



STATE OF IOWA

TERRY BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

IOWA CIVIL RIGHTS COMMISSION
BETH TOWNSEND
EXECUTIVE DIRECTOR

Minutes of the August 31, 2011 Meeting of the Iowa Civil Rights Commission

I. Roll Call: Chapman, Moore, Williams, Morain (quorum)

Staff: Townsend

Public: Staff members of the Iowa Civil Rights Commission, Cynthia Hunafa, Education Brain Trust

Parties: Rent-A-Center: Rob Friedman, Eddie Berbarie, Mary Harokopus, Jo Ellen Whitney; ICRC: Teresa Baustian

II. Minutes from June meeting: approved by unanimous consent.

III. Hearing on Motion in Henry v. Rent-A-Center. Motion by Respondent Appealing ALJ Proposed Order Denying Motion to Dismiss or in the alternative to Stay and Compel Arbitration - Before the motion was heard, Commissioner Morain stated that his brother was associated with Ms. Whitney's law firm but that he did not have knowledge of this particular case. Ms. Whitney confirmed that Mr. Steven Morain did not work on or have access to information regarding this case. Both sides were asked by Chair Chapman if they objected to Mr. Morain participating in the hearing/decision, and both sides indicated they did not. Arguments were presented by Mr. Friedman on behalf of Respondents and by Ms. Baustian. Questioning by the Commission followed. During the questions, Commissioner Lipski arrived.

At approximately 2:15 pm, after all questions were asked and responded to, Commissioner Moore moved to go to Closed Session pursuant to Iowa Code § 21.5(1)(f)(2011) to discuss the decision to be rendered in this contested case conducted in accordance with Iowa Code Chap 17A. Commissioner Lipski seconded the motion. A roll call vote was taken and the Commissioners voted as follows: Moore, Williams, Chapman and Lipski voted in favor of the motion; Morain voted against. Having received more than two-thirds votes of the Commissioners, the Commission went to closed session at 2:20 p.m.

At 5:00 p.m., the Commission returned to Open Session. Commissioner Lipski moved to accept the ALJ's proposed order with modifications. The motion was seconded by Commissioner Moore. A roll call vote was taken and the following Commissioners voted in favor of the Motion: Moore, Chapman, Lipski, Williams and Morain. No Commissioner voted against the Motion. The Motion carried and all Commissioners then signed the Order Accepting the Administrative Law Judge's Proposed Order with Modifications and Denying Respondent's Motion to Dismiss or in the Alternative Stay Proceedings and Compel Arbitration drafted by the Commissioners (Order attached)

IV. Next Meeting was set for October 13, 2011 at 3 pm at the Iowa Civil Rights Commission.

V. Adjournment

A handwritten signature in black ink, appearing to read "Beth Townsend", written over a horizontal line.