

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION

Meeting of Panel A  
October 24, 2012  
9:00 a.m.

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Lincoln Land Training Center  
130 West Mason  
Room 104  
Springfield, IL 62702  
and

James R. Thompson Center  
Murdock Room - DHS  
100 W. Randolph Street, Suite 5-300  
Chicago, Illinois 60601

**MINUTES**

Present:	Commissioners	Marti Baricevic (Panel Chair) Terry Cosgrove Patricia Bakalis Yadgir
	Staff	Donyelle L. Gray Evelio Mora Christine Welninski Sheida Ahmadzaheh (Coles Fellow) Stephanie Northrop (Coles Fellow) Adam Rayford (Coles Fellow) Mandy Lee (Volunteer Law Clerk)
	Public	Sultan Komut Muhammad Tayyab Dipli Shmsul Islan Paula Emerson Michael Greco Bhoopendra Raj Adhikary

**I. Call to Order.**

A meeting of Human Rights Commission Panel A was called to order on October 24, 2012 at 9:00 a.m. by Panel Chair, Commissioner Baricevic.

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 present at the meeting.

## **II. Consideration of Minutes.**

The minutes of the meeting of July 25, 2012, were approved as submitted by staff. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

## **III. Requests for Review**

A) *David Ortiz v. Board of Education of the City of Chicago*  
Charge No.: 2010CF4054      ALS No.: 11-0339

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

B) *Milan R. Neyra v. John Stroger Jr. Hospital*  
Charge No.: 2010CF2532      ALS No.: 11-0333

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Yadgir, seconded by Commissioner Cosgrove. Motion carried 3-0.

C) *James W. Womack v. Cook County Forest Preserve District*  
Charge No.: 2010CA0766      ALS No.: 11-0332

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

D) *Jose Villanueva v. Georgia Pacific Corrugated II LLC*  
Charge No.: 2010CF1745      ALS No.: 11-0361

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

*E) Jonathan Okere v. Chicago Transit Authority*

Charge No.: 2009CF4349      ALS No.: 11-0360

The Panel sustained the dismissal in the above-referenced matter for Lack of Jurisdiction and Lack of Substantial Evidence. Motion made by Commissioner Yadgir, seconded by Commissioner Cosgrove. Motion carried 3-0.

*F) Chiquita Tally-Almo v. City of Chicago, Department of Water Management*

Charge No.: 2009CA4222      ALS No.: 11-0357

The Panel voted to vacate the dismissal of the charge and remanded the charge to the Department for further investigation. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

*G) Leslie Mitchner v. Cook County Juvenile Detention Center Cermak Health Services*

Charge No.: 2009CF2374      ALS No.: 11-0355

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

*H) Paula Emerson v. Cook County Sheriff's Department*

Charge No.: 2010CA0765      ALS No.: 11-0353

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

*I) William I. Fennell v. Eastgate Manor*

Charge No.: 2009CF4569      ALS No.: 11-0352

The Panel sustained the dismissal of Count A of the charge in the above-referenced matter for Lack of Substantial Evidence. The Commission vacated the dismissal of Counts B, C, D, E and F of the charge and entered a find of Substantial Evidence. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

*J) David Spratt v. Food 4 Less*

Charge No.: 2011CF1030      ALS No.: 11-0371

The Panel sustained the dismissal in the above-referenced matter for Lack of Jurisdiction. Motion made by Commissioner Yadgir, seconded by Commissioner Cosgrove. Motion carried 3-0.

*K) Arlester Brewer v. Flint Hill Resources, LP*

Charge No.: 2010CF2183      ALS No.: 11-0269

The Panel sustained the dismissal of Counts A, B, C, D, E and F of the charge in the above-referenced matter for Lack of Jurisdiction. The Commission vacated the dismissal of Counts F and G of the charge and entered and remanded Counts F and G to the Department for further investigation. Motion made by Commissioner Yadgir, seconded by Commissioner Cosgrove. Motion carried 3-0.

*L) Eddie F. Lesure v. Wal-Mart Stores, Inc.*

Charge No.: 2011CF0335      ALS No.: 11-0335

The Panel sustained the dismissal of Counts A and C of the charge in the above-referenced matter for Lack of Jurisdiction and Count D for Lack of Substantial Evidence. The Commission vacated the dismissal of Count B of the charge and remanded Count B to the Department for further investigation. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

**IV. Petition for Default Order**

*Karen Kelley v. Brucer's Dawg House*

Charge No.: 2012SF0854      ALS No.: 12-0595

The Panel granted the Petition in the above-referenced matter. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

**V. Motion to Extension of Time to Submit Exceptions to Recommended Order and Decision, Present Additional Evidence, For Rehearing Before an Administrative Law Judge and for Request for Review of Decision.**

*Vinston Birdin v. Proviso Township High School District #209*

Charge No.: 2011CF2382      ALS No.: 12-0320

The Panel denied the Motion in the above-referenced matter. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

**VI. Adjournment**

The meeting was adjourned at 9:45 a.m. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

Respectfully submitted,

Donyelle L. Gray  
General Counsel