



Indiana Civil Rights Commission

Public Meeting

May 15, 2020

1:00p.m.-3:00p.m.

Telephonic, in compliance with Executive Order 20-9 and
Executive Order 20-18

Public Phone Number: (425) 436-6353

Public Access Code: 615892

Technical assistance can be reached through (317) 232-
2608, (317) 232-2600, or docketclerk@icrc.in.gov

Agenda

- I. Meeting convened and *quorum* established
- II. Announcement of Agenda
- III. Approval of previous meeting minutes
- IV. ICRC Directors' Report
- V. Old Business

a. Commissioners Appointed to Appeals Report Determinations:

- i. Jorge Castillo v. Arcelormittal USA, LLC(EMno18110592)

Appeal Date: February 22, 2020

Commissioner Ramos

- ii. Kenneth McNeil v. Fast Lane Foods, Inc (470-2018-01850)

Appeal Date: February 20, 2020

Commissioner Slash

- iii. Jacques Alinstant v. Toyota Boshoku, LLC,(EMno19030119)

Appeal Date: February 25. 2020

Commissioner Blackburn

- iv. Ronnie Brasher v. Sakitumi Lounge, (PAra19060315)

Appeal Date: March 3, 2020

Commissioner Harrington

v. Melissa Sienicki v Le Jardin Homeowners,
(HOha19050277)

Appeal Date : March 9, 2020

Comissioner Jackson

vi. Shellie Ellison v. Blue River Bowl, (PAha13121736)

Appeal Date : February 24, 2020

Comissioner Ramos

VI. New Business

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

i. Olivier Muhirwa v. Norfolk Southern (470-2019-01278)

Appeal Date: April 29, 2020

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

b. Motions:

i. Respondent PuroClean by Osborn LLC's Motion to Dismiss for Lack of Jurisdiction (EMha20010035)

Respondent requests that this matter be dismissed. Complainant has not filed a response. A notice of finding has not been issued.

Motion Date: April 17, 2020

c. Review of ALJ Decisions and Orders

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

- i. Williams v. Golf View Apartments, (ICRC No.: HOrt13011688)

Date of Initial Decision: 12/13/20

After conducting a hearing on the merits, the ALJ issued an initial decision in which the ALJ found that Respondent did not discriminate against Complainant and dismissed the complaint. Complainant has filed objections. The Commission set a briefing deadline of March 18, 2020 and an oral argument date of May 15, 2020.

ORAL ARGUMENT

- A. On March 18, 2020, Complainant filed Complainant's Motion to Submit Additional Evidence to which Respondent objected in Respondent's March 30, 2020 Objection to Complainant's Motion to Submit Additional Evidence.**
- B. On January 14, 2020 Complainant filed Complainant's Objections to Initial Findings of Fact, Conclusions of Law, and Order. On March 18, 2020 Complainant filed Complainant's Brief in Support of Objections to Initial Findings of Fact, Conclusions of Law, and Order. On the same day, Respondent filed Respondent's Memorandum in Support of the ALJ's Initial Findings of Fact, Conclusions of Law and Order, and Response to Objections Thereto.**

- ii. Freeman v. Kilroy's Bar 'N Grill (PAra18010013)

Date of Initial Decision: 4/23/20

The ALJ granted a motion to enforce an oral settlement agreement reached by the Parties prior

to the issuance of a finding of cause. No objections have been filed.

iii. Gutknecht v. AES (470-2018-03204)

Date of Initial Decision: 4/23/20

The ALJ issued a default order against Complainant after Complainant failed to respond to discovery requests from Respondent. No objections have been filed.

iv. Kelley v. Lafayette Urban Ministry (HOha18040186)

Date of Initial Decision: 4/17/20

The ALJ dismissed this matter after a notice of finding was executed by both Parties. No objections have been filed.

v. Lester v. Pharmakon Long Term Care Pharmacy, Inc., D&D Pharma LTC, LLC, & D&D Pharma LTC, LLC dba Medscript (EMha16071334)

Date of Initial Decision: April 28, 2020

The ALJ granted a motion to dismiss Respondents D&D Pharma LTC, LLC and D&D Pharma LTC, LLC d/b/a Medscript as Respondents in this matter after finding that they were not proper successors in liability to Respondent Pharamkon Long Term Care Pharmacy, Inc.

vi. ICRC & Banks v. Vicki New, Kirkpatrick Management CO, INC., & Twin Creeks Homeowners Association, (HOra19050297)

Date of Initial Decision: April 2, 2020 and April 17, 2020

The ALJ dismissed the Indiana Fair Housing Act matter after a Notice of Election was filed. The ALJ dismissed the Indiana Civil Rights Law matter after Complainant filed a complaint in federal court based on the same set of facts.

- vii. ICRC & FHCCI v. Kirkpatrick Management & Twin Creeks Homeowner Association, INC. & Vicki New (HOra190402432)

Date of Initial Decision: April 2, 2020 and April 17, 2020

The ALJ dismissed the Indiana Fair Housing Act matter after a Notice of Election was filed. The ALJ dismissed the Indiana Civil Rights Law matter after Complainant filed a complaint in federal court based on the same set of facts.

VII. Meeting Dates for 2020

January 17, 2020	July 17, 2020
February 21, 2020	August 21, 2020
March 20, 2020	September 18, 2020
April 17, 2020	October 16, 2020
May 15, 2020	November 20, 2020
June 15, 2020	December 18, 2020

VIII. Announcements

IX. Public Comment

X. Adjournment