

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

James R. Thompson Center
Murdock Room - IDHS
100 West Randolph Street, Suite 5-300
Chicago, IL 60601

Meeting of Panel C
February 19, 2014
11:15 A.M.

MINUTES

PRESENT:

Commissioners: Diane M. Viverito (Panel Chair)
David J. Walsh
Rozanne Ronen

Staff: Donyelle L. Gray
Evelio Mora
Byron M. Wardlaw
Christine Welninski

Members of Public:

I. Call to Order

A meeting of the Illinois Human Rights Commission Panel C was called to order on Wednesday, February 19, 2014 at 11:45 a.m. by Panel Chair Viverito. The start of the meeting of the Illinois Human Rights Commission Panel C was delayed due to the extended En Banc meeting which commenced at 10:00 a.m.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*, it was determined that:

- 1) A quorum of the public body was physically present at the meeting.

II. Minutes

The minutes from the meeting of November 20, 2013 were approved as submitted by staff. Motion to approve the November 20, 2013 minutes made by Commissioner Walsh; seconded by Commissioner Ronen. Motion carried 3-0.

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III. Contested Matters

- A. *Cassandra Steinsultz v. Kathy Highfill*
Charge No.: 2006SN2398 ALS No.: S07-139

Panel C granted the Complainant's Motion to Modify the Recommended Order and Decision and Second Amended Petition for Attorney's Fees and awarded attorney's fees in the amount of \$525.00. Motion made by Commissioner Walsh; seconded by Commissioner Viverito. Motion carried 3-0.

- B. *Cassandra Steinsultz v. Barnett's Furniture*
Charge No.: 2006SF2383 ALS No.: S07-133

Panel C granted the Complainant's Motion to Modify the Recommended Order and Decision and Second Amended Petition for Attorney's Fees and awarded attorney's fees in the amount of \$4,210.00. Motion made by Commissioner Walsh; seconded by Commissioner Ronen. Motion carried 3-0.

IV. Requests for Review

- A. *Alfonso Bardales v. Norwegian American Hospital*
Charge No.: 2010CA2200 ALS No.: 11-0744

Panel C sustained the dismissal of the charge in the above-referenced matter for Expiration of Time Period to File a Complaint with the Illinois Human Rights Commission. Motion made by Commissioner Ronen; seconded by Commissioner Walsh. Motion carried 3-0.

- B. *Steven Clark v. 35 West Limited Partnership*
Charge No.: 2010CF1836 ALS No.: 11-0759

Panel C sustained the dismissal of the charge in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Walsh; seconded by Commissioner Ronen. Motion carried 3-0.

- C. *Star S. Mitchell v. Target Superstore*
Charge No.: 2011CF2422 ALS No.: 11-0771

Panel C sustained the dismissal of the charge in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Ronen; seconded by Commissioner Walsh. Motion carried 3-0.

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D. Karl Kruger v. Professional Property Management

Charge No.: 2011SH3199

ALS No.: 11-0770

Panel C sustained the dismissal of the charge in the above-referenced matter for Lack of Jurisdiction. Motion made by Commissioner Ronen; seconded by Commissioner Walsh. Motion carried 3-0.

E. Fred Kruger v. Professional Property Management

Charge No.: 2011SH3120

ALS No.: 11-0769

Panel C sustained the dismissal of the charge in the above-referenced matter for Lack of Jurisdiction and Lack of Substantial Evidence. Motion made by Commissioner Ronen; seconded by Commissioner Walsh. Motion carried 3-0.

F. Jason Smith v. Young Men's Christian Association d/b/a Decatur Family YMCA

Charge No.: 2010SP3905

ALS No.: 11-0719

Panel C sustained the dismissal of the charge in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Ronen; seconded by Commissioner Walsh. Motion carried 3-0.

V. Motion to Voluntarily Dismiss a Request for Review

A. Tina Bayer v. Caterpillar

Charge No.: 2013SE0982

ALS No.: 13-0492

Panel C granted the Complainant's Motion to Voluntarily Dismiss a Request for Review. Motion made by Commissioner Walsh; seconded by Commissioner Ronen. Motion carried 3-0.

B. James "Robin" Robinson v. Mercy Hospital

Charge No.: 2012CP1718

ALS No.: 12-0598

Panel C granted the Complainant's Motion to Voluntarily Dismiss a Request for Review. Motion made by Commissioner Walsh; seconded by Commissioner Ronen. Motion carried 3-0.

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VI. Motion for Leave to Withdraw Department's Response to Complainant's Request for Review Dated December 16, 2013, and Re-File Department's Instant Response to Complainant's Request for Review Instanter and Nunc Pro Tunc

A. *Blanca Roldan v. Coca Cola Refreshments USA, Inc.*
Charge No.: 2012CA2339 ALS No.: 13-0481

Panel C granted the Motion for Leave to Withdraw Department's Response to Complainant's Request for Review Dated December 16, 2013 and Re-File Department's Instant Response to Complainant's Request for Review Instanter and Nunc Pro Tunc. Motion made by Commissioner Walsh; seconded by Commissioner Ronen. Motion carried 3-0.

VII. Agreed Motion that Respondent May Submit Instanter Its Response to Complainant's Exceptions

A. *Janice Burns v. Illinois Department of Corrections*
Charge No.: 2006CF2464 ALS No.: 07-120

Panel C granted the Agreed Motion that Respondent May Submit Instanter Its Response to Complainant's Exceptions. Motion made by Commissioner Ronen; seconded by Commissioner Walsh. Motion carried 3-0.

VIII. Adjournment

The meeting was adjourned at 12:49 p.m. Motion made by Commissioner Walsh; seconded by Commissioner Ronen. Motion carried 3-0.

Respectfully submitted,

Donyelle L. Gray
General Counsel
Illinois Human Rights Commission