

STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

Meeting of Panel A
September 25, 2019
9:00 a.m.

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

and

Lincoln Land Training Center
130 W. Mason Street
Room 104
Springfield, Illinois

MINUTES

PRESENT:

Commissioners: James A. Ferg-Cadima (Commission Chair)
Steven A. Andersson (Panel Chair)
Barbara R. Barreno-Paschall
Jeffrey A. Shuck
Robert A. Cantone
LeDeidre S. Turner

Staff: Kelleye M. Chube, General Counsel
Lester G. Bovia, Jr., Deputy General Counsel
Byron M. Wardlaw, Assistant General Counsel
Elaine Kuntz, Assistant General Counsel
Evelio Mora, Assistant General Counsel

Guests: Michael J. Bruno
Meggan Sommerville
Hannah Meisel
Sam Yingling
Jacob Meister

I. Call to Order

A meeting of Panel A of the Illinois Human Rights Commission was called to order on Wednesday, September 25, 2019 at 9:08 a.m. by Panel Chair Steven A. Andersson.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.* and 775 ILCS 5/8A-103(E)(1) of the Illinois Human Rights Act, it was determined that:

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- 1) All three Commissioners were physically present at the meeting.

II. Requests for Review

A. Amphan Fakkaew v. Marriott International, Inc.

Charge No.: 2018CF1495 ALS No.:19-0022

Panel A approved the order dismissing Counts A, C, D and F in this matter for Lack of Substantial Evidence, and remanded Counts B and E back to the Department for entry of a Finding of Substantial Evidence in accordance with this order and the Illinois Human Rights Act. Motion made by Commissioner Barbara Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

B. Gregory Cygan v. Arthur J. Gallagher & Co.

Charge No.: 2018CA0602 ALS No.: 19-0103

Panel A approved the order dismissing this matter for Lack of Jurisdiction. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

C. Debra Hart v. Cook County Juvenile Temporary Detention Center

Charge No.: 2018CF2233 ALS No.: 19-0105

Panel A moved to remand this matter back to the Department for entry of a Finding of Substantial Evidence in accordance with this order and the Illinois Human Rights Act. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

D. Gregory Cygan v. Williams-Manny Insurance Group

Charge No.: 2018CA0603 ALS No.: 19-0106

Panel A approved the order dismissing this matter for Lack of Jurisdiction. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

E. Patrick Bass v. Mid Iowa Grain

Charge No.: 2014CF1767 ALS No.: 19-0138

Panel A approved the order dismissing this matter for Lack of Substantial Evidence. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

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F. Willis Kevin Baird v. Aerotek, Inc.

Charge No.: 2018CA1412

ALS No.: 19-0174

Panel A approved the order dismissing this matter for Lack of Substantial Evidence. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

G. German Navarro Iniguez v. Wok N Fire

Charge No.: 2014CF2823

ALS No.: 10175

Panel A approved the order dismissing Count B of this matter for Lack of Substantial Evidence. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

H. Eva Dunlap v. Titan Security Services, Inc.

Charge No.: 2018CF1620

ALS No.: 19-0177

Panel A approved the order dismissing this matter for Lack of Substantial Evidence. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

I. Elliot Weir & Kindra Weir v. Midwest Rapid Appraisal

Charge No.: 2019SH0472

ALS No.: 19-0178

Panel A approved the order dismissing this matter for Lack of Substantial Evidence. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

J. Kayley Sprout v. Village of Hudson

Charge No.: 2018SF1878

ALS No.: 19-0189

Panel A vacated the dismissal of this matter, and remanded Counts A and B back to the Department for a Finding of Substantial Evidence in accordance with this order and the Illinois Human Rights Act. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

K. Mae Nelson v. Perry County Housing Authority

Charge No.: 2019SH0967

ALS No.: 19-0192

Panel A approved the order dismissing this matter for Lack of Substantial Evidence. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

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L. *Marshall Spiegel v. 1618 Sheridan Road Condominium Association*
Charge No.: 2018CH1812 ALS No.: 19-0206

Panel A approved the order dismissing Count B of this matter for Lack of Substantial Evidence and dismissing Count A of this matter for Lack of Jurisdiction. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

M. Tressie Mansfield v. Merchants Credit Guide
Charge No.: 2017CF2841 ALS No.: 19-0210

Panel A approved the order dismissing this matter for Lack of Substantial Evidence. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

N. Mandell Taylor v. Bonded Filter Company, LLC
Charge No.: 2018CF2444 ALS No.: 19-0211

Panel A approved the order dismissing of Counts A and B of this matter for Lack of Substantial Evidence. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

O. *Diana Lacey v. Kenco Group, Inc.*
Charge No.: 2018CA0896 ALS No.: 19-0212

Panel A approved the order dismissing Counts C, D, E, G, H and J of this matter for Lack of Substantial Evidence. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

III. Motion to Stay Enforcement

A. *Meggan Sommerville v. Hobby Lobby Stores, Inc.*

Charge No.: 2011CN2993/2011CR2994 ALS No.: 13-0060C

Panel A denied the Motion to Stay enforcement for injunctive relief but granted the Motion to Stay enforcement for monetary relief and ordered a formula to determine an appropriate appeal bond in accordance with the Code of Civil Procedure, and if the Code of Civil Procedure does not provide a formula to calculate an appeal bond, then an appeal bond in the amount of \$550,000.00 should be set. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

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IV. Petition for Enforcement

A. *Meggan Sommerville v. Hobby Lobby Stores, Inc.*

Charge No.: 2011CN2993/2011CP2994 ALS No.: 13-0060C

Panel A granted the Petition for Enforcement. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

V. Motion for Extension of Time to File Request for Review

A. *Babette Payton v. Metra Railroad*

Charge No.: 2019CP0031 ALS No.: 19-0030

Panel A denied the Petitioner's Motion for Extension of Time to File Request for Review. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

VI. Motions to Voluntarily Dismiss

A. *Samuel Adeboyejo v. Chicago Transit Authority*

Charge No.: 2018CF2100 ALS No.: 19-0255

Panel A granted the Petitioner's Motion to Voluntarily Dismiss a Charge of Discrimination. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

B. *James "Robin" Robinson v. Megan Security Group, Inc. d/b/a Kara Protection Group*

Charge No.: 2018CP1038 ALS No.: 18-0273

Panel A granted the Petitioner's Motion to Voluntarily Dismiss a Charge of Discrimination. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

VII. Motion to Withdraw Appearance

A. *Judith Miller v. Public Building Commission*

Charge No.: 2018CP2226 ALS No.: 19-0267

Panel A granted the Petitioner's Motion to Withdraw Appearance. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

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VIII. Adjournment

The meeting of Panel A on September 25, 2019 adjourned at 10:51 a.m. Motion to adjourn made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

Very truly yours,

Byron M. Wardlaw
Assistant General Counsel
Illinois Human Rights Commission