON: Is something wrong that  
6 they can't talk?

7 MR. LOSTUTTER: I -- they -- I can  
8 hear them through my earpiece.

9 CHAIRPERSON SLASH: Take your  
10 earpiece --

11 MR. WILSON: Take your earpiece off.

12 MR. LOSTUTTER: Comm. Blackburn --

13 MR. WILSON: It's stuck on your  
14 earpiece?

15 MR. LOSTUTTER: Yes. Well --

16 MS. POWELL: Either disconnect --

17 MR. WILSON: It won't disconnect,  
18 will it?

19 MR. LOSTUTTER: I don't know. That's  
20 a good question at this point. It might  
21 disconnect everything if I do.

22 MR. WILSON: Chair, what do you want?

23 CHAIRPERSON SLASH: Oh, no, I was

1 just checking if there is anyone on -- that's  
2 on-line that had a question.

3 MR. WILSON: Do you want to leave it  
4 on their where he can just communicate it?

5 CHAIRPERSON SLASH: That's fine, if  
6 that's okay for you to take notes.

7 THE REPORTER: Yeah, I can take down  
8 what he says.

9 CHAIRPERSON SLASH: Okay. That's  
10 fine.

11 MR. WILSON: Okay. All right.

12 CHAIRPERSON SLASH: Yeah, that's  
13 fine. I roll with technical issues.

14 (Laughter.)

15 CHAIRPERSON SLASH: It might actually  
16 be easier to just have like a person relay it  
17 instead of all of us trying to hear. Okay.  
18 We're just going to have you relay things.

19 MR. LOSTUTTER: Oh, you're going to  
20 have me relay things? Okay.

21 MR. WILSON: Well, it is on?

22 MR. LOSTUTTER: Let's try.

23 Christiana, can you hear me?

1 MS. AFUWAPE: Yes, we can hear you.

2 MR. WILSON: Okay. There we go.

3 MR. LOSTUTTER: There we go.

4 CHAIRPERSON SLASH: All right.

5 Fantastic.

6 All right. Are there any questions from  
7 Commissioners that are on-line, questions for  
8 Director Wilson?

9 COMM. HARRINGTON: No questions.

10 MR. LOSTUTTER: No questions.

11 CHAIRPERSON SLASH: Okay. Thank you.

12 All right. Well, we'll -- is there a  
13 problem? Okay. Well, we'll go ahead and we'll  
14 keep going. We will begin our Old Business. The  
15 first case is Melvin Lipscomb versus Meijer,  
16 Case PPara23040381, and I believe we have an oral  
17 argument today.

18 MR. LOSTUTTER: Yes.

19 CHAIRPERSON SLASH: Okay. Do we have  
20 both parties present?

21 MR. LOSTUTTER: We have, I believe,  
22 the Complainant present there, but I do not see  
23 the Respondent present.

1                   CHAIRPERSON SLASH:   Okay.

2                   So, Comm. Tolliver, this case was assigned  
3 to you. Since we only have one available, we can  
4 give you five minutes to share, and then we will  
5 move from there. If you'd like to begin, you  
6 may.

7                   MR. LIPSCOMB:   Okay. Well, good  
8 afternoon, Commission, to the Docket Clerk, and I  
9 don't see anyone in the gallery, so -- and to  
10 you, Director, is it?

11                  MR. WILSON:   Yes.

12                  MR. LIPSCOMB:   Yes.

13                  I'll begin like this: After looking at  
14 some of the statutes and the IC Codes governing  
15 the Commission, after the Clerk sent me some  
16 information finally, after talking with attorneys  
17 about this case and the Commission refusing to  
18 furnish me with the videos, copies of -- with  
19 visual copies of the videos you largely based  
20 your decision on, of me being in the wrong  
21 because of my reaction to Meijer's discriminatory  
22 practices and intimidation and illegal detaining  
23 me and causing public embarrassment to me.

1           First and foremost is, according to the  
2 attorneys, grounds for allowing me to file my  
3 complaint in Federal Court. This video was  
4 requested by me several times, to no avail, which  
5 is the Commission's error and violation of  
6 discovery rules, procedure of law, states the  
7 attorneys.

8           I ask that this matter be remanded for  
9 further investigation. However, most fairly, be  
10 reversed in that the IC Code states the promotion  
11 of racial segregation or separation in any  
12 manner, including but not limited to inducing of  
13 or attempting to induce for profit any person to  
14 sell or rent any dwelling, representation  
15 regarding entry, and prospective entry in  
16 neighborhoods of a person or persons.

17           Then I go to public accommodation, it says  
18 this: Public accommodation means any  
19 establishment that caters or offers its services  
20 or facility of goods to the general public.  
21 Complaint means an individual charging the  
22 individuals on behalf that have been personally  
23 aggrieved by a discriminatory practice.

1           Or, number two, the Director or Deputy  
2 Director of the Commission charging that  
3 discriminatory practice was committed against a  
4 person other than himself or a class of people.  
5 Then it jumps down and talks about the complaint  
6 means -- in writing grievances that deals with  
7 the complaint itself.

8           And so, when I turn it over to my own  
9 footnotes, I noted that the IC Code overlooked by  
10 the Commission the word "aggrieved." That  
11 word --

12                   MR. LOSTUTTER: One minute left.

13                   MR. LIPSCOMB: What?

14                   MR. LOSTUTTER: One minute left for  
15 you, sir.

16                   MR. LIPSCOMB: That word speaks to  
17 the feelings, or feelings that were felt, during  
18 the discriminatory practice. That was overlooked  
19 by the Commission in coming to their decision in  
20 that you did not consider that context in which  
21 that word was used.

22                   As a bereavement pastor, I can relate to  
23 that, because when you're bereaved and people

1 lose their loved ones, their spirit is broken.  
2 Well, that's the same thing that happened to me  
3 when I was aggrieved by being accused of  
4 something, and then being lied to about it, and  
5 then not even being able to refute a video that  
6 they say proved that --

7 MR. LOSTUTTER: Time.

8 CHAIRPERSON SLASH: I'll let you  
9 finish your thought real quick.

10 MR. LIPSCOMB: And that they say that  
11 a video proved that I was in the wrong as opposed  
12 to them being in the wrong as far as the way they  
13 approached me with their allegations.

14 CHAIRPERSON SLASH: Thank you.

15 Do any Commissioners have any questions?

16 COMM. TOLLIVER: I do.

17 CHAIRPERSON SLASH: Okay.

18 COMM. TOLLIVER: Who did you request  
19 provide you the video? Who did you ask to give  
20 you the video?

21 MR. LIPSCOMB: I asked the Deputy  
22 Clerk on several different occasions, and the  
23 Deputy Clerk did send me something that never

1 would open up. So, after requesting and  
2 requesting it, I still never got it. However, he  
3 said that the investigating officer was able to  
4 see it, but I wasn't able to see it.

5 And according to the attorneys I talked  
6 to, they said that according to procedure rules,  
7 I'm supposed to have that discovery to be able to  
8 defend against it. So, to this date, I still  
9 don't know what they were referring to on this  
10 video, or alleged video.

11 COMM. TOLLIVER: Okay. So, you  
12 received the video, you just couldn't open it?

13 MR. LIPSCOMB: I'm sorry?

14 COMM. TOLLIVER: You received a copy  
15 of the video, but you could not --

16 MR. LIPSCOMB: No, I didn't receive a  
17 copy of it. You can't say I received a copy of  
18 it. I received an e-mail that had an attachment  
19 that I couldn't open. I don't know what was in  
20 it.

21 MR. LOSTUTTER: It had the link in it  
22 there. I can help here, because I'm the person  
23 they made the request of. I asked for them to



1     resend the link to this video, because that is  
2     how the investigator originally viewed it. They  
3     sent it. I was not able to get into it either.  
4     I told Mr. Lipscomb that I wasn't having any  
5     luck. I would be more than willing to send it to  
6     him, but I didn't believe that he would have any  
7     luck in opening it.

8                     MR. LIPSCOMB: Uh-huh.

9                     MR. LOSTUTTER: He did not. I made  
10     requests to the people who had sent me the link,  
11     "Please send us a code or whatever so that we can  
12     actually access it and see, you know, what is on  
13     there." I never received any word back from  
14     them.

15                    MR. LIPSCOMB: Uh-huh.

16                    MR. LOSTUTTER: And I -- all along  
17     the way, I tried to make Mr. Lipscomb aware of  
18     that, that I was not having any luck in getting  
19     him, or myself, access to that link.

20                    MR. LIPSCOMB: That is correct.

21                    CHAIRPERSON SLASH: Thank you.

22                    VICE-CHAIR RAMOS: Is -- is the video  
23     still available? Because a lot of times the

1 videos will roll over --

2 MR. LOSTUTTER: I would think at this  
3 point, I'd have to probably make another request  
4 for a link to that video. Whether they would  
5 still have that video or not, that's -- that's a  
6 good question. I don't know.

7 VICE-CHAIR RAMOS: There would be --  
8 they would have had to make a copy of it since  
9 it's pending, but it just --

10 MR. LIPSCOMB: Right.

11 VICE-CHAIR RAMOS: -- stuff easily  
12 does get erased.

13 CHAIRPERSON SLASH: Are there any  
14 further questions by Commissioners?

15 (No response.)

16 CHAIRPERSON SLASH: You have one more  
17 thing you wanted to add?

18 MR. LIPSCOMB: Well, yeah, I wanted  
19 to follow up to the question that the  
20 Commissioner asked. Well, in that case,  
21 according to the attorneys, I should have gotten  
22 a working copy from the other side as part of my  
23 discovery request regardless, and whether it's

1 working or not now wouldn't be on me as far as  
2 any proof to prove anything. It would be on them  
3 since they said that they were sending a copy, or  
4 they -- that the investigating officer relied on  
5 this video to make their decision and/or the  
6 Commission itself. Well, I'm entitled to that,  
7 according to the attorneys, as rules of  
8 procedure.

9 CHAIRPERSON SLASH: Thank you.

10 Comm. Tolliver --

11 MS. AFUWAPE: Just to -- sorry. Just  
12 to comment, the investigator received a video  
13 during the investigation because of a request  
14 from the investigator. Now, it was a link, and I  
15 think its time's up, so after a while it's not  
16 accessible. I need to check. The case happened  
17 a while ago. Now, I can't say about -- for us,  
18 we've got provided what we were given, and we  
19 were given the link.

20 Now, if he had no access to the link  
21 again, because we have finished our  
22 investigation, the link that was sent to us was  
23 from the Respondent, and we were able to go

1 through the link.

2 Now, we just gave him the link that was  
3 provided to us during the investigation. Now,  
4 unfortunately, because it's timed -- really timed  
5 out, I'm not sure -- I don't know why he was not  
6 able to access the link from our investigation  
7 during the investigation, as at the time, we were  
8 able to open the link from the Respondent that  
9 was sent over to the Commission.

10 CHAIRPERSON SLASH: Okay. Thank you.

11 Briefly.

12 MR. LIPSCOMB: Well, in that case,  
13 Commissioner, if they were sent a link, according  
14 to the attorneys, I was supposed to have been  
15 copied on whatever they were sent. Whatever it  
16 was sent and whenever it was sent, I should have  
17 been copied on it.

18 MS. AFUWAPE: Investigations does not  
19 require for information sent direct to  
20 investigator, only requests for evidence from the  
21 Respondent, which they got. The Respondent is  
22 not entitled to provide any evidence, as the same  
23 thing with providing evidence. We only ask

1 questions. We're only investigating your  
2 complaint.

3 Now, the rules you are talking about, the  
4 Commission member is not bound by those rules.  
5 You are, however, allowed to go to court if you  
6 feel any decision of the Commission is not  
7 agreeable to you. You still have recourse, but  
8 the rules you're mentioning is not applicable to  
9 the Commission meeting.

10 CHAIRPERSON SLASH: Thank you, and  
11 thank you for that clarity.

12 And so, at this time, I think -- do you  
13 have any further questions?

14 COMM. TOLLIVER: I'm just trying to  
15 figure out what I'm trying to ask.

16 CHAIRPERSON SLASH: Okay.

17 COMM. TOLLIVER: I do not have a  
18 question. I'm just trying to figure out what an  
19 appropriate resolution would be.

20 CHAIRPERSON SLASH: Yeah.

21 And I lean to Comm. Tolliver, as this case  
22 was assigned to Comm. Tolliver, and he's been  
23 keeping the closest with it.

1           Does any other -- of the other  
2 Commissioners have questions at this point?

3                                 (No response.)

4           CHAIRPERSON SLASH: Because at this  
5 point, we will take a recommendation from  
6 Comm. Tolliver, and then we will likely take a  
7 vote on that recommendation. After we take a  
8 vote on that recommendation, if there are further  
9 discussions that you'd like to have, you can have  
10 it with our Clerk following the meeting today.

11           MR. LIPSCOMB: You mean I can't  
12 address what she just said?

13           CHAIRPERSON SLASH: Well, she was  
14 stating procedure, and procedurally in the  
15 Commission, the way that our things work through  
16 the administrative course, of course, the process  
17 being followed is the process. In a standard  
18 court, you can have a different recourse is what  
19 she was mentioning.

20           MR. LIPSCOMB: Yes, I understand  
21 that, Ms. Commissioner -- or Chair Commissioner.  
22 My only thing is they based this -- she used the  
23 word "evidence." Well, this video is based on

1 incorrect evidence, and I can prove that it was  
2 incorrect by seeing the video, because they're  
3 implying that I was doing certain things in the  
4 video that were not true, and that decision that  
5 you all made was based on what that investigator  
6 said, which was incorrect.

7 CHAIRPERSON SLASH: Okay. Thank you.  
8 Thank you for your statement, and for continuing  
9 to color in the lines for us and clarify some  
10 things.

11 COMM. TOLLIVER: So, I think what I  
12 would recommend is that we continue this matter  
13 to next month's agenda in order to allow the  
14 Commission enough time to request the video and  
15 send it to Mr. Lipscomb so that he can review it.

16 CHAIRPERSON SLASH: Okay. So, you'd  
17 like a motion to con -- you're seeking a motion  
18 to continue this case to April, pending a request  
19 of a working link that can be sent to  
20 Mr. Lipscomb?

21 COMM. TOLLIVER: Correct.

22 CHAIRPERSON SLASH: Okay.

23 Is there a motion?

1 VICE-CHAIR RAMOS: So moved.

2 MR. LIPSCOMB: Second.

3 CHAIRPERSON SLASH: Is there a  
4 second?

5 COMM. SILBERBERG: Second.

6 CHAIRPERSON SLASH: Okay.

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

9 Comm. Blackburn?

10 COMM. BLACKBURN: Comm. Blackburn,  
11 yes.

12 MR. LOSTUTTER: Comm. Harrington?

13 COMM. HARRINGTON: Comm. Harrington,  
14 aye.

15 MR. LOSTUTTER: Comm. Silberberg?

16 COMM. SILBERBERG: Aye.

17 MR. LOSTUTTER: Comm. Tolliver?

18 COMM. TOLLIVER: Aye.

19 MR. LOSTUTTER: Vice-Chair Ramos?

20 VICE-CHAIR RAMOS: Aye.

21 MR. LOSTUTTER: Chair Slash?

22 CHAIRPERSON SLASH: Aye.

23 MR. LOSTUTTER: The ayes have it.



1 CHAIRPERSON SLASH: Thank you.

2 And you can follow up with our Clerk at  
3 the end of the meeting today, and he can give you  
4 any question -- any answers that you may need at  
5 that point.

6 MR. LIPSCOMB: Thank you, Chairlady.

7 CHAIRPERSON SLASH: Thank you.

8 The next case, Jeremy English versus  
9 Brookdale Senior Living, Inc., Case EMha23080644,  
10 this case was continued from last month and  
11 assigned to Comm. Harrington.

12 MR. LOSTUTTER: And --

13 CHAIRPERSON SLASH: I know she's --

14 COMM. HARRINGTON: I'm here.

15 MR. LOSTUTTER: Okay.

16 COMM. HARRINGTON: There were -- yes.

17 There were two issues. We voted on the first  
18 issue, and I have questions on the second. I  
19 would like to get additional information and  
20 confirmation that all of the information has been  
21 received, that the complainant, I guess,  
22 hadn't -- wasn't aware of that. So, we were able  
23 to verify that. And based on that, I recommend

1 that we uphold the Executive Director's findings  
2 of no probable cause on the second issue.

3 CHAIRPERSON SLASH: Thank you.

4 Is there a motion?

5 COMM. SILBERBERG: So moved.

6 CHAIRPERSON SLASH: Thank you.

7 Is there a second?

8 COMM. BLACKBURN: I move we accept.

9 CHAIRPERSON SLASH: Okay.

10 So, we'll --

11 MR. LOSTUTTER: I think

12 Comm. Blackburn seconded there.

13 CHAIRPERSON SLASH: Okay. Thank you  
14 very much.

15 MR. LOSTUTTER: All right. And then  
16 we will call the roll.

17 Comm. Blackburn?

18 COMM. BLACKBURN: Blackburn, yes.

19 MR. LOSTUTTER: Comm. Harrington?

20 COMM. HARRINGTON: Comm. Harrington,  
21 aye.

22 MR. LOSTUTTER: Comm. Silberberg?

23 COMM. SILBERBERG: Aye.

1 MR. LOSTUTTER: Comm. Tolliver?

2 COMM. TOLLIVER: Aye.

3 MR. LOSTUTTER: Vice-Chair Ramos?

4 VICE-CHAIR RAMOS: Aye.

5 MR. LOSTUTTER: Chair Slash?

6 CHAIRPERSON SLASH: Aye.

7 MR. LOSTUTTER: The eyes have it, six  
8 to nothing.

9 CHAIRPERSON SLASH: All right. Thank  
10 you.

11 The next case, Kevin Ahern versus Cort  
12 Furniture Rental, Case EMha23060554. This case  
13 is also here for oral argument. Do we have both  
14 parties present?

15 MR. LOSTUTTER: I believe we do. We  
16 have the Complainant.

17 CHAIRPERSON SLASH: Do we have the  
18 Respondent as well?

19 MR. LOSTUTTER: I do not --

20 CHAIRPERSON SLASH: Someone just --

21 MR. LOSTUTTER: Oh, wait.

22 CHAIRPERSON SLASH: -- turned his  
23 camera on.

1 MR. LOSTUTTER: Yes.

2 MR. PADGETT: Yes, Mike Padgett, with  
3 Jackson Lewis. I represent Cort Furniture.

4 MR. LOSTUTTER: All right.

5 CHAIRPERSON SLASH: If you click on  
6 his picture, that might make your other thing --

7 MR. LOSTUTTER: It might and it might  
8 not.

9 CHAIRPERSON SLASH: Can you go up to  
10 the layout and just put it on the speaker? Yeah.  
11 So, one more, and we'll put it on the stack.  
12 That'll be fine, yeah.

13 MR. LOSTUTTER: There we go.

14 CHAIRPERSON SLASH: And it will be  
15 possible to hear him. Perfect.

16 All right. So, the way that it'll go is  
17 we will give the Complainant five minutes, then  
18 we'll give the Respondent five minutes, then  
19 you'll each have two minutes to respond, and then  
20 we will have discussion amongst ourselves.

21 MR. AHERN: Okay. Awesome.

22 CHAIRPERSON SLASH: Okay. Very good.  
23 And you've got a timer?

1 MR. LOSTUTTER: Yes.

2 CHAIRPERSON SLASH: All right.

3 Fantastic.

4 And Comm. Harrington, you can hear?

5 COMM. HARRINGTON: Yes, I can.

6 CHAIRPERSON SLASH: Wonderful,  
7 because this case was assigned to her.

8 (Mr. Lipscomb left the room.)

9 MR. LOSTUTTER: Go ahead.

10 MR. AHERN: Hello, everybody. Thank  
11 you for taking my case.

12 CHAIRPERSON SLASH: Oh, pardon me.  
13 If you could speak up, just to make sure that  
14 Comm. Harrington can hear you.

15 MR. AHERN: Of course.

16 CHAIRPERSON SLASH: Thank you.

17 MR. AHERN: Thank you all for being  
18 here today.

19 I'm sorry. This isn't where I want to be  
20 either, but I didn't ask -- initially ask for  
21 Wednesdays off as accommodation through Cort. My  
22 manager, Nick Simpson, offered it, and I  
23 accepted. Only later there was a problem, and he

1 informed me we have to ask for an accommodation.  
2 He also shared with me that it would be just a  
3 formality.

4 At the first HR appointment, phone call, I  
5 was told I needed to fill out some paperwork, as  
6 well as my doctor. When we went to review said  
7 paperwork, they only had the one I filled out,  
8 not my doctor's. I was then told only my doctor  
9 was to fill it out, and I had to try again. They  
10 were very rude about it, and like I did something  
11 wrong. This was my first kind of indication that  
12 maybe it wasn't being taken as seriously as I  
13 thought.

14 After returning multiple times to my  
15 doctor to get the paperwork reviewed, I was put  
16 on unpaid leave, and if I wanted to get paid, I'd  
17 have to use my vacation time. They then let me  
18 go three weeks trying to get the right  
19 accommodations from my doctor, all the while  
20 saying, "It's not the right one," or "too many  
21 restrictions."

22 On June 3rd I called HR, and they notified  
23 me I'd already been terminated, but no one told

1 me or none of my managers. Nobody informed me of  
2 this. I'd already been terminated, but no one  
3 told me, so I could have been looking for a new  
4 job for three-plus weeks. There is also a  
5 discrepancy in termination dates, May 10th and  
6 June 6th. It is the most unprofessional  
7 experience I've ever dealt with.

8           Also, my son was born six months prior to  
9 this, and I had just purchased a new house eight  
10 months prior. I wouldn't have gone along with  
11 the accommodation request had I known it would  
12 turn out I lost my job. Also, in the letter they  
13 sent me confirming my termination date, they said  
14 if I could come back without restrictions, they'd  
15 hire me back.

16           But my disability is a palmoplantar  
17 pustulosis. It's an autoimmune disorder, and  
18 it's a lifelong disability. They'd hire me back.  
19 My disability is an autoimmune disease, and it is  
20 a permanently lifelong illness, and I don't think  
21 they took this into account, or even cared.

22           Ultimately they said the lifting and  
23 climbing restrictions imposed by my doctor were

1 why they couldn't accommodate me, even though it  
2 felt like more was at work. And when I asked if  
3 there was another position where I could be  
4 accommodated, they said no, even though they had  
5 just fired somebody in front sales, which I have  
6 tons of sales experience as well, letting me know  
7 how much they didn't want to work with me on my  
8 disability.

9 Thank you.

10 CHAIRPERSON SLASH: Thank you.

11 Timer set?

12 MR. LOSTUTTER: Give me just a second  
13 here.

14 (Pause in proceedings.)

15 MR. LOSTUTTER: All right. Now  
16 start.

17 CHAIRPERSON SLASH: Okay.

18 You may begin.

19 MR. BARCHET: I'm not the attorney  
20 for this.

21 CHAIRPERSON SLASH: Oh, who's the  
22 attorney?

23 MR. LOSTUTTER: It's the --



1 CHAIRPERSON SLASH: Oh, yeah.

2 MR. LOSTUTTER: -- gentleman up  
3 there.

4 CHAIRPERSON SLASH: Up there; okay.  
5 My bad.

6 MR. PADGETT: Are you ready for me?

7 MR. LOSTUTTER: Yes.

8 CHAIRPERSON SLASH: Yes, we are.

9 MR. PADGETT: Okay. Thank you.

10 Again, my name's Mike Padgett. I'm with the law  
11 firm Jackson Lewis here in Indianapolis, and I  
12 represent the Respondent, Cort Furniture Rental,  
13 in this case. I'll be brief.

14 As noted by Mr. Ahern, that the issue here  
15 concerned medical restrictions placed on him by  
16 his physician and his ability to perform his  
17 position with Cort. Mr. Ahern was employed as a  
18 delivery assistant, which is a very physically  
19 demanding job. It's driving around on a truck  
20 delivering furniture.

21 (Mr. Lipscomb returned.)

22 MR. PADGETT: It requires significant  
23 heavy lifting, sitting, bending, twisting, you

1 know, all of those sorts of things that go along  
2 with a very, very physical job. As he said,  
3 issues came up. He was asked to get medical  
4 certification, which is certainly appropriate  
5 under the appropriate laws here, and he was given  
6 several opportunities, as he noted, to provide  
7 medical certification.

8           And each one of those certifications  
9 provided essentially restricted Mr. Ahern out of  
10 a job. In other words, you could take the job  
11 description that we've attached to our position  
12 statement filed with the Commission, you could  
13 compare it to the restrictions placed on  
14 Mr. Ahern by his physician, and you can quickly  
15 see that his physician is not of the opinion that  
16 he can perform the essential functions of his  
17 delivery assistant position.

18           As a result, he was not able to be  
19 accommodated, and ultimately, yes, his employment  
20 ended, with the notation, as Mr. Ahern states,  
21 that, you know, to the extent those restrictions  
22 were to change, they would certainly consider  
23 bringing him back to work. It is my

1 understanding from the medical certification that  
2 these are permanent restrictions, so perhaps  
3 that's not a possibility.

4 But in essence, as I say, Mr. Ahern and  
5 his physician restricted him out of a position,  
6 and he simply cannot perform the essential  
7 functions of the job with those permanent  
8 restrictions.

9 With that, I'll answer any questions.

10 CHAIRPERSON SLASH: Thank you.

11 First and foremost, we have a two-minute  
12 ability if you'd like to share anything  
13 further --

14 MR. AHERN: I would.

15 CHAIRPERSON SLASH: -- in response to  
16 what he stated.

17 MR. AHERN: My doctor asked for HR's  
18 phone number so she could call and ask them some  
19 questions. The paperwork was very convoluted,  
20 and the way it was set up -- like "How many hours  
21 can you do this?" "How many hours can you be  
22 bending, lifting, sitting, standing?"

23 And my argument was: I'm never going to

1 be walking up stairs constantly for three hours;  
2 you know what I mean? You go up the stairs, that  
3 takes 15 seconds. Even if I do that 20 times,  
4 that's a few minutes of walking up and down  
5 stairs. And they seemed to think that that hour  
6 of lifting is like -- it just seemed very -- like  
7 when I started to argue each point of the  
8 restrictions, they didn't want to hear it any  
9 further.

10 And also, my doctor brought up the fact  
11 that the paperwork works in their favor. It's  
12 tipped -- it's pretty much a test with no right  
13 answers and could be made to look however they  
14 want. And yes, it was --

15 MR. LOSTUTTER: One minute.

16 MR. AHERN: -- very restrictive, but  
17 like I said, I could argue each point of the job  
18 as being -- me still being able to fulfill my  
19 position. However, they did -- they did not see  
20 it that way.

21 CHAIRPERSON SLASH: Thank you.

22 Would you like to add anything? You have  
23 two minutes as well.

1 MR. PADGETT: I would just again note  
2 that the job description placed next to the  
3 medical certifications provided by Mr. Ahern's  
4 physician clearly shows that he couldn't perform  
5 the essential functions of the job.

6 CHAIRPERSON SLASH: Thank you. That  
7 concludes the oral argument component.

8 Comm. Harrington, I'll let you begin with  
9 a question, and then I'll move to the remaining  
10 Commissioners.

11 (No response.)

12 CHAIRPERSON SLASH: Comm. Harrington,  
13 do you have any questions?

14 COMM. HARRINGTON: No, I don't --

15 CHAIRPERSON SLASH: Okay. Thank you.

16 COMM. HARRINGTON: -- no.

17 CHAIRPERSON SLASH: Commissioners, do  
18 you have any questions?

19 COMM. TOLLIVER: I do not.

20 COMM. BLACKBURN: No.

21 COMM. HARRINGTON: This is  
22 Comm. Harrington. No, I don't.

23 CHAIRPERSON SLASH: Okay. Thank you.

1 Comm. Harrington, do you have a recommendation,  
2 as this case was assigned to you?

3 COMM. HARRINGTON: I recommend that  
4 we -- on both issues, that we uphold --

5 THE REPORTER: Louder.

6 MR. LOSTUTTER: Can you speak a  
7 little louder, please?

8 COMM. HARRINGTON: Can you hear me?

9 MR. LOSTUTTER: Just a little louder.

10 COMM. HARRINGTON: On both -- on both  
11 issues, I recommend we uphold the Executive  
12 Director's finding of no probable cause.

13 CHAIRPERSON SLASH: Thank you.

14 The recommendation over the phone was that  
15 on both issues, Comm. Harrington recommends that  
16 we uphold the Deputy Director's finding of no  
17 probable cause. Now we'll require a motion and a  
18 second.

19 VICE-CHAIR RAMOS: Comm. Blackburn.

20 MR. LOSTUTTER: Comm. Blackburn, were  
21 you motioning, making a motion?

22 COMM. BLACKBURN: Yes, I move we  
23 accept the recommendation.

1 CHAIRPERSON SLASH: Okay. There's a  
2 motion. Is there a second?

3 COMM. TOLLIVER: Second.

4 CHAIRPERSON SLASH: Okay. There's a  
5 motion and a second.

6 MR. LOSTUTTER: Okay. Now we will  
7 call the roll.

8 Comm. Blackburn?

9 COMM. BLACKBURN: Blackburn, aye.

10 MR. LOSTUTTER: Comm. Harrington?

11 COMM. HARRINGTON: Aye.

12 MR. LOSTUTTER: Comm. Silberberg?

13 COMM. SILBERBERG: Aye.

14 MR. LOSTUTTER: Comm. Tolliver?

15 COMM. TOLLIVER: Aye.

16 MR. LOSTUTTER: Vice-Chair Ramos?

17 VICE-CHAIR RAMOS: Aye.

18 MR. LOSTUTTER: Chair Slash?

19 CHAIRPERSON SLASH: Aye.

20 MR. LOSTUTTER: The ayes have it, six  
21 to nothing.

22 CHAIRPERSON SLASH: Thank you for  
23 coming in, thank you for joining us on line.

1           The next case, Cary Lynch versus New  
2 Albany Housing Authority, Case HOra23090727.  
3 This case has -- the Complainant has requested a  
4 continuance to next month, and so, that I granted  
5 just prior to today's hearing, so we will see  
6 that case next month, and that case was assigned  
7 to Comm. Tolliver.

8           So, in our New Business, I have quite a  
9 few cases to assign, and as Commissioners will  
10 notice, many of them are requesting oral  
11 argument, so please take note of your case as  
12 assigned. The first case, Joseph Mark -- Maher  
13 versus Charlestown LLC & Freeman Development  
14 Corporation, Case HOse23080674, that case,  
15 Comm. Ramos. I've got to make myself a little  
16 note.

17           Okay. Ash -- the next case, Ashleigh  
18 Foster versus Hamilton National Title LLC, D/B/A  
19 Near North Title Group, Case EMra22100624, I'll  
20 assign that one to myself. The next case, Gary  
21 McElfresh versus Continental [sic] of Cedar Lake  
22 Townhomes Association, Inc., Case HOre23110909,  
23 Comm. Silberberg. The next case, Carly



1 Vanarsdall versus LD 303 Associates LP, Van Rooy  
2 Properties, & The Washington, Case HOha23110912,  
3 that case will be assigned to Comm. Tolliver.  
4 The next case, Jeffrey House versus G. W.  
5 Berkheimer Company, Inc., Case EMha23030248,  
6 Comm. Harrington.

7 Comm. Blackburn, would you like a case?

8 COMM. HARRINGTON: Could you hear me  
9 say "Aye"?

10 MR. LOSTUTTER: There's no need to  
11 "aye," unless you're just saying "aye" agreeing  
12 to the case being assigned to you.

13 CHAIRPERSON SLASH: We're assigning  
14 at the moment.

15 Comm. Blackburn, would you like a case?

16 COMM. BLACKBURN: No.

17 CHAIRPERSON SLASH: Okay. Thank you.

18 COMM. HARRINGTON: I'm accepting the  
19 case.

20 MR. LOSTUTTER: Okay.

21 CHAIRPERSON SLASH: Toniann -- the  
22 next case is Toniann Alvarado versus Hoosier  
23 Staffers, LLC, Case EMra22080471, Vice-Chair

1 Ramos. And the last one, Vicky Newman versus  
2 Tenneco Automotive Operating Company, Inc.,  
3 Case EMha23070622, I'll assign that one to  
4 myself. Thank you.

5 Commissioners, please note if your case  
6 has a requested oral argument, and all of the  
7 cases that have requested oral arguments, so we  
8 can all do our due diligence to come prepared.

9 The next section, we have Motions and  
10 Other Filings. The first one is Deborah Weidner  
11 on behalf of Minor Child BNF versus Saint Michael  
12 Catholic Church, Brookville, Inc. d/b/a Saint  
13 Michael Catholic School. It's an appeal of a  
14 motion to dismiss and motion for oral argument in  
15 Case EDse23110848.

16 Respondent is appealing the Chairperson of  
17 the Commission of the ICRC's denial of the  
18 Respondent's motion to dismiss and -- the claim  
19 of the Complainant, and asks that its request for  
20 oral argument to be allowed.

21 In response, the ICRC, by its Deputy  
22 Director and General Counsel, submits an Amicus  
23 Curiae Brief to provide additional -- to provide

1 additional information for consideration on the  
2 motion in support of the Chair's decision  
3 regarding the Respondent's original motion.

4 And so, with that move, we are continuing  
5 to deny that request to stop the investigative  
6 process is essentially where we are, in case  
7 anyone had questions. This case is very similar  
8 to other education cases that have been asking us  
9 to stop at the investigative phase before we know  
10 if there's a case or not.

11 So, the next one, we have Review of ALJ's  
12 Decisions and Orders. Some will require a motion  
13 and votes. The first one, ICRC versus -- I'm  
14 sorry -- ICRC/Lanita Goins versus Spicewood  
15 Garden Apartment II, LP, Herron Property  
16 Management, and Hand, Inc., Case HOra23080663.

17 The Administrative Law Judge in this  
18 matter took under consideration the Respondent's  
19 request to move this matter out of the  
20 administrative forum, a request made on  
21 February 13th, 2024. Since the parties are not  
22 in agreement to have the claims decided in a  
23 court of law, the notice is granted in part and

1 denied in part, with the complaint of  
2 discrimination under the IFHA against the  
3 Respondent dismissed with prejudice.  
4 910 IAC 2-7-9(a).

5 The notice is not effective in moving the  
6 complaint out of discrimination -- moving the  
7 complaint of discrimination under the ICRL out of  
8 the administrative forum, which will result in a  
9 bifurcation of these proceedings and will be  
10 addressed at the initial prehearing conference  
11 with the parties to determine their intent before  
12 a final dismissal is issued.

13 Is there a motion to affirm?

14 VICE-CHAIR RAMOS: So moved.

15 CHAIRPERSON SLASH: Is there a  
16 second?

17 COMM. SILBERBERG: Second.

18 CHAIRPERSON SLASH: Thank you.

19 MR. LOSTUTTER: We will call the  
20 roll.

21 Comm. Blackburn?

22 (No response.)

23 MR. LOSTUTTER: Comm. Blackburn, are

1 you still with us?

2 COMM. BLACKBURN: I'm still here.

3 You can't hear me.

4 MR. LOSTUTTER: Okay. Are you voting  
5 aye or --

6 COMM. BLACKBURN: Yes.

7 MR. LOSTUTTER: Okay.

8 COMM. BLACKBURN: Blackburn, aye.

9 CHAIRPERSON SLASH: Thank you.

10 MR. LOSTUTTER: Comm. Harrington?

11 COMM. HARRINGTON: Aye.

12 MR. LOSTUTTER: Comm. Silberberg?

13 COMM. SILBERBERG: Aye.

14 MR. LOSTUTTER: Comm. Tolliver?

15 COMM. TOLLIVER: Aye.

16 MR. LOSTUTTER: Vice-Chair Ramos?

17 VICE-CHAIR RAMOS: Aye.

18 MR. LOSTUTTER: Chair Slash?

19 CHAIRPERSON SLASH: Aye.

20 MR. LOSTUTTER: The ayes have it, six

21 to nothing.

22 CHAIRPERSON SLASH: Thank you.

23 ICRC/Kristi Barajas? Is that --

1 MR. LOSTUTTER: Barajas.

2 CHAIRPERSON SLASH: Okay. Versus  
3 Tina Harlow, Pedcor Investments-2004-LXIII --  
4 also known as a Roman numeral -- LP and Pedcor  
5 Property Management Corporation,  
6 Case HOha23090714.

7 The Administrative Law Judge in this  
8 matter took under consideration the Respondent's  
9 request to move this matter out of the  
10 administrative forum, a request made on  
11 February 15th, 2024. Since the parties are not  
12 in agreement to have the claims decided in a  
13 court of law, the notice is granted in part and  
14 denied in part, with the complaint of  
15 discrimination under the IFHA against the  
16 Respondent dismissed with prejudice.  
17 910 IAC 2-7-9(a).

18 The notice is not effective in moving the  
19 complaint of discrimination under the ICRL out of  
20 the administrative forum, which will result in a  
21 bifurcation of these proceedings and will be  
22 addressed in the initial prehearing conference  
23 with the parties to determine the intent -- their

1 intent before a final dismissal is issued.  
2 This -- the objection period in this matter has  
3 closed.

4 Is there a motion to affirm?

5 COMM. TOLLIVER: So moved.

6 CHAIRPERSON SLASH: Thank you.

7 Second?

8 VICE-CHAIR RAMOS: Second.

9 COMM. SILBERBERG: Second.

10 CHAIRPERSON SLASH: That's fine.

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

13 Comm. Blackburn?

14 COMM. BLACKBURN: Blackburn, aye.

15 MR. LOSTUTTER: Comm. Harrington?

16 COMM. HARRINGTON: Aye.

17 MR. LOSTUTTER: Comm. Silberberg?

18 COMM. SILBERBERG: Aye.

19 MR. LOSTUTTER: Comm. Tolliver?

20 COMM. TOLLIVER: Aye.

21 MR. LOSTUTTER: Vice-Chair Ramos?

22 VICE-CHAIR RAMOS: Aye.

23 MR. LOSTUTTER: Chair Slash?

1 CHAIRPERSON SLASH: Aye.

2 MR. LOSTUTTER: The ayes have it, six  
3 to nothing.

4 CHAIRPERSON SLASH: Thank you.

5 The next case, ICRC/Ann Marie Leichentritt  
6 versus Meritus Housing LLC, Yes! Communities, and  
7 McAvon Lakes Property, LLC, Case HOha23100762.

8 The Administrative Law Judge in this  
9 matter took under consideration the Respondent's  
10 request to move this matter out of the  
11 administrative forum, a request made on  
12 February 19th, 2024. Since the parties are not  
13 in agreement to have the claims decided in a  
14 court of law, the notice is granted in part and  
15 denied in part, with the complaint of  
16 discrimination under the IFHA against the  
17 Respondent dismissed with prejudice. Case 910 --  
18 or sorry -- 910 IAC 2-7-9(a).

19 The notice is not effective in moving the  
20 complaint of discrimination under the ICRL out of  
21 the administrative forum, which will result in a  
22 bifurcation of these proceedings and will be  
23 addressed in the initial prehearing conference



1 with the parties to determine their intent before  
2 a dismissal is issued. The objection period in  
3 this case has -- or I'm sorry -- in this matter  
4 has closed.

5 Is there a motion to affirm?

6 COMM. TOLLIVER: So moved.

7 VICE-CHAIR RAMOS: Second.

8 CHAIRPERSON SLASH: Thank you.

9 Motion was Comm. Tolliver, second was Vice-Chair  
10 Ramos.

11 MR. LOSTUTTER: All right. Then we  
12 will call the roll.

13 Comm. Blackburn?

14 COMM. BLACKBURN: Blackburn, aye.

15 MR. LOSTUTTER: Comm. Harrington?

16 COMM. HARRINGTON: Comm. Harrington,  
17 aye.

18 MR. LOSTUTTER: Comm. Silberberg?

19 COMM. SILBERBERG: Aye.

20 MR. LOSTUTTER: Comm. Tolliver?

21 COMM. TOLLIVER: Aye.

22 MR. LOSTUTTER: Vice-Chair Ramos?

23 VICE-CHAIR RAMOS: Aye.

1 MR. LOSTUTTER: Chair Slash?

2 CHAIRPERSON SLASH: Aye.

3 MR. LOSTUTTER: The ayes have it, six  
4 to nothing.

5 CHAIRPERSON SLASH: Okay. The last  
6 one of this set, Shanita Redd, on behalf of Minor  
7 Child M.R. versus Parkview Behavioral Health,  
8 Case PArA21080328.

9 On April 28th, 2023, the Complainant, by  
10 private counsel, filed a complaint against  
11 Respondent and others in the United States  
12 District Court for the Northern District Of  
13 Indiana, Case No. 1.23-CV-00179, based on the  
14 same issues before the ICRC in Complainant's  
15 August 2021 complaint.

16 Complainant, by ICRC Staff Attorney Fred  
17 Bremer, moved to dismiss the complaint filed in  
18 this matter, as Indiana Code Section 22-9-1-6(q)  
19 states that the minute a complaint becomes a  
20 subject of an action in a federal court, all  
21 actions shall immediately cease. The  
22 Administrative Law Judge grants the Complainant's  
23 motion and dismisses the complaint with

1 prejudice. 910 IAC 1-3-6. The objection period  
2 in this matter has not closed and no decision on  
3 this matter is due at this time. We'll see this  
4 case next month.

5 The next case I will read into the record.  
6 No vote is required. It's a final decision from  
7 the ALJ, and that is Case -- the case is Rachel  
8 Morgan versus Shopper's World, Case PAha23020150.

9 Okay. And that concludes our Motions and  
10 Other Filings, which brings us to meeting dates.  
11 Up next we have April 15th, also known as Tax  
12 Day. Anyone have any concerns with making it  
13 here on the 15th of April?

14 MR. LOSTUTTER: I know that last  
15 month the Chair said that she was a little  
16 nervous about --

17 CHAIRPERSON SLASH: I'm not  
18 necessarily positive that I will be here, but if  
19 others don't have concerns, then that means that  
20 Vice-Chair Ramos can probably steer the ship just  
21 fine. It's five days after my 40th birthday, so,  
22 you know, I don't know. I may go somewhere  
23 sunny. I don't know. But if the 15th is okay, I

1 suggest that we just start paying attention to  
2 the 20th of May, as May in Indiana sometimes is a  
3 little difficult for some people. So, let's keep  
4 an eye on May the 20th.

5 MR. LOSTUTTER: Okay.

6 CHAIRPERSON SLASH: But we should be  
7 clear of any holiday weekends and travel.

8 And I -- seeing no Elections, Trainings or  
9 Others, do we have any announcements today?

10 (No response.)

11 CHAIRPERSON SLASH: Okay. Any -- any  
12 public comment listed before we got here today?

13 (No response.)

14 CHAIRPERSON SLASH: Okay.

15 MR. LOSTUTTER: Not that I'm aware  
16 of.

17 CHAIRPERSON SLASH: With that in  
18 mind, it's 2:03 p.m., and this meeting is  
19 adjourned.

20 - - -  
21 Thereupon, the proceedings of  
22 March 18, 2024 were concluded  
23 at 2:03 o'clock p.m.  
- - -

## 1 CERTIFICATE

2 I, Lindy L. Meyer, Jr., the undersigned  
3 Court Reporter and Notary Public residing in the  
4 City of Shelbyville, Shelby County, Indiana, do  
5 hereby certify that the foregoing is a true and  
6 correct transcript of the proceedings taken by me  
7 on Monday, March 18, 2024 in this matter and  
8 transcribed by me.

9  
10 

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

14  
15 My Commission expires August 26, 2024.

16 Commission No. NP0690003  
17  
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