



# Maine Human Rights Commission

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**Kit Thomson Crossman**  
EXECUTIVE DIRECTOR

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COMMISSION COUNSEL

## COMMISSION MEETING MINUTES

April 14<sup>th</sup>, 2025, MEETING

***Held in Hybrid Format - In Person (19 Union Street, Augusta, Maine) and via ZOOM***

Commissioner David chaired the meeting and called it to order at 8:30 AM. Also present were Commissioners O'Brien, Walker, Douglas, and Sanders.

### AGENDA

Commissioner Douglas moved, seconded by Commissioner Walker, to adopt the Agenda and Consent Agenda to accept the Investigators' recommended decisions in each of the cases listed on the Consent Agenda (see listing beginning on Page 3). The Commissioners heard Complainant Antonio Paz's request to table E23-0131, *Paz v. Abbott Laboratories*, to the May meeting. Commissioner David then proposed a friendly amendment to Commissioner Douglas's motion, denying Mr. Paz's request, which Commissioner Douglas accepted.

5 in favor | 0 opposed.

### MINUTES

Commissioner Douglas moved, seconded by Commissioner O'Brien, to adopt the March Commission Meeting Minutes.

5 in favor | 0 opposed.

### ADMINISTRATION

Monthly reports: Executive Director Thomson Crossman discussed reporting on the following Commission activities:

- Personnel: A report was placed on file.
- Compliance: Since the last meeting, there have been 3 unsuccessful conciliations and 0 successful conciliations, with 5 reasonable grounds cases remaining in active conciliation.
  - Commissioner Walker moved, seconded by Commissioner Douglas, to dismiss the following cases in which an agreement was reached during conciliation and monitoring is complete: E22-0029, *James v. Portland Air Freight, Inc.*; H21-0272-A/B, *Norwood v. Strictly Mobile Homes et al*; H23-0321-A/B, *O'Neil v. Executive Properties et al*; and H23-0335-A/B/C, *Willette v. Turner Square Apartments et al*.

5 in favor | 0 opposed.

- New Charges: 47 new complaints were filed in March, with a total of 68 new Respondents.

- Withdrawals and dismissals: 63 issued in March, including 29 administrative dismissals, 9 right-to-sue letters, and 25 settlements (18 private settlements and 7 settlements through the MHRC's mediation program) with a total of \$807,250 to Complainants.

New Business: The Commission presented testimony on three bills since the last Commission meeting.

At approximately 8:45 A.M. Commissioner David began the Hearing Agenda.

### CASES VOTED ON IN A.M. SESSION

*PA23-0079, Josh Sheedy (Old Orchard Beach) v. Concentra Urgent Care (South Portland).* Josh Sheedy presented his position. Attorney Carol Eisenberg presented the Respondent's position. Investigator Robert Beauchesne reviewed his report and recommendations and answered the Commissioners' questions. Commissioner O'Brien moved, seconded by Commissioner David, to find there are No Reasonable Grounds to believe that Concentra Urgent Care discriminated against Josh Sheedy on the basis of disability, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2).

5 in favor | 0 opposed.

*E23-0070, Samuel Luzingu (Westbrook) v. Abbott Laboratories (Abbott Park, IL).* Attorney David G. Webbert presented the Complainant's position. Attorney Hillary Massey presented the Respondent's position. Investigator Nupur Leva reviewed her report and recommendations and answered the Commissioners' questions.

Commissioner O'Brien moved to find there are No Reasonable Grounds to believe that Abbott Laboratories discriminated against Samuel Luzingu based on race, color, national origin, and/or ancestry (discharge), there are No Reasonable Grounds to believe that Abbott Laboratories retaliated against Samuel Luzingu for engaging in WPA- and/or MHRA-protected activity, and this claim should be dismissed in accordance with 5 M.R.S § 4612(2).

Motion failed for lack of a second.

Commissioner Douglas moved, seconded by Commissioner Sanders, to find there are No Reasonable Grounds to believe that Abbott Laboratories discriminated against Samuel Luzingu based on race, color, national origin, and or ancestry (discharge), and this claim should be dismissed in accordance with 5 M.R.S § 4612(2).

5 in favor | 0 opposed.

Commissioner Sanders moved, seconded by Commissioner Douglas, to find there are **Reasonable Grounds** to believe that Abbott Laboratories retaliated against Samuel Luzingu for engaging in WPA- and/or MHRA-protected activity, and Conciliation of this claim should be attempted in accordance with 5 M.R.S § 4612(3).

4 in favor | 1 opposed.

*PA23-0170ABC\*, Lisa Caldeira (Ashland, MA) v. Maine Savings Amphitheater (Bangor), City of Bangor (Bangor), Waterfront Concerts, LLC and Production Services of Maine, LLC (Old Town).* Attorney Fredrick Costlow presented the City of Bangor's position. Attorney Sarah Newell presented Waterfront Concerts, LLC and Production Services of Maine, LLC's position. Attorney Kristin Aiello presented the Complainant's position. Investigator Jane O'Reilly reviewed her report and recommendations and answered the Commissioners' questions.

\* Indicates a case in which a "reasonable grounds" finding is recommended

Commissioner David moved, seconded by Commissioner Sanders, to find there are No Reasonable Grounds to believe that Maine Savings Amphitheater discriminated against Lisa Caldeira on the basis of disability or engaged in unlawful retaliation, there are No Reasonable Grounds to believe that City of Bangor retaliated against Lisa Caldeira for engaging in MHRA-protected activity, and these claims should be dismissed in accordance with 5 M.R.S. § 4612(2).

5 in favor | 0 opposed.

Commissioner David moved, seconded by Commissioner Walker, to find there are **Reasonable Grounds** to believe that Waterfront Concerts, LLC and Production Services of Maine, LLC discriminated against Lisa Caldeira on the basis of disability, and Conciliation of this claim should be attempted in accordance with 5 M.R.S § 4612(3).

5 in favor | 0 opposed.

Commissioner Sanders moved, seconded by Commissioner Douglas, to find there are **Reasonable Grounds** to believe that Waterfront Concerts, LLC and Production Services of Maine, LLC retaliated against Lisa Caldeira for engaging in MHRA-protected activity, and Conciliation of this claim should be attempted in accordance with 5 M.R.S. § 4612(3).

3 in favor | 2 opposed (David and Walker opposed).

Commissioner Douglas moved, seconded by Commissioner David, to find there are No Reasonable Grounds to believe that City of Bangor discriminated against Lisa Caldeira on the basis of disability, and this claim should be dismissed in accordance with 5 M.R.S. § 4612(2).

4 in favor | 1 opposed (Sanders opposed).

*H24-0420AB, Cathy Deloge (East Millinocket) v. C&C Realty Management, LLC (Augusta) and Jayne Potvin (Augusta).* Dr. Andrew Kreitzer presented the Complainant's position. Respondent did not attend the hearing. Investigator Nupur Leva reviewed her report and recommendations and answered the Commissioners' questions. Commissioner Douglas moved, seconded by Commissioner O'Brien, to find there are No Reasonable Grounds to believe that C&C Realty Management, LLC and/or Jayne Potvin discriminated against Cathy Deloge on the basis of disability, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2).

5 in favor | 0 opposed.

## **EXECUTIVE SESSION**

At approximately 12:11 P.M., Commissioner David moved, seconded by Commissioner Walker, to go into executive session to discuss pending or contemplated litigation and the Commission's legal rights and duties with Commission Counsel pursuant to 1 M.R.S. §405(6)(E).

5 in favor | 0 opposed.

At approximately 1:02 P.M., Commissioner Walker moved, seconded by Commissioner Douglas, to come out of Executive Session.

5 in favor | 0 opposed.

*\* Indicates a case in which a "reasonable grounds" finding is recommended*

Commissioner David moved, seconded by Commissioner O’Brien, *not* to litigate the following cases: E22-0374-C, *Allen III v. Linda Gardiner*; E23-0313, *Holland v. Piedmont Airlines*; and H/E24-0123, *Phanord v. SHP Management Corporation*.

5 in favor | 0 opposed.

At approximately 1:03P.M. the meeting was adjourned.

**CONSENT AGENDA**

The consent agenda is a listing of cases scheduled on the Commission’s meeting agenda in which there was no written disagreement to the Investigator’s recommendation. Commissioners considered these cases without oral argument by the parties.

E23-0058	Katherine Warren (Portland) v. Running Tide Technologies, Inc. (Portland)	NRG
E23-0090	Irene Campbell (Waterville) v. IDEXX Operations, Inc. (Westbrook)	NRG
E23-0103AB	Shanna Goodine (Buxton) v. Rentokil North America, Inc. (Washington, PA), Rentokil North America, Inc. (Scarborough)	NRG
E23-0131	Antonio Paz (Portland) v. Abbott Laboratories, Inc. (Abbott Park, IL)	NRG
E23-0185	Brianna Lee Kemp (Belfast) v. Walmart Supercenter (Thomaston)	NRG
ED23-0373	Sirleide Thurman (Portland) v. Southern Maine Community College (South Portland)	NRG
H24-0449	Deril Stubenrod (Vassalboro) v. Yan Lin (Fairfield)	NRG

**TABLED**

*\* Indicates a case in which a "reasonable grounds" finding is recommended*