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BEFORE THE STATE OF INDIANA

CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF MAY 18, 2026

- - -

PROCEEDINGS

in the above-captioned matter, before the Indiana  
Civil Rights Commission, Steven A. Ramos,  
Chairman, 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, May 18, 2026  
at 1:11 o'clock p.m.

- - -

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1 APPEARANCES:

2 COMMISSION MEMBERS:

3 Steven A. Ramos, Chairman  
4 Holli Harrington  
5 Chaka Coleman (virtual)  
6 Terry Tolliver

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

14 OTHER COMMISSION STAFF PRESENT:

15 Michael Lostutter

16 ALSO PRESENT:

17 Emily Lazaga  
18 Molly Radecki (virtual)

19 - - -

20  
21  
22  
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1 1:11 o'clock p.m.  
2 May 18, 2026

3 - - -

4 CHAIRMAN RAMOS: All right. Today is  
5 May 18th, it's 1:11, and I -- we convene the  
6 meeting of the Indiana Civil Rights Commission,  
7 and if you'd like to start us.

8 MR. LOSTUTTER: I will.

9 Please be advised no party will be allowed  
10 to speak directly to the Commission during any  
11 Commission meeting except during a previously  
12 scheduled oral argument or during our public  
13 comments time directly before the end of the  
14 meeting.

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

22 If you have any questions about your case,  
23 please wait to speak to the Docket Clerk until  
after the Commission meeting ends.

1           If you are here to make remarks during the  
2 public comments time, be aware that you will only  
3 be allowed two minutes to speak.

4           Thank you.

5           CHAIRMAN RAMOS: Thank you.

6           So, we do have a quorum. We have three  
7 Commissioners present and Comm. Coleman is  
8 on-line.

9           Would you please announce the agenda?

10          MR. LOSTUTTER: All right.

11          We will have approval of the previous  
12 meeting minutes; the ICRC Director's Report; Old  
13 Business, we had three cases but one of them has  
14 been continued; we have also a matter involving  
15 the case ICRC/Angela McCausland versus Housing  
16 Authority, a couple of matters to deal with  
17 interest.

18          We have three new cases to be assigned to  
19 Commissioners; and a brief discussion of the case  
20 under the Review of ALJ Decisions and Orders; and  
21 one case to read into the record there, decision  
22 already confirmed on it; and then go over any --  
23 anything involving the meeting dates; and in

1 case -- I don't know if we'll have any public  
2 comments or not, maybe not, but if we do, we'll  
3 deal with them.

4 CHAIRMAN RAMOS: Thank you.

5 So, we need approval for the previous  
6 minutes meetings.

7 COMM. TOLLIVER: So moved.

8 CHAIRMAN RAMOS: We have a motion  
9 from Tolliver. I need a second.

10 COMM. HARRINGTON: Second.

11 CHAIRMAN RAMOS: Second from  
12 Harrington. All those in -- we have to do a  
13 roll-call vote.

14 MR. LOSTUTTER: Yes, we do.

15 Vice-Chair Coleman?

16 VICE-CHAIR COLEMAN: Aye.

17 MR. LOSTUTTER: All right.

18 Comm. Harrington?

19 COMM. HARRINGTON: Aye.

20 MR. LOSTUTTER: Comm. Tolliver?

21 COMM. TOLLIVER: Aye.

22 MR. LOSTUTTER: Chair Ramos?

23 CHAIRMAN RAMOS: Aye.

1                   MR. LOSTUTTER: Ayes have it. Agenda  
2 is approved.

3                   CHAIRMAN RAMOS: Thank you.

4                   The next item is the Director's Report.

5                   MR. CLAY: Yes. Thank you,  
6 Mr. Chair. Welcome to May. I'm sure it's been a  
7 busy month for all of you, as is has been for us.  
8 As always, we'll go through and recap some recent  
9 events that we've had.

10                  On April 23rd we had our virtual Fair  
11 Housing Panel in support of Fair Housing Month.  
12 The topic was emotional support animals versus  
13 service animals. This year we had 90  
14 participants, which is a large step up from what  
15 we've had in years past. We have some really  
16 good feedback from attendees, and that video is  
17 also available on the ICRC's YouTube channel,  
18 which is @incivilrights.

19                  If you weren't able to attend, Scott and  
20 Chase Lovely, we had an external partner, all  
21 present. We've had quite a bit of confusion  
22 around ESA's versus service animals, given HUD's  
23 new updated guidance, so a good chance to inform

1 and help support in that area.

2 We also had a partner presentation with  
3 the Indianapolis Urban League. It was their New  
4 Beginnings program, which is a free two-week  
5 workforce development initiative by the Urban  
6 League that helps adults transition from public  
7 assistance, incarceration or unemployment to  
8 self-sufficiency did livable wage employment.

9 Again, Scott, as well as two of our ADR  
10 team members, Debra Bluit and Nicole Owens, were  
11 involved in that. We had about 50 participants.  
12 We were also able to give out ICRC brochures and  
13 educational materials to them, which is good to  
14 help us spread awareness.

15 As far as upcoming events, the next two  
16 months are more of an internal focus in getting  
17 things planned. July 14th we'll be continuing  
18 the Governor's Awards in partnership or  
19 sponsorship with Indiana Black Expo. That will  
20 be at 2:00 p.m., and we'll send out invites to  
21 all of the Commissioners for attendance. I know  
22 quite a few of you were there last year, so very  
23 excited for that. And the Governor expressed

1 great interest in being a part of this one this  
2 year, so we're very excited for that.

3 In terms of agency updates, you might have  
4 seen already through our Web page or social  
5 media, but we're in the process of rebuilding our  
6 infrastructure, some of the face-value things,  
7 like social media and Web sites, but also our  
8 Case Management System, our Genesys phone call  
9 system have all been -- have all been or are  
10 being overhauled to meet the needs of our team  
11 here at CRC to provide more consistent end  
12 expedited experience, I would say. So, we'll  
13 continue to work through that. Again, a lot of  
14 really good things happening.

15 And then also, rulemaking has been  
16 approved. There's a public comments section that  
17 we'll have to go through here in the next month,  
18 but that should be to the Commission tentatively  
19 in July, again, pending those possible public  
20 comments.

21 So, that is all we had. It's been a busy  
22 monthly internally, but we're continuing to make  
23 strides.

1                   CHAIRMAN RAMOS: Thank you.

2                   I did participate in the service --  
3 discussion with the service animals, and I  
4 understood that from a reasonable level, but I  
5 did not understand, and it's important to note,  
6 that if you have a service animal and you're  
7 filling out an application for housing, you do  
8 not put "pet" on there. It is clearly -- do not  
9 designate it, because that confuses everything.

10                  MR. CLAY: Correct.

11                  CHAIRMAN RAMOS: And that was a --  
12 that was an awakening for me, so --

13                  MR. CLAY: Absolutely.

14                  CHAIRMAN RAMOS: -- that was a great  
15 session. I appreciate it.

16                  MR. KREIDER: Thank you for  
17 attending, too. I appreciate that.

18                  CHAIRMAN RAMOS: Yeah. It was great.  
19 It really was good. Okay. Thank you.

20                  Are there any comments or questions?

21                                 (No response.)

22                  CHAIRMAN RAMOS: All right. So,  
23 we'll move on to Old Business. We do have

1 Commissioners that were appointed appeals. The  
2 first one, and I'll just read it into the record  
3 and the fact that it's been continued, but it's  
4 Yolonda Graham versus Garfield Parkside Townhomes  
5 LP/Garfield Park Townhomes. The Case Number  
6 is HOha25040276, and request was granted to  
7 continue this to the next meeting in June.

8 Okay. Are there any questions on that?

9 (No response.)

10 CHAIRMAN RAMOS: We don't need to  
11 motion that because it's already been completed.

12 MR. LOSTUTTER: (Nodded head yes.)

13 CHAIRMAN RAMOS: Thank you.

14 The next item is -- was assigned to  
15 Comm. Tolliver, Jonathan Smith versus Astemo  
16 Indiana, Incorporated, Case No. EMra25060506, and  
17 we're set for oral arguments.

18 Are people here?

19 MR. LOSTUTTER: Well, representative  
20 for the Respondent is here. The Complainant is  
21 not. They received the same document that  
22 Respondent and the representative received, so --

23 CHAIRMAN RAMOS: Well, we do have

1 oral arguments, and we'll grant the Respondent  
2 the opportunity, and then we can make a  
3 recommendation from the Commission. Would you  
4 confirm the timeline schedule for this?

5 MR. LOSTUTTER: Yes.

6 You have five minutes. Normally, if the  
7 Complainant were here, they'd get five minutes,  
8 you would both have two minutes for rebuttal, and  
9 then if the Commissioners have any questions,  
10 they will ask you.

11 MS. LAZAGA: Thank you, sir.

12 MR. LOSTUTTER: You're welcome.

13 THE REPORTER: Could you have her  
14 move up here close to me?

15 MR. LOSTUTTER: Yes. If you address  
16 us up there, it will help him.

17 CHAIRMAN RAMOS: And would you please  
18 identify yourself as well?

19 MS. LAZAGA: My name is Emily Lazaga.  
20 I'm here on behalf of Astemo Indiana,  
21 Incorporated. Would you like me to stand?

22 CHAIRMAN RAMOS: Whatever's  
23 comfortable for you.

1 MS. LAZAGA: All right.

2 I respectfully request that the Commission  
3 deny Complainant's appeal. Complainant's  
4 employment was terminated for what would have  
5 been his fifth disciplinary action over the  
6 course of four months. Astemo does not allow  
7 employees to accrue over four disciplinary  
8 actions over the course of a year.

9 Complainant's disciplinary actions were  
10 for stacking parts, dropping pallets, and  
11 blocking the forklift, all of which happened on  
12 numerous occasions, none of which had anything to  
13 do with his race.

14 Complainant's first two disciplinary  
15 actions were for stacking parts. Chris Phillips,  
16 the shift supervisor, had received multiple  
17 reports of Complainant stacking parts and had  
18 told Complainant on multiple occasions not to  
19 stack parts before Complainant ever received a  
20 written write-up.

21 Complainant was given many opportunities  
22 to change his behavior, yet he still continued to  
23 stack parts. That's why on April 17th, 2025

1 Complainant received his first write-up for  
2 stacking parts. A week later, he was again  
3 observed stacking parts, so he received his  
4 second write-up for stacking parts on April 26th.

5 The reason for -- that stacking parts is  
6 not allowed is because it damages the parts.  
7 There were several parts that were damaged due to  
8 Complainant stacking them.

9 Complainant's third write-up was for  
10 dropping pallets or skids. On June 5th, 2025,  
11 Chris Henson, the second-shift supervisor of a  
12 neighboring area, reported to Mr. Phillips that  
13 he was hearing the repack team drop pallets.  
14 However, Complainant was the only person that  
15 Mr. Henson ever observed dropping pallets and  
16 then proceeding to laugh about it.

17 Upon this report, Mr. Phillips called a  
18 meeting with the repack team to discuss the  
19 dropping of pallets. Before this, Complainant  
20 had been told multiple times not to drop pallets.  
21 During this meeting, Mr. Phillips did not call  
22 anyone out. He just simply explained that the  
23 dropping of pallets needs to stop because it

1 startles people. Complainant was the only one  
2 that laughed when Mr. Phillips explained this.  
3 Complainant also was the only one who was  
4 argumentative during the whole meeting with the  
5 repack team.

6 After the meeting, Complainant sent an  
7 e-mail to Derek Orr, the Production Manager,  
8 saying whoever is complaining about dropping the  
9 pallets should just wear ear plugs so they don't  
10 hear the sound, thus indicating he would not stop  
11 his behavior. These events led to Complainant  
12 receiving his third write-up for dropping the  
13 pallets.

14 Complainant's fourth write-up came from  
15 blocking the forklift driver multiple times.  
16 Tracy Smalley, the Senior Supervisor, had  
17 received multiple reports about Complainant  
18 moving dumpsters in front of the forklift driver.  
19 Complainant was witnessed multiple times by  
20 several different employees to have blocked the  
21 forklift driver and demanded that she move out of  
22 his way, despite the forklift always having the  
23 right-of-way due to safety.

1           So, on June 10th, Complainant was  
2 suspended until June 12th for blocking the  
3 forklift driver multiple times, dropping pallets,  
4 laughing about dropping pallets, and then sending  
5 a subsequent e-mail to the Production Manager  
6 indicating he would not stop dropping pallets.  
7 So, when he returned on June 13th, that's when he  
8 received his write-up for dropping pallets, and  
9 the fourth write-up for repeatedly blocking the  
10 forklift driver.

11           Since June 13th, multiple co-workers have  
12 reported Complainant repeatedly being  
13 disrespectful and demanding, performing  
14 unnecessary tasks, and standing around talking  
15 for an excessive amount of time. The forklift  
16 driver also reported Complainant telling her how  
17 to do her job, demanding that she move out of his  
18 way, and blocking her way with a dumpster on a  
19 near daily basis.

20           These actions would have resulted in a  
21 disciplinary action had Complainant not already  
22 accrued four disciplinary actions and a  
23 suspension.

1 MR. LOSTUTTER: One minute left.

2 MS. LAZAGA: Thank you.

3 This is why, on August 15th, his  
4 employment was terminated, which had nothing to  
5 do with his race. Forty-one percent of the  
6 people in his same position, in his same  
7 department, were the same race as Complainant,  
8 yet none of them received a disciplinary action  
9 for stacking parts, dropping pallets, or blocking  
10 the forklift driver. This is because Complainant  
11 was the only one who repeatedly stacked parts,  
12 repeatedly dropped pallets, and repeatedly  
13 blocked the forklift driver.

14 Thank you.

15 CHAIRMAN RAMOS: Are there any  
16 questions from the Commissioners?

17 COMM. TOLLIVER: I just have a  
18 procedural. Are we just handling the  
19 disciplinary action, or are we handling  
20 retaliatory --

21 MR. LOSTUTTER: On this particular  
22 case, we're just handling the disciplinary.

23 COMM. TOLLIVER: Okay. There was

1 another complaint filed, and it's --

2 MR. LOSTUTTER: Yes.

3 COMM. TOLLIVER: -- on retaliatory,

4 so --

5 MR. LOSTUTTER: But they -- they were

6 told that they couldn't appeal on both at the

7 same time there.

8 COMM. TOLLIVER: Okay.

9 MR. LOSTUTTER: So -- but they --

10 they sent paperwork in to appeal on that

11 retaliation and it was timely, so if they let us

12 know that they want to proceed with that, then

13 we'll go ahead and proceed with that one.

14 COMM. TOLLIVER: At a later late?

15 MR. LOSTUTTER: Yes.

16 COMM. TOLLIVER: Not now?

17 MR. LOSTUTTER: No, no, not now.

18 COMM. TOLLIVER: I had a question.

19 Sorry about that.

20 CHAIRMAN RAMOS: That's fine. Do you

21 have a motion --

22 COMM. TOLLIVER: So --

23 CHAIRMAN RAMOS: -- or a

1 recommendation, rather?

2           COMM. TOLLIVER: -- I recommend that  
3 we approve the Commission's finding. There were  
4 two issues, and both of them were no probable  
5 cause under the Indiana Civil Rights Law, so I'd  
6 ask that the -- or I'd request a motion upholding  
7 the Commission's finding.

8           CHAIRMAN RAMOS: I need a motion.

9           COMM. HARRINGTON: So moved.

10          CHAIRMAN RAMOS: I will second the  
11 motion.

12          MR. LOSTUTTER: We're waiting for  
13 Commissioner -- Vice-Chair Coleman to come back.

14          CHAIRMAN RAMOS: Ah.

15          MR. LOSTUTTER: She's had some issues  
16 there, I think. And she's back.

17          CHAIRMAN RAMOS: Comm. Coleman, a  
18 recommendation by Comm. Tolliver to uphold the  
19 Director's finding of no probable cause under  
20 Indiana Civil Rights Law. This motion has been  
21 approved by -- or made by Comm. Harrington,  
22 seconding by myself, and we are at a point to  
23 make a roll call.

1 MR. LOSTUTTER: Vice-Chair Coleman?

2 VICE-CHAIR COLEMAN: Yes.

3 MR. LOSTUTTER: Comm. Harrington?

4 COMM. HARRINGTON: Aye.

5 MR. LOSTUTTER: Comm. Tolliver?

6 COMM. TOLLIVER: Aye.

7 MR. LOSTUTTER: Chair Ramos?

8 CHAIRMAN RAMOS: Aye.

9 MR. LOSTUTTER: Ayes have it.

10 Upheld.

11 CHAIRMAN RAMOS: Thank you.

12 MS. LAZAGA: Thank you, Commission.

13 CHAIRMAN RAMOS: Thank you. And you  
14 may go if you wish.

15 MS. LAZAGA: Thank you.

16 CHAIRMAN RAMOS: Thank you.

17 All right. The next case is Michelle  
18 Jones versus Gibson County Ambulance Service, the  
19 Case Number is EMha25060527, and this was  
20 assigned to Comm. Coleman.

21 Do you have a recommendation?

22 VICE-CHAIR COLEMAN: Yes. For this  
23 one, there was only one issue, and I want to make

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

3 CHAIRMAN RAMOS: I need motion to be  
4 made to uphold the finding of no probable cause.  
5 I need a motion.

6 COMM. TOLLIVER: So moved.

7 CHAIRMAN RAMOS: I need a second.

8 COMM. HARRINGTON: Second.

9 CHAIRMAN RAMOS: So, the motion's  
10 been made and seconded. We'll do the roll call.

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

13 Vice-Chair Coleman?

14 VICE-CHAIR COLEMAN: Yes.

15 MR. LOSTUTTER: Comm. Harrington?

16 COMM. HARRINGTON: Aye.

17 MR. LOSTUTTER: Comm. Tolliver?

18 COMM. TOLLIVER: Aye.

19 MR. LOSTUTTER: Chair Ramos?

20 CHAIRMAN RAMOS: Aye.

21 MR. LOSTUTTER: Ayes have it, four,  
22 nothing. Upheld.

23 CHAIRMAN RAMOS: Thank you.

1           Motions and Other Filings is the next item  
2 on the docket. Indiana Civil Rights Commission  
3 and Angela McCausland versus the Housing  
4 Authority of New Albany. The case  
5 is HOha240100043. This was submitted to the  
6 Commission on January 27, 2026.

7           The ALJ in this matter has determined that  
8 the Complainant in this matter has failed to meet  
9 the burden of proof in either issue and hereby  
10 rules in favor of the Respondent and against the  
11 Complainant and Aggrieved Person, with the ICRC  
12 Director's charges dismissed with prejudice.

13           The Complainant has filed an objection to  
14 the nonfinal order issued in this matter by the  
15 ALJ, along with a motion for the Commission to  
16 allow the parties to file briefs regarding  
17 Complainant's objections stated within and  
18 setting deadlines for the filings of such briefs  
19 and scheduling opportunities for the parties to  
20 argue their positions before the Commission.

21           The Respondent has filed a response and  
22 objection to the Complainant's objections and  
23 motion for additional briefing and argument.

1 Commissioners are asked to decide whether or not  
2 to grant the Complainant's requests.

3 So, in this case, we need a motion to  
4 either grant or dismiss the Complainant's  
5 request.

6 COMM. TOLLIVER: I'd move to grant  
7 the Complainant's request to file his -- a motion  
8 for the Commission to allow the parties to  
9 grant -- to allow the parties to file briefs  
10 regarding Complainant's objections stated within  
11 and setting deadlines for the filing of such  
12 briefs and scheduling opportunities for parties  
13 to argue their positions before the Commission.

14 CHAIRMAN RAMOS: I need a second.

15 COMM. HARRINGTON: Second.

16 COMM. TOLLIVER: Do you want it  
17 repeated?

18 COMM. HARRINGTON: It's fine. It's  
19 in the minutes.

20 CHAIRMAN RAMOS: Are you okay, Lindy?

21 THE REPORTER: Pardon?

22 CHAIRMAN RAMOS: You have the  
23 requested motion?

1 THE REPORTER: Yes.

2 CHAIRMAN RAMOS: Thank you.

3 COMM. HARRINGTON: I have a question.

4 CHAIRMAN RAMOS: Yes, you may ask.

5 COMM. HARRINGTON: Okay. I just  
6 wanted to make sure on this one. There's a lot  
7 going on, so I just want to make sure from a  
8 process standpoint, what -- can you guys explain  
9 what would be the next step? So, if -- if --

10 MR. KREIDER: Sure.

11 COMM. HARRINGTON: -- there is an  
12 opportunity for the parties to file briefs  
13 regarding Complainant's objections stated within  
14 the setting of deadlines, what -- what happens  
15 next?

16 MR. KREIDER: So, the -- Michael will  
17 submit an order for the Chair to sign, they'll  
18 have dates for them to file their briefs, they'll  
19 both submit briefs, we'll get those to you all.

20 COMM. HARRINGTON: Then Complainant  
21 will respond?

22 MR. KREIDER: Complainant will  
23 respond to the filed briefs, and then it will be

1 set, after the briefing is concluded, for an  
2 argument before the Commission. So, you would  
3 have the briefs in front of you to review in  
4 advance of the oral argument, the parties would  
5 hopefully both show, and then they would both  
6 present their position or arguments, and then the  
7 Commission would make a decision at the  
8 conclusion of that.

9 COMM. HARRINGTON: Okay.

10 CHAIRMAN RAMOS: Okay. Thank you.  
11 Did you second that?

12 COMM. HARRINGTON: Yeah, I did  
13 first --

14 CHAIRMAN RAMOS: Okay. Thank you.

15 COMM. HARRINGTON: -- because then  
16 after a second, then we can ask questions about  
17 it.

18 CHAIRMAN RAMOS: That's true,  
19 following Robert's Rules.

20 COMM. HARRINGTON: I do follow them.

21 CHAIRMAN RAMOS: Would you do roll  
22 call, please?

23 MR. LOSTUTTER: All right.

1 Vice-Chair Coleman?

2 VICE-CHAIR COLEMAN: Aye.

3 MR. LOSTUTTER: Comm. Harrington?

4 COMM. HARRINGTON: Aye.

5 MR. LOSTUTTER: Comm. Tolliver?

6 COMM. TOLLIVER: Aye.

7 MR. LOSTUTTER: Chair Ramos?

8 CHAIRMAN RAMOS: Aye.

9 MR. LOSTUTTER: The ayes have it,  
10 four to nothing, granting briefings.

11 CHAIRMAN RAMOS: Do we need to read  
12 the rest of that issue and further the --

13 MR. KREIDER: You can just note that  
14 it's -- so, it's just that case will remain  
15 pending, so there's no decision that would be  
16 needed.

17 CHAIRMAN RAMOS: Okay.

18 MR. KREIDER: The next page is where  
19 it shows up, yeah.

20 CHAIRMAN RAMOS: Okay. Thank you.

21 For New Business, we do have three cases  
22 to be assigned. The first case is James -- Jamie  
23 Brown on behalf of J.E. v. Victory Christian

1 Academy, the Case Number is EDha25040297, and I  
2 will assign that case to me. The next case is  
3 Amy Guzman versus Indiana Family Health Council.  
4 The Case Number is EMha25080755. I will assign  
5 that case to Comm. Tolliver.

6 COMM. TOLLIVER: Okay.

7 CHAIRMAN RAMOS: And the next case is  
8 Braydon Chatterton versus JDT Enterprises, Inc.  
9 doing business as Inventure. The Case Number  
10 is EMha24060493, and I'll assign that to  
11 Comm. Harrington.

12 Okay. We have -- the next sections says  
13 "Motions and Filings." We have none. We have  
14 Review of ALJ Decisions and Orders, and this  
15 brings us back to the case of ICRC/Angela  
16 McCausland versus Housing Authority of New  
17 Albany, Case No. HOha24010043. We've already  
18 read into the record the key elements of this.

19 And Deputy Director Kreider, we just need  
20 to put a schedule?

21 MR. KREIDER: Yeah, we just need to  
22 get it on the schedule after the briefing is  
23 done, so there's no decision due at this time.

1                   CHAIRMAN RAMOS: Okay. All right.  
2                   So, no decision needs to be made.

3                   The next item is the ALJ Decisions  
4                   Automatically Confirmed, automatically confirmed  
5                   under the Commission's order on automatic  
6                   adoption and approval of certain nonfinal  
7                   decisions. There is no vote required, but I will  
8                   read it into the record, and this is Talisha  
9                   Coley on behalf of I.C. versus AS 347659 doing  
10                  business as Baskin Robbins and Baskin  
11                  Robbins/Baskin Robbins Headquarters, and the Case  
12                  Number is EMra25040250.

13                  Now, the next item is the meeting dates  
14                  for 2026. Our next scheduled date is on  
15                  June 15th. Are there any conflicts on the 15th  
16                  of June from any of the Commissioners?

17                  COMM. TOLLIVER: I am available.

18                  COMM. HARRINGTON: As of today.

19                  COMM. TOLLIVER: Yes, I guess we  
20                  should all clarify that that's as of today.

21                  CHAIRMAN RAMOS: Can you also look at  
22                  the 20th, since we're there? That'll at least  
23                  give us a two-month window.

1           Comm. Coleman, are you okay on June 15th?

2           VICE-CHAIR COLEMAN: I am. Thanks.

3           CHAIRMAN RAMOS: Thank you. Can you  
4 also check July 20th?

5           COMM. TOLLIVER: I should be okay.

6           CHAIRMAN RAMOS: You're okay?

7           VICE-CHAIR COLEMAN: I'm fine with  
8 that as well.

9           CHAIRMAN RAMOS: Thank you,  
10 Commissioner.

11          COMM. HARRINGTON: I have a hard stop  
12 in June, but July I'm fine.

13          CHAIRMAN RAMOS: Okay.

14          COMM. HARRINGTON: I did have one  
15 question.

16          CHAIRMAN RAMOS: Okay. So,  
17 technically we're okay for the 15th and the 20th.  
18 June will be Silberberg's last session, as I  
19 understand that. Actually we can confirm that as  
20 well, just so we can make sure that she's on  
21 board.

22          MR. CLAY: She's stepping down?

23          CHAIRMAN RAMOS: I'm sorry?

1 MR. CLAY: She's stepping down?

2 CHAIRMAN RAMOS: No. Well --

3 COMM. HARRINGTON: Her term ends, so  
4 if it ends --

5 CHAIRMAN RAMOS: Yeah.

6 MR. CLAY: So, we were told by the  
7 Governor's Office, because they're working  
8 through the appointments, that if they've not  
9 been notified that the term is ending, that you  
10 are able to continue serving in your capacity.

11 CHAIRMAN RAMOS: And based on the  
12 three-year cycle, or --

13 MR. CLAY: I'm not entirely sure what  
14 the cycle is. We were just told that if there's  
15 been an appointment made, that you continue  
16 serving in the --

17 CHAIRMAN RAMOS: Okay. Well, that  
18 was a good point of clarification.

19 COMM. HARRINGTON: Yeah, as I talked  
20 to --

21 CHAIRMAN RAMOS: Yeah, we should let  
22 Silberberg --

23 COMM. HARRINGTON: Let the

1 Commissioner know.

2 MR. CLAY: Yeah. I can make sure we  
3 send an e-mail out just to clarify that.

4 CHAIRMAN RAMOS: Okay. Thank you. I  
5 appreciate that. Okay. Well, that's good to  
6 know.

7 All right. So, right now we're  
8 technically good for the 15th, with a hard stop  
9 on the 15th for Comm. Harrington.

10 COMM. HARRINGTON: Uh-huh.

11 CHAIRMAN RAMOS: And July 20th as  
12 well.

13 MR. LOSTUTTER: I think that the only  
14 one, unless there's someone who has something  
15 with the August 17th one, I think the only one  
16 that we'll probably have to reschedule is the  
17 September 21st one. I know that Comm. Silberberg  
18 was requesting, if possible, to reschedule it  
19 there, and I don't know -- if we come up with any  
20 ideas for any dates, like the following Monday,  
21 which would be the 28th.

22 CHAIRMAN RAMOS: Yeah.

23 Comm. Harrington?

1                   COMM. HARRINGTON: A bunch of stuff  
2 just came up. July, what is the date of the  
3 Governor's Reception?

4                   MR. CLAY: The 14th.

5                   COMM. HARRINGTON: Of July?

6                   MR. CLAY: Yes.

7                   COMM. HARRINGTON: Okay. So, we're  
8 good. I was just making sure the 20th wasn't  
9 that same week --

10                  MR. CLAY: Yeah.

11                  COMM. HARRINGTON: -- because they  
12 could conflict.

13                  MR. CLAY: Yeah.

14                  CHAIRMAN RAMOS: Yeah, definitely a  
15 lot going on in July.

16                  COMM. HARRINGTON: Okay.

17                  CHAIRMAN RAMOS: Okay. So, we'll  
18 kind of stick with the June and July, and then  
19 we'll certainly review the September one when  
20 Comm. Silberberg is here.

21                  There are no Elections --

22                  COMM. HARRINGTON: I've got one more  
23 question.

1 CHAIRMAN RAMOS: Oh, I'm sorry.

2 COMM. HARRINGTON: In April, on the  
3 case that I had that was remanded back but it's  
4 not on the agenda, so how did --

5 MR. LOSTUTTER: It's still in the  
6 investigation, and --

7 COMM. HARRINGTON: So, how do we make  
8 sure it doesn't fall -- I just didn't -- I was --

9 MR. LOSTUTTER: I know. I  
10 understand.

11 COMM. HARRINGTON: I brought the last  
12 agenda just as a reminder to myself, but when I  
13 didn't see it on anything from a placeholder, I  
14 just want to understand. How do I make sure --

15 MR. LOSTUTTER: We --

16 COMM. HARRINGTON: -- we don't lose  
17 sight of it?

18 MR. LOSTUTTER: We wait for them to  
19 do what they have to do, but we also try to  
20 remind them --

21 COMM. HARRINGTON: Well, they're not  
22 on the agenda. Should we list it as Old Business  
23 so it's not forgotten?

1                   MR. LOSTUTTER: Oh, how to list it?  
2 I think it will be relisted probably back under  
3 the Appeals section there.

4                   COMM. HARRINGTON: Well, it wasn't  
5 for this one, so I just didn't know. I just  
6 don't want it to --

7                   MR. LOSTUTTER: I understand.

8                   COMM. HARRINGTON: -- be forgotten.

9                   MR. LOSTUTTER: The other one was a  
10 case that was actually before the OALP, as  
11 opposed to this one, which --

12                   COMM. HARRINGTON: Uh-huh.

13                   MR. LOSTUTTER: -- there was a  
14 finding of no probable cause, and it got remanded  
15 back for further investigation. So, either -- if  
16 it's found this time around that there would be  
17 probable cause, then it would be sent on to  
18 the OALP, at least that's how I understand it  
19 there, and if found -- if the same decision is  
20 handed down of no probable cause, then it will  
21 come back as it would have, you know, the first  
22 time around, to be heard like an appeal of a no  
23 probable cause, and that's --

1                   COMM. HARRINGTON: So, it doesn't  
2 show up anywhere on the agenda, you just --

3                   MR. LOSTUTTER: Not in today --

4                   COMM. HARRINGTON: Well, it'll be in  
5 the minutes, so --

6                   MR. LOSTUTTER: Yeah, if it gets  
7 moved on to the OALP, that will be made -- that  
8 will be noted in the minutes area there.

9                   COMM. HARRINGTON: Okay.

10                  MR. LOSTUTTER: So, that way -- so,  
11 that way, you and the other Commissioners can  
12 know.

13                  COMM. HARRINGTON: Yeah. Well, I  
14 just want to make sure it's being brought up so  
15 it doesn't --

16                  MR. LOSTUTTER: Right.

17                  COMM. HARRINGTON: -- fall off the --

18                  MR. LOSTUTTER: I understand.

19                  COMM. HARRINGTON: -- radar --

20                  MR. LOSTUTTER: I understand.

21                  COMM. HARRINGTON: -- as months go  
22 by.

23                  MR. LOSTUTTER: Yes.

1                   CHAIRMAN RAMOS:  They may also have a  
2  settlement --

3                   MR. LOSTUTTER:  That is true, too.

4                   CHAIRMAN RAMOS:  -- that would need  
5  to come in front of the Commission.

6                   Okay.  Any other questions?

7                   COMM. HARRINGTON:  Huh-uh.

8                   MR. CLAY:  I might bring cupcakes in  
9  for the December meeting, since it's my birthday.

10                  CHAIRMAN RAMOS:  December 14th?

11                  COMM. TOLLIVER:  And Thanksgiving is  
12  going to happen in November?

13                  MR. CLAY:  Oh, yeah,  
14  Commissionsgiving.  Yeah, we might need to look  
15  at that date.

16                  COMM. TOLLIVER:  I'll definitely be  
17  here in November and December.

18                  COMM. HARRINGTON:  We'll be coming  
19  just for food, then.

20                  MR. CLAY:  If all -- if that's all it  
21  takes to get a quorum, then we can start to make  
22  that happen.

23                  MR. LOSTUTTER:  It helps.

1 MR. CLAY: Yeah.

2 COMM. HARRINGTON: Okay.

3 CHAIRMAN RAMOS: Are there any  
4 announcements?

5 (No response.)

6 CHAIRMAN RAMOS: Hearing none, are  
7 there any public comments?

8 MR. LOSTUTTER: There is one. I  
9 believe Ms. Molly Radecki, and if she -- if she  
10 will unmute herself --

11 MS. RADECKI: Yes, I --

12 MR. LOSTUTTER: -- she can go ahead  
13 and start, two minutes, and I will try and let  
14 her know when we reach the one-minute mark.

15 MS. RADECKI: Okay. Can you hear me  
16 okay?

17 MR. LOSTUTTER: Yes.

18 MS. RADECKI: I had a problem for a  
19 little bit. I had a little bit of an echo.

20 I just wanted to reach out, because I have  
21 not heard back from anybody from the  
22 investigation department about my -- my  
23 complaint, and I don't know who I should reach

1 out to, because it -- when it went out of the  
2 investigation before, I was told I should not  
3 contact anybody. So, the only person I've been  
4 in contact is the Clerk, but I just wanted to say  
5 in general, I've had no contact with anybody, and  
6 I'm just curious when the investigators are going  
7 to reach out to me again.

8 Second, I am reaching a two-year deadline  
9 from the last adverse action, so June 12th will  
10 be like the deadline, so I am going to have to  
11 file a federal lawsuit unless I am told that it's  
12 double jeopardy. From what I've read in the law,  
13 I can go ahead and file the lawsuit while things  
14 are still ongoing with the Indiana Civil Rights  
15 Commission. I don't know if you can tell me --

16 MR. LOSTUTTER: One minute.

17 MS. RADECKI: -- if that is -- if  
18 that's correct or not.

19 And the third thing I'm concerned about is  
20 the comparables, is that when I really think  
21 about what should be the comparison of what  
22 should have happened and what did happen,  
23 especially at the beginning of my time at IU,

1 dealing with the migration of my accommodations  
2 and treatment plan, because I dealt with a lot of  
3 mental health providers that did not do their  
4 best work.

5           Was it unethical? Maybe not, but was it  
6 their best work? Absolutely not. And so, that's  
7 where I really have an issue with the  
8 comparators, and I think those are going to be --  
9 maybe if someone could clarify that I don't  
10 jeopardize anything with IRC if I go ahead and  
11 file a lawsuit in the deadline time.

12           CHAIRMAN RAMOS: Do you have a  
13 comment on that, Deputy Director?

14           MR. KREIDER: On the investigator, we  
15 do have -- the investigator's back on the case.  
16 I spoke with him today, actually, so he's working  
17 on it. He will reach out when he's ready if he  
18 has any questions.

19           I can't give any legal advice on the  
20 remaining questions. If she feels that she needs  
21 to file, that she should do so. She may want to  
22 consult with counsel on that beforehand, but we  
23 can't give any advice on that.

1                   CHAIRMAN RAMOS:   Okay.

2                   Ms. Radecki, did you hear the Deputy  
3 Director?

4                   MS. RADECKI:   Yeah, that it's under  
5 investigation and they will reach out if they  
6 have any questions for me. I am still waiting on  
7 documentation I asked for in terms of what IU  
8 submitted against me, and I have not received  
9 that.

10                  MR. LOSTUTTER:   Yes.

11                  MR. KREIDER:   Yeah. So, on the  
12 public records request, I do have a comment on  
13 that as well. Michael is stockpiling that --  
14 those documents. It's very voluminous. He's  
15 trying to get those uploaded. It will be --  
16 she'll get an e-mail on that when they're --  
17 they've all been uploaded.

18                  Alternatively, we can make other  
19 arrangements if she wants. We just need to know.  
20 It's not something that's just a five-minute  
21 thing, it's going to take some time, and we need  
22 to get that scheduled if she wants to come in as  
23 an alternative, but otherwise, we'll get those

1 uploaded in the NPRA portal. We'll notify her  
2 when the documents are there.

3 CHAIRMAN RAMOS: And Ms. Radecki, did  
4 you get that as well?

5 MS. RADECKI: I'm happy to come in  
6 and pick it up.

7 CHAIRMAN RAMOS: That's fine, if we  
8 can set a -- I'm not sure if we can set a  
9 timeline to do that, but that might address a lot  
10 of her questions and urgency. Is that  
11 reasonable?

12 MR. KREIDER: Yes.

13 MR. LOSTUTTER: It's reasonable.  
14 I'll have to do a little bit of inquiring. I  
15 believe it's been done before, but I don't know  
16 if it's been done in the time that I've been the  
17 Docket Clerk, so I just would need to do a little  
18 bit of checking to see exactly how to go about  
19 doing that.

20 CHAIRMAN RAMOS: Is -- a week from  
21 now, is that a reasonable timeline, or --

22 MR. LOSTUTTER: It might be better to  
23 go two weeks, because I'm thinking with the

1 Memorial Day holiday --

2 CHAIRMAN RAMOS: That's a good point,  
3 yes. So, I don't have my calendar open, but that  
4 would be like the -- probably the 9th of June?

5 MR. LOSTUTTER: Something that -- it  
6 could be done.

7 CHAIRMAN RAMOS: Ms. Radecki, I'm not  
8 sure you heard all of that, but we're looking at  
9 a two-week window to provide the information to  
10 you that you've requested, at least that which we  
11 can, and that provides us a little bit of time  
12 with the holiday, over the holiday; is that  
13 reasonable for you?

14 MS. RADECKI: Yes, that works. Thank  
15 you.

16 CHAIRMAN RAMOS: Okay.

17 MR. KREIDER: And two weeks would be  
18 the 1st of June.

19 CHAIRMAN RAMOS: Two weeks would be  
20 the 1st of June?

21 MR. KREIDER: Two weeks from today,  
22 yeah.

23 CHAIRMAN RAMOS: Okay. So, that's

1 June 1st, which is probably preferable for you,  
2 since you're looking at a timeline crunch. So,  
3 June 1st is our target. I mean if you have not  
4 heard from the Docket Clerk, Michael Hostetter --

5 MR. LOSTUTTER: Lostutter.

6 CHAIRMAN RAMOS: -- Lostutter, then  
7 certainly reach out to the -- Deputy Director  
8 Kreider, and we'll make sure that gets addressed;  
9 okay?

10 MS. RADECKI: That's fine. Yes,  
11 that's fine. Thank you.

12 CHAIRMAN RAMOS: Thank you.

13 Are there any other public comments?

14 MR. LOSTUTTER: I don't believe so.

15 CHAIRMAN RAMOS: Hearing none,  
16 it's 1:47. I'll adjourn the meeting.

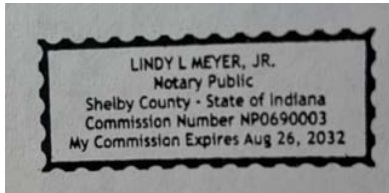
17 - - -  
18 Thereupon, the proceedings of  
19 May 18, 2026 were concluded  
20 at 1:47 o'clock p.m.  
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CERTIFICATE

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, May 18, 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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