

DANIEL M. HERRIGAN

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IN THE COURT OF COMMON PLEAS

SUMMIT COUNTY, OHIO

SUMMIT COUNTY
CLERK OF COURTS

ANNE B. KAZUKA,

Plaintiff,

vs.

REIMER, ARNOVITZ, CHERNEK &
JEFFREY CO., LPA, et al.,

Defendants.

CASE NO. 2011 10 6026

JUDGE COSGROVE

DEFENDANTS'

PRETRIAL STATEMENT

Defendants Reimer, Arnovitz, Chernek & Jeffrey Co., LPA, ("Reimer"), William Thorndyke ("Thorndyke"), Renee Richardson ("Richardson"), and Beverly Taylor ("Taylor"), collectively referred to herein as "Defendants", submit the following Pretrial Statement:

STATEMENT OF FACTS. Reimer is a law firm located in Twinsburg, Ohio that specializes in creditors' rights, particularly foreclosures and bankruptcy cases. Plaintiff was employed as a paralegal with Reimer from approximately April, 2003 through April, 2011. In this position, Plaintiff was responsible for, among other duties, tracking court filings related to foreclosures and notifying co-workers and clients of these filings and other case events. During Plaintiff's employment with Reimer, she consistently had difficulty following-up on court filings and also made many errors in her work product.

By July, 2009, Defendants determined these errors and lack of follow-up had become so consistent and disruptive that corrective counseling was warranted. Defendants issued Plaintiff a written warning for these performance issues and then when improvement did not occur, placed Plaintiff on a performance improvement plan ("PIP"). Shortly thereafter, however, Plaintiff took

a medical leave of absence. Plaintiff returned to work full-time and without restrictions in May, 2010.

Following her return to work, Plaintiff continued to exhibit the same lack of follow-up and errors in work product. As a result, Reimer again issued Plaintiff a written warning for these performance issues and, in December, 2010, placed her on a 90-day PIP. Plaintiff nevertheless failed to make immediate and sustained improvement in these areas such that Defendants placed her on one final 30-day PIP in March, 2011. When Plaintiff again failed to demonstrate sufficient improvement in her follow-up and work product during this PIP, Defendants decided to terminate her employment, effective April 28, 2011.

ISSUES OF FACT. Defendants do not anticipate that there will be any genuine issues of material fact for trial in this case and that summary judgment is appropriate.

ISSUES OF LAW. Plaintiff has asserted claims under Ohio law for age and disability discrimination and retaliation. Reimer denies that it unlawfully discriminated or retaliated against Plaintiff in any manner.

DAMAGES/LOSS OF INCOME ITEMIZATION. It is Defendants' position that Plaintiff is not entitled to any damages in this matter.

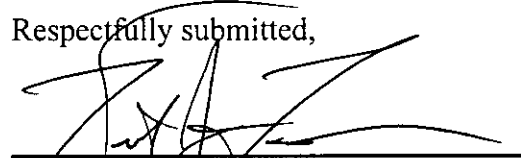
REQUEST FOR MEDICAL EXAMINATION. At this time, Defendants do not anticipate requesting a medical examination of Plaintiff.

DISCOVERY AND DEPOSITIONS. Defendants served discovery requests upon Plaintiff on December 30, 2011. Once the parties complete written discovery, the parties will discuss mutually agreeable dates to conduct the deposition of Plaintiff and other witnesses. Defendants expect to be able to take Plaintiff's deposition within 30 to 60 days following completion of written discovery and associated document production.

IDENTIFICATION OF EXPERT WITNESSES. Defendants have not yet retained any expert witnesses in this case.

ESTIMATE NUMBER OF LAY WITNESSES AT TRIAL. At this time, Defendants anticipate calling approximately three to five lay witnesses at trial.

Respectfully submitted,



Vincent J. Tersighi (0040222)

Corey Donovan Tracey (0075164)

Park Center Plaza I, Suite 400

6100 Oak Tree Boulevard

Cleveland, Ohio 44131

Phone: (216) 750-0404

Fax: (216) 750-0826

Email: Vincent.Tersighi@jacksonlewis.com

Corey.Tracey@jacksonlewis.com

Counsel for Defendants

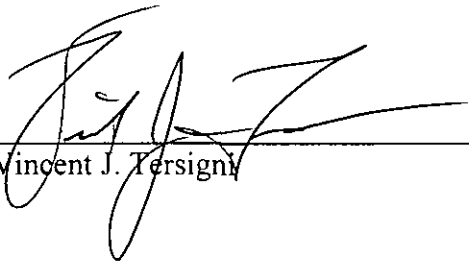
CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of January, 2012, a true and accurate copy of the foregoing **Defendants' Pretrial Statement** was sent to the following parties via regular U.S.

Mail:

Andrew D. Bemer
Seeley, Savidge, Ebert & Gourash Co., LPA
26600 Detroit Road, Suite 300
Cleveland, Ohio 44145-2397

Attorney for Plaintiff



Vincent J. Tersigni