

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION

DR. SREENI GANGASANI, and DR. MEHER
MEDAVARAM,

Plaintiffs,

v.

AMERICAN ASSOCIATION OF PHYSICIANS
OF INDIAN ORIGIN, a Michigan non-profit
Corporation,

Defendant.

Case No. 2024 CH 02438

**STIPULATED ORDER
FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF**

The parties hereto coming before the Court having reached an agreement to resolve this matter and having filed stipulations on the record in support hereof, the Court having reviewed the record in this matter and being satisfied that the relief set forth herein is warranted based upon the pleadings and stipulations as set forth in such record, the Court being otherwise fully advised in the premises, IT IS ORDERED, ADJUDGED, and DECREED:

1. The Court enters this stipulated order as follows:

- a. Declaring that the procedures used by AAPI officers to suggest that Dr. Sreeni Gangasani was either suspended or removed from office at any time during the 2023-2024 AAPI officer term were not conducted in compliance with AAPI's bylaws and Dr. Gangasani was not suspended or removed from office at any time during the 2023-2024 AAPI officer term.
- b. Declaring that the 2024 bylaws have been rescinded by vote of the Governing Body of AAPI on the basis that they were not implemented in compliance with

the bylaw amendment procedures set forth in the 2020 bylaws and are therefore a legal nullity;

- c. Declaring that the 2020 bylaws are currently and were, at all times relevant, the operative bylaws in place and governing the procedures of the 2024 AAPI officer election;
 - d. Declaring that the individuals who timely submitted themselves for nomination for the position of Vice President in the 2024 AAPI officer elections and who were qualified to contest for such position were: Dr. Meher Medavaram and Dr. Sumul Raval;
 - e. Declaring that the individuals who timely submitted themselves for nomination for the position of Secretary in the 2024 AAPI officer elections and who were qualified to contest for such position were Dr. Sreeni Gangasani and Dr. Rajendra Bhayani;
2. The Court enters a mandatory permanent injunction in favor of Plaintiffs and against Defendant as follows:
- a. AAPI is to hold special elections to fill the positions of Vice President and Secretary for the remaining balance of the 2024-2025 AAPI officer term, set to expire on or about July 8, 2025, under the following terms and conditions:
 - i. The nominees for the position of Vice President are Dr. Meher Medavaram and Dr. Sumul Raval;
 - ii. The nominees for the position of Secretary are Dr. Sreeni Gangasani and Dr. Rajendra Bhayani;
 - iii. AAPI is to notify the nominees of entry of this order within five (5) days

of its entry;

- iv. The nominees have 24 hours after notification to withdraw their nomination by written notification to AAPI if they so desire, and each nominee who does not so withdraw their nomination will be deemed a candidate for their respective positions;
- v. AAPI to announce the special elections and the candidates for each position to the general body of AAPI no later than seven days after the entry of this order;
- vi. If, within seven days following the entry of this order, at least two candidates for any open position notify AAPI of an agreement to hold a debate on any date and time agreed to by such candidates which is not in excess of twenty days following the date of this order, then AAPI will communicate to the general body the time and date of the debate, as well as such information as has been provided by the candidates as to online access to view the debate;
- vii. AAPI is to appoint a Chief Election Officer to conduct the election who will be the immediate past chair of AAPI's board of trustees unless otherwise determined by two-thirds of AAPI's Governing Body in attendance at a duly constituted meeting;
- viii. The Chief Election Officer will appoint four election officers, two of whom are past presidents of AAPI and two of whom are past chairs of the Board of Trustees, with the approval of the majority of the Executive Committee members as to such four election officers;

- ix. The Chief Election Officer and the four election officers appointed above will constitute the Election Committee;
- x. The immediate past Chief Election Officer of AAPI shall serve as an ex-officio member of the Election Committee;
- xi. The Election Committee will, within twenty days following the entry of this order, approve an updated voter list to include all members eligible to vote as of the date of entry of this order with each such voter's address on record with AAPI included on such list;
- xii. The Chief Election Officer will retain on AAPI's behalf, the services of True Ballot Company, a neutral ballot counting company located in Washington DC, or any other ballot agency with the approval of AAPI's Executive Committee, to conduct the election under the supervision of the Chief Election Officer;
- xiii. Within 30 days following the entry of this order, the Chief Election Officer will cause a ballot reflecting the candidacy of each candidate who has not withdrawn their candidacy to be transmitted to the ballot agency along with the voter list prepared as above;
- xiv. The ballot approved by the Chief Election Officer will disclose each candidate, the position the candidate is contesting for, will include lines with instructions for the voting member to print and sign their name, and will include instructions to the voting member indicating that they may vote once for each contested position, The ballot will also indicate a date, 60 days following the entry of this order, that the ballot must be returned

in order to be counted, as well as the address to which the ballot is to be returned;

- xv. The Chief Election Officer will direct the ballot agency to mail a ballot to each address on the voting list prepared as above within 24 hours of the ballot agency's receipt of the ballot and voter list. The ballot agency will be directed to use such security and verification in order to identify authentic ballots as the ballot agency deems reasonable and prudent;
- xvi. Replacement ballots will be issued by the ballot agency upon written request received not less than 45 days following the entry of this order.
- xvii. Each ballot returned within 60 days following the entry of this order which is verified as authentic by the ballot agency, contains the voting member's name and signature, is legible, and votes for not more than one candidate for each position, will be counted by the ballot agency and the candidate receiving the most votes for each position will be declared the winner of that position. In the event of a tie as to any position, the Chief Election Officer will determine the winner from among the tying candidates.
- xviii. The Chief Election Officer will notify the President of AAPI immediately upon being advised of the results by the ballot agency and the President of AAPI will personally call each candidate notifying the candidate of the result;
- xix. Each candidate has 24 hours after such notification to request a recount, which will be conducted at the expense of the candidate requesting such recount;

xx. Any recount must be completed within 65 days following entry of this order;

xxi. The results of the election will be published to the AAPI general membership and the winning candidates will assume office no later than 65 days following the entry of this order;

3. The Court enters permanent injunctive relief in favor of Plaintiffs and against Defendant as follows:

a. AAPI and all of its officers, committees, and bodies corporate are enjoined from interfering with the special elections set forth in this order;

b. AAPI and all of its officers, committees, and bodies corporate are enjoined from appointing any individual to the position of Vice President or the position of Secretary prior to the completion of the special elections set forth in this order;

4. This matter is dismissed with the parties bearing their own costs and with the Court to retain jurisdiction to enforce the relief granted herein.

BE IT SO ORDERED, ADJUDGED, and DECREED.

Date: 09/26/2024
AGREED AND SO STIPULATED:

Jeffrey M. Pelton
Jeffrey M. Pelton, Authorized Attorney
for Plaintiffs

Date: 9/26/24
AGREED AND SO STIPULATED:

India Rios
India Rios, Authorized Attorney
for Defendant

Order prepared by:
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Dated: 9-30-2024

Entered: [Signature]

Judge _____ Judge's No. _____
Judge Michael T. Mullen

SEP 30 2024