



MINUTES

**Claims Panel Meeting
of the Board of Trustees of the
State Universities Retirement System
Monday, November 13, 2023, 8:30 a.m.
State Universities Retirement System
Main Conference Room
1901 Fox Dr., Champaign, IL
(Hearing Officer Gaumer)**

The meeting of the Claims Panel of the Board of Trustees of the State Universities Retirement System (SURS) convened on Monday, November 13, 2023, at 8:30 a.m.

The following Claims Panel members were present: Mr. Daniel Gaumer, Hearing Officer; Ms. Carolyn Clifford, Hearing Officer; Ms. Suzanne Mayer, SURS 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. Karen Nyi (Zoom) and Ms. Annette Ackerman, Executive Assistants; Ms. Denise Shelton, Medical MSR; Ms. Marsha Fitch, Disability, Death and DRA Team Manager; Ms. Janet Cummings, Area Wide Reporting; Mr. Patrick Sullivan of the law firm Featherstun, Gaumer, Stocks, Flynn & Eck LLP; Officer Krickovich, University of Illinois Police; Mr. Byron Clark, Claimant; Mr. Jeffrey Friedman, attorney with Maatuka Al-Heeti Emkes; Dr. John Jones, witness; Mr. Nathan Hoff, (Zoom) Claimant; and Mr. Michael Schneider, Claimant.

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

APPROVAL OF MINUTES

Mr. Gaumer presented the open session minutes from the Claims Panel Hearing of August 21, 2023.

Ms. Mayer made the following motion:

That the open session minutes from the August 21, 2023, 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 August 21, 2023, for approval.

Ms. Mayer made the following motion:

That the closed session minutes from the August 21, 2023, 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 – BYRON CLARK

The claim of Mr. Byron Clark was called for hearing. Mr. Clark appeared in person along with his attorney Mr. Jeffrey Friedman and witness John Jones, Ph.D. SURS staff was represented by SURS General Counsel Ms. Bianca Green. Mr. Gaumer served as the assigned Hearing Officer, and he admitted 548 pages of documentary evidence into the record. The admitted record includes the Claimant’s Statement of Claim and the SURS Staff Response to the same. Ms. Bianca Green provided a verbal summary of the issues to be addressed by the Claims Panel. Mr. Friedman made a brief statement related to the claim. Mr. Byron Clark and Dr. John Jones were sworn in by the court reporter before testifying. Ms. Green cross examined the Claimant and the witness. Ms. Jennifer Bartell and Ms. Denise Shelton were then sworn in by the court reporter prior to testifying on behalf of SURS staff. Mr. Friedman cross examined Ms. Shelton and Ms. Bartell.

At the conclusion of the claim presentation, Hearing Officer Dan Gaumer closed the evidentiary proofs.

PRESENTATION OF CLAIM – BRIAN SCHERTZ

The claim of Mr. Brian Schertz was called for hearing. Mr. Gaumer served as the assigned Hearing Officer. SURS staff was represented by Associate General Counsel Ms. Heather Kimmons. On November 9, 2023, Mr. Schertz submitted a Motion to Postpone his hearing, and, in the alternative, a Motion to Admit a written brief and Waiver of Appearance at the hearing. Ms. Kimmons objected to the continuation of the hearing. She did not object to the alternative Motion to Admit and Waive

Appearance. Mr. Gaumer denied the request to continue the case and granted the Motion to Admit and Waive Appearance. Ms. Kimmons confirmed that 110 pages of documents were originally admitted into evidence when the case was first presented to the Claims Panel on November 31, 2021. The supplementary record submitted during the continued hearing consists of additional pages numbered 111 through page 323 Claimant's motion to postpone and his two-page brief were introduced into the record as pages 324-326. Mr. Gaumer admitted all 326 pages of documents into the record. The admitted record includes the Claimant's Statement of Claim and the SURS Staff Response to the same. Ms. Heather Kimmons provided a verbal summary of the issues to be addressed by the Claims Panel.

Upon the conclusion of the claim presentation, Hearing Officer Gaumer closed the evidentiary proofs.

PRESENTATION OF CLAIM – NATHAN A. HOFF

The claim of Mr. Nathan Hoff was called for hearing. SURS General Counsel Ms. Bianca Green represented SURS staff. Mr. Hoff connected to the hearing by telephone. Mr. Gaumer served as the assigned hearing officer. Although the original record, consisted of 3,897 pages, additional pages were faxed to SURS on November 10 and 11, 2023. These additional pages consist of three separate faxes containing 37 pages, 49 pages and 90 pages respectively. Mr. Hoff raised an objection to the admission of any documents reflecting his post-disability employment. Ms. Green objected to the admission of the newly received documentation. Rather than proceed with the actual hearing, Mr. Gaumer decided to continue the matter to another date to allow everyone to review the newly received documents and make determinations regarding evidentiary issues at a later date. Another prehearing conference will be scheduled with the parties and the matter will be rescheduled for hearing at a later date.

CLAIMS PANEL DELIBERATIONS

Ms. Mayer 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 open session in the cases. Trustee Figueroa seconded the motion which passed via the roll call vote referenced below:

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

RETURN TO OPEN SESSION

Upon completion of the closed session deliberations, the Claims Panel returned to open session, at approximately 2:45 pm.

Ms. Mayer then made the following motion for Claim No. 2022-06. pertaining to Mr. Mahmood Ghassemi:

To affirm the staff decision, finding that Mahmood Ghassemi 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 conclusions be drafted by the Hearing Officer and signed by the members of the Claims Panel voting in favor of the motion.

Trustee Figueroa seconded the motion, which passed via the following roll call vote:

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

Ms. Mayer then made the following motion for Claim No. 2022-05 pertaining to Mr. Byron Clark:

To affirm the staff decision, finding that Byron Clark 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 conclusions be drafted by the Hearing Officer and signed by the members of the Claims Panel voting in favor of the motion.

Trustee Figueroa seconded the motion, which passed via the following roll call vote:

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

Ms. Mayer then made the following motion for Claim No.2021-01, pertaining to Mr. Brian Schertz:

To affirm the staff decision, finding that Brian Schertz 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 conclusions be drafted by the Hearing Officer and signed by the members of the Claims Panel voting in favor of the motion.

Trustee Figueroa seconded the motion, which passed via the following roll call vote:

Ms. Clifford	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

PUBLIC COMMENT

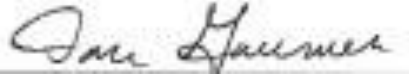
There was no public comment.

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

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dan Gaumer", is written over a horizontal line.

Daniel L. Gaumer
Hearing Officer

dlg:aa



MINUTES

**Claims Panel Meeting
of the Board of Trustees of the
State Universities Retirement System
Monday, November 13, 2023, 2:30 p.m.
State Universities Retirement System
Main Conference Room
1901 Fox Dr., Champaign, IL
(Hearing Officer Clifford)**

The meeting of the Claims Panel of the Board of Trustees of the State Universities Retirement System (SURS) convened on Monday, November 13, 2023, at 2:30 p.m.

The following Claims Panel members were present: Ms. Carolyn Clifford, Hearing Officer; Ms. Suzanne Mayer, SURS Executive Director; and Mr. Richard Figueroa, SURS Board of Trustees 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. Karen Nyi (Zoom) and Ms. Annette Ackerman, Executive Assistants; Ms. Janet Cummings, Area Wide Reporting; Officer McCartney, University of Illinois Police; Mr. Michael Schneider, Claimant; and Mr. Brian Schertz, Claimant.

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

APPROVAL OF MINUTES

Ms. Clifford presented the closed session minutes from the Claims Panel Hearing of August 21, 2023.

Ms. Mayer made the following motion:

That the closed session minutes from the August 21, 2023, Claims Panel Hearing be approved as presented and remain closed.

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

Ms. Clifford - aye
Ms. Mayer - aye
Trustee Figueroa - aye

PRESENTATION OF CLAIM – DIANA SANDOVAL

The claim of Ms. Diana Sandoval was called for Hearing. Ms. Sandoval did not appear in person or remotely. Ms. Clifford served as the assigned hearing officer. Mr. Albert Lee represented SURS staff. SURS was unable to reach Ms. Sandoval after trying to contact her multiple times via email and by calling the phone number she provided. As such, the consensus of the Claims Panel was to continue her appeal to a later date.

PRESENTATION OF CLAIM – MICHAEL SCHNEIDER

The claim of Mr. Michael Schneider was called for hearing. Ms. Clifford served as the assigned Hearing Officer. Mr. Albert Lee represented SURS staff. The claimant, Mr. Schneider, appeared in person. Ms. Clifford confirmed the acceptance of 451 pages of documentary evidence in the original record. Mr. Lee presented four additional pages to be included in the record which were accepted as pages 452-455. Ms. Clifford admitted 455 pages of documents into the administrative record as pages one through 455, noting Mr. Schneider’s objection that he believed there were inaccuracies in these records that would be addressed during Mr. Schneider’s testimony. Mr. Lee provided a verbal summary of the issues to be addressed by the Claims Panel. Mr. Schneider was sworn in by the court reporter and then presented his case. Mr. Lee cross examined the claimant. Ms. Jennifer Bartell was then sworn in by the court reporter and she was called to testify on behalf of SURS.

Upon the conclusion of the claim presentation, Hearing Officer Clifford closed the evidentiary proofs.

CLAIMS PANEL DELIBERATIONS

Ms. Mayer 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 open session. Trustee Figueroa seconded the motion which passed via the roll call vote referenced below:

Ms. Clifford - aye
Ms. Mayer - aye
Trustee Figueroa - aye

RETURN TO OPEN SESSION

Upon completion of the closed session deliberations, the Claims Panel returned to open session, at approximately 4:31 p.m.

Ms. Mayer then made the following motion:

To affirm the staff decision, finding that Michael Schneider 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 conclusions be drafted by the Hearing Officer and signed by the members of the Claims Panel voting in favor of the motion.

Trustee Figueroa seconded the motion, which passed via the following roll call vote:

Ms. Clifford	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

PUBLIC COMMENT

There was no public comment.

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

Ms. Clifford	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

Respectfully submitted,



Carolyn Clifford
Hearing Officer

Cc:aa