



MINUTES

**Claims Panel Meeting
of the Board of Trustees of the
State Universities Retirement System
1901 Fox Drive, Champaign, IL
Main Conference Room
Wednesday, October 5, 2022, 8:30 a.m.**

The meeting of the Claims Panel of the Board of Trustees of the State Universities Retirement System convened on Wednesday, October 5, 2022, at 8:30 a.m.

The following Claims Panel members were present: Mr. Daniel Gaumer, Hearing Officer; Ms. Suzanne Mayer, Executive Director; and Mr. Richard Figueroa, SURS Board of Trustee member.

Others present: Ms. Bianca Green, General Counsel; Mr. Albert Lee, Associate General Counsel; Ms. Heather Kimmons, Associate General Counsel; Ms. Jennifer Bartell, Senior Claims Manager; Ms. Denise Shelton, Medical Claims Processer; Ms. Karen Nyi and Ms. Annette Ackerman, Executive Assistants; Ms. Janet Cummings, Area Wide Reporting; Ms. Carolyn Clifford of the law firm of Ottosen, DiNolfo, Hasenbalg & Castaldo; Mr. Alexander Vroustouris; Mr. Daniel Glinert; Ms. Judith Fitzgerald; and Ms. Emily Glinert .

Claims Panel roll call attendance was taken. Hearing Officer Daniel Gaumer, present; Executive Director Suzanne Mayer, present; and Trustee Richard Figueroa, present.

APPROVAL OF MINUTES

Mr. Gaumer presented the open minutes from the Claims Panel Hearing of July 22, 2022.

Ms. Mayer made the following motion:

- That the open minutes from the July 22, 2022 Claims Panel Hearing be approved as presented.

Trustee Figueroa seconded the motion which passed via the roll call vote referenced below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

Mr. Gaumer presented the closed minutes from the Claims Panel Hearing of July 22, 2022, for approval.

Ms. Mayer made the following motion:

- That the closed minutes from the July 22, 2022 Claims Panel Hearing be approved as presented and remain closed.

Trustee Figueroa seconded the motion which passed via the roll call vote referenced below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

PRESENTATION OF CLAIM – ROBERT FITZGERALD (deceased)

The claim of Mr. Robert Fitzgerald (deceased) was called for hearing. Mr. Daniel Glinert and Mr. Alex Vroustouris were present, in person, to present the claim. Ms. Judith Fitzgerald and Ms. Emily Glinert were also present. Documentary evidence consisting of 10 bound volumes, 4690 pages was admitted into the record with no objection. The following people were sworn in as potential witnesses by Ms. Cummings, the court reporter from Area Wide Reporting; Ms. Bartell, Ms. Shelton, Mr. Lee, and Mr. Glinert. Ms. Green provided a verbal summary of the issues to be addressed by the Claims Panel. Prior to making his requested opening statement, Mr. Vroustouris made a motion to exclude witnesses from the hearing until they were called to testify. Mr. Gaumer granted the request over objection by SURS counsel. Mr. Lee, Ms. Bartell and Ms. Shelton left the room at 8:52 a.m. Mr. Vroustouris and Mr. Glinert presented the case on behalf of the claimant via the testimony of Ms. Bartell and Ms. Shelton. Ms. Green asked cross-examination questions of the witnesses presented by counsel. Ms. Green objected to Claimant’s counsel calling Mr. Lee as a witness because he is legal counsel for SURS and because Claimant did not disclose him as a witness. Mr. Gaumer sustained the objection.

Upon the conclusion of the claim presentation, given the size of the record in the case, Ms. Green asked the Panel members to allow closing arguments to be submitted in writing in the form of post hearing briefs. Claimant’s counsel objected. Mr. Gaumer granted the request and gave the following deadlines for closing argument submission: Claimant’s brief and citation to legal authorities due on or before October 26, 2022. The deadline for the SURS response brief and citation to legal authorities is due on or before November 16, 2022. The Claimant reply brief, if any, is due on or before November 28, 2022.

Upon the conclusion of the claim presentation, Hearing Officer Dan Gaumer closed the proof of evidence.

CLAIMS PANEL DELIBERATIONS

Trustee Figueroa made a motion to move into closed session pursuant to §2(c)(4) of the Illinois Open Meetings Act to consider the evidence and testimony presented in the Robert Fitzgerald case and to continue deliberations in the pending case of Primal De Lanerolle. Ms. Mayer seconded the motion which passed via the roll call vote referenced below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

Ms. Mayer recused herself from deliberations on the Primal De Lanerolle case due to the conflict she previously reported when this matter was first presented to the Claims Panel.

RETURN TO OPEN SESSION

Upon completion of the closed session deliberations, the Claims Panel returned to open session at approximately 2:15 p.m.

Trustee Figueroa made the following motion:

- To affirm the staff decision, finding that Primal De Lanerolle has not proven by preponderance of the evidence that he is entitled to the relief sought and that a written decision of factual findings and conclusion be drafted by the hearing officer and signed by members of the Claims Panel voting in favor of the motion.

Mr. Gaumer seconded the motion which passed via the following roll call vote:

Mr. Gaumer	-	aye
Ms. Mayer	-	abstain
Trustee Figueroa	-	aye

The Claims Panel committee noted that the Robert Fitzgerald case remains under advisement for further deliberations following the receipt of written closing arguments. The matter will be scheduled for continued deliberations at a later date.

PUBLIC COMMENT

There was no public comment.

There was no further business before the Claims Panel and Trustee Figueroa moved that the meeting be adjourned. The motion was seconded by Ms. Mayer and passed via the roll call vote below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

Respectfully submitted,



Daniel L. Gaumer
Hearing Officer

dlg:aa