



MINUTES

**Claims Panel Meeting
of the Board of Trustees of the
State Universities Retirement System
Tuesday, November 19, 2024, 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 Committee of the Board of Trustees of the State Universities Retirement System (SURS) convened on Tuesday, November 19, 2024, at 8:35 a.m.

The following Claims Panel Committee members were present: Mr. Dan Gaumer, Hearing Officer; Ms. Suzanne Mayer, SURS Executive Director and Trustee Herbert Pitman (remote).

Others present: Ms. Bianca Green, General Counsel; Ms. Heather Kimmons, Senior General Counsel; Mr. Albert Lee, Senior General Counsel; Ms. Jennifer Bartell, Director of Benefits Processing; Ms. Karen Nyi (*via video conference*) and Ms. Annette Ackerman, Executive Assistants; Ms. Ann Parkinson, Area Wide Reporting; Mr. Austin Hill, Eastern Illinois University; Mr. Matt Bierman, Eastern Illinois University; Mr. Lizi Zhu, claimant; and Mr. Anthony Gaston, claimant (*via video conference*).

Initial Claims Panel Committee roll call attendance was taken with Hearing Officer Dan Gaumer and Executive Director Suzanne Mayer, both present. Trustee Herbert Pitman was not called at this time.

TRUSTEE PARTICIPATION VIA ELECTRONIC MEANS

Ms. Suzanne Mayer made the following motion:

- That Trustee Pitman be allowed to participate in the committee meeting via video or audio conference call for the Claims Panel Meeting on November 19, 2024, pursuant to Section 7(a) of the Open Meetings Act.

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

Mr. Gaumer - aye

Ms. Mayer - aye

Roll call attendance for the trustee participating via electronic means was taken: Trustee Pitman, present.

APPROVAL OF MINUTES

Mr. Dan Gaumer presented the open session minutes from the Claims Panel Committee Meeting of August 26, 2024.

Ms. Mayer made the following motion:

That the open session minutes from the August 26, 2024, Claims Panel Committee Meeting be approved as presented.

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

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

Mr. Gaumer presented the closed minutes from the Claims Panel Committee Meeting of August 26, 2024, for approval.

Ms. Mayer made the following motion:

That the closed session minutes from the August 26, 2024, Claims Panel Committee Meeting be approved as presented and remain closed.

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

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

PRESENTATION OF CLAIM – EASTERN ILLINOIS UNIVERSITY/PATRICIA FEWELL

The administrative appeal filed by Eastern Illinois University was called for hearing. Mr. Dan Gaumer served as the assigned hearing officer. SURS staff was represented by General Counsel, Ms. Bianca Green. Ms. Ann Parkinson, court reporter, swore in Mr. Matt Bierman. Mr. Gaumer admitted 195 pages of documents into evidence. Mr. Hill asked for permission to present a court case, *United States v. Bajakajian*, 524 U.S. 321 (1998), that had not been provided to SURS prior to the hearing. Permission was granted and the case was added to the record. Next, Ms. Green provided a verbal summary of the issues to be addressed by the Claims Panel. Mr. Austin Hill agreed with that summary and then presented his case with oral testimony given by Mr. Bierman. Ms. Green cross examined the claimant’s witness. SURS presented its case via the sworn testimony of Ms. Jennifer Bartell, SURS Director of Benefits Processing. Mr. Hill cross examined Ms. Bartell.

At the conclusion of the claim presentation Hearing Officer Dan Gaumer 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 in the claims. Mr. Gaumer seconded the motion which passed via the roll call vote referenced below:

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

RETURN TO OPEN SESSION

Upon completion of the closed session deliberations, the Claims Panel Committee returned to open session, at approximately 9:52 a.m.

Ms. Mayer then made the following motion relative to the Eastern Illinois University administrative appeal:

To affirm the staff decision finding that Eastern Illinois University has not proven by a preponderance of evidence that it is entitled to the relief sought, and that a written decision of factual findings and conclusions be drafted and signed by the Hearing Officer after members of the Claims Panel voting in favor the motion confirm their agreement with the same.

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

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

PRESENTATION OF CLAIM – LIZI ZHU

The administrative appeal filed by Mr. Lizi Zhu was called for hearing. Mr. Dan Gaumer served as the assigned hearing officer. SURS staff was represented by Senior Associate General Counsel, Ms. Heather Kimmons. Mr. Gaumer admitted 143 pages of documents into evidence. The court reporter, Ms. Ann Parkinson, swore in Mr. Lizi Zhu and Ms. Jennifer Bartell. Ms. Kimmons provided a verbal summary of the issues to be addressed by the Claims Panel and Mr. Zhu agreed with her summary. Next, Mr. Lizi Zhu presented his case via a narrative explanation as to why he believed he is entitled to the relief sought. Ms. Kimmons cross examined the claimant. Mr. Pitman also asked the claimant about communications with his employer regarding the matter at issue. The claimant made a final statement to the Clams Panel.

At the conclusion of the claim presentation, Hearing Officer Dan Gaumer 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 in the claims. Mr. Pitman seconded the motion which passed via the roll call vote referenced below:

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

RETURN TO OPEN SESSION

Upon completion of the closed session deliberations, the Claims Panel Committee returned to open session, at approximately 10:30 a.m.

Ms. Mayer then made the following motion relative to the administrative appeal of Mr. Lizi Zhu:

To affirm the staff decision finding that Mr. Lizi Zhu has not proven by a preponderance of evidence that he is entitled to the relief sought, and that a written decision of factual findings and conclusions be drafted and signed by the Hearing Officer after members of the Claims Panel voting in favor of the motion confirm their agreement with the same.

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

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

The Claims Panel was ahead of schedule and took a recess before moving forward with the next agenda item. The meeting reconvened at 11:30 a.m.

CONTINUATION OF HEARING – MEERA KOMARRAJU

The claim of Ms. Meera Komarraju was re-opened following a continuation from the hearing held during the Claims Panel Committee meeting on May 6, 2024. Mr. Dan Gaumer served as the assigned hearing officer for this continued matter. SURS staff was represented by Senior Associate General Counsel Mr. Albert Lee. Ms. Komarraju did not appear at the meeting. Mr. Gaumer reviewed the status of the matter to date. Mr. Lee presented a status update regarding Ms. Komarraju’s written election to continue with the appeal of this matter on the merits. Mr. Lee asked the committee to add additional post-hearing documents to the record which were included as pages 157 to 245. Mr. Gaumer granted the request to admit the new records. Mr. Gaumer confirmed that the written findings and conclusions of the Claims Panel Committee will be issued after the Claims Panel members have reviewed and signed the written decision.

CONTINUATION OF HEARING – STEPHEN STILLABOWER

The claim of Mr. Stephen Stillabower was called for hearing. Mr. Dan Gaumer served as the assigned hearing officer. SURS staff was represented by General Counsel, Ms. Bianca Green. Ms. Green presented the post-hearing briefs filed by the parties and asked the Claims Panel Committee to admit these briefs into the record in this case. The Hearing Officer granted the request and accepted the briefs into the record in this case as pages 495–609 and then he 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 in the cases. Hearing Officer Mr. Dan Gaumer seconded the motion which passed via the roll call vote referenced below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye

RETURN TO OPEN SESSION

Upon completion of the closed session deliberations, the Claims Panel Committee returned to open session, at approximately 11:48 a.m.

Ms. Mayer made the following motion relative to the appeal of Stephen Stillabower:

To affirm the staff decision, finding that Stephen Stillabower 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 and signed by the Hearing Officer after members of the Claims Panel voting in favor of the motion confirm their agreement with the same.

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

Mr. Gaumer	-	aye
Ms. Mayer	-	aye

PUBLIC COMMENT

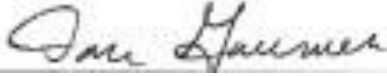
There was no public comment.

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

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

Meeting adjourned at 11:50 a.m.

Respectfully submitted,



Mr. Dan Gaumer
Hearing Officer

DG:aa



MINUTES

**Claims Panel Meeting
of the Board of Trustees of the
State Universities Retirement System
Tuesday, November 19, 2024, 1:00 p.m.
State Universities Retirement System
Main Conference Room
1901 Fox Dr., Champaign, IL
(Hearing Officer Clifford)**

The meeting of the Claims Panel Committee of the Board of Trustees of the State Universities Retirement System (SURS) convened on Tuesday, November 19, 2024, at 12:53 p.m.

The following Claims Panel Committee members were present: Ms. Carolyn Clifford, Hearing Officer; Ms. Suzanne Mayer, SURS Executive Director and Trustee Herbert Pitman (*via video conference*).

Others present: Ms. Bianca Green, General Counsel (*via video conference*); Ms. Heather Kimmons, Senior General Counsel; Mr. Albert Lee, Senior General Counsel; Ms. Jennifer Bartell, Director of Benefits Processing; Ms. Karen Nyi (*via video conference*) and Ms. Annette Ackerman, Executive Assistants; Ms. Ann Parkinson, Area Wide Reporting; and Mr. Anthony Gaston, Claimant (*via video conference*).

Initial Claims Panel Committee roll call attendance was taken with Hearing Officer Carolyn Clifford and Executive Director Suzanne Mayer, both present.

TRUSTEE PARTICIPATION VIA ELECTRONIC MEANS

Ms. Suzanne Mayer made the following motion:

- That Trustee Pitman be allowed to participate in the committee meeting due to employment matters via video or audio conference call for the Claims Panel Meeting on November 19, 2024, pursuant to Section 7(a) of the Open Meetings Act.

Ms. Carolyn Clifford seconded the motion which passed via the following roll call vote:

Ms. Clifford - aye
Ms. Mayer - aye

Roll call attendance for the trustee participating via electronic means was taken: Trustee Pitman, present.

APPROVAL OF MINUTES

Ms. Clifford presented the open session minutes from the Claims Panel Committee Meeting of August 26, 2024.

Ms. Clifford made the following motion:

That the open session minutes from the August 26, 2024, Claims Panel Committee Meeting be approved as presented.

Ms. Mayer seconded the motion which passed via the roll call vote referenced below:

Ms. Clifford - aye
Ms. Mayer - aye
Trustee Pitman *Not called because he was not a committee member at that time*

Ms. Clifford presented the closed minutes from the Claims Panel Hearing of August 26, 2024, for approval.

Ms. Clifford made the following motion:

That the closed session minutes from the August 26, 2024, Claims Panel Hearing be approved as presented and remain closed.

Ms. Mayer seconded the motion which passed via the roll call vote referenced below:

Ms. Clifford - aye
Ms. Mayer - aye
Trustee Pitman *Not called because he was not a committee member at that time*

PRESENTATION OF CLAIM – KEVIN NAGLE

The administrative appeal of Mr. Kevin Nagle was called for hearing. Ms. Carolyn Clifford served as the assigned hearing officer. SURS staff was represented by Senior Associate General Counsel Mr. Albert Lee. Mr. Nagle opted to waive his appearance at the hearing. Ms. Clifford admitted a total of pages 179 of documents into evidence. Mr. Lee provided a verbal summary of the issues to be addressed by the Claims Panel. Mr. Lee went on to present the basis for the staff opinion issued in this matter. At the conclusion of the claim presentation, Hearing Officer Carolyn Clifford closed the evidentiary proofs.

CLAIMS PANEL DELIBERATIONS

Hearing Officer Clifford 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 Pitman seconded the motion which passed via the roll call vote referenced below:

Ms. Clifford	-	aye
Ms. Mayer	-	aye
Trustee Pitman	-	aye

RETURN TO OPEN SESSION

Upon completion of the closed session deliberations, the Claims Panel returned to open session, at approximately 1:09 p.m.

Ms. Mayer then made the following motion for the Kevin Nagle Claim:

To affirm the staff decision finding that Kevin Nagle has not proven by a preponderance of evidence that he is entitled to the relief sought, and that a written decision of factual findings and conclusions be drafted and signed by the Hearing Officer after members of the Claims Panel voting in favor of the motion confirm their agreement the same.

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

Ms. Clifford	-	aye
Ms. Mayer	-	aye
Trustee Pitman	-	aye

CONTINUATION OF CLAIM – YOLANDA NEWMAN (deceased)

The claim of Ms. Yolanda Newman (*deceased*) was called for a status update. Ms. Carolyn Clifford served as the assigned hearing officer. SURS staff was represented by Senior Associate General Counsel Ms. Heather Kimmons who provided a status update on the claim. Ms. Kimmons requested to add additional pages to the record that reflect the due diligence completed by both parties per the prior direction of the Claims Panel Committee members. These records were numbered as pages 142 to 242. Ms. Clifford asked Mr. Gaston if he had an objection to adding these pages to the

record. Mr. Gaston had no objection, and the additional pages were added to the record in this matter.

Ms. Kimmons then provided a summary of the affidavit she created that details efforts taken by SURS staff members to obtain additional records and information related to this claim, including any information that related to the marital relationships between Mr. Gaston and Ms. Newman and between Mr. Larry Matthews and Ms. Newman. Ms. Kimmons asked to include the affidavit in the record in this case as pages 243 to 247. Mr. Gaston had no objection, and the additional pages were added to the record.

Ms. Kimmons also asked the Claims Panel Committee to add Mr. Larry Matthews (the current recipient of survivor benefits) as a necessary party to this matter. Mr. Gaston had no objection. Ms. Clifford granted the motion adding Mr. Larry Matthews as a necessary party to this claim because his rights to continue to receive SURS benefits could be impacted by this administrative proceeding. A corresponding notice will be issued by SURS staff to Mr. Matthews advising him that he has been added as a necessary party to this matter. The claim will be continued to a future hearing date.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

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

Ms. Clifford	-	aye
Ms. Mayer	-	aye
Trustee Pitman	-	aye

Meeting adjourned at 1:28 p.m.

Respectfully submitted,



Ms. Carolyn Welch Clifford
Hearing Officer

CC:aa