programming in conjunction with student organizations.	staff.
Streamline student organization administration process.	Focus on OrgSync.
Support transition process for SGA and BOE Advising.	In conjunction with Student Center Manager and Associate Dean.

Overall Rating Comments

Overall Performance Rating

Overall Performance Rating:	Exceeds Expectations

Comments

Supervisor Comments:	Steve is a wonderful professional who excells at working closely with students. Steve is extremely well organized and productive. Steve is very thoughtful and contemplates the many facets of an issue, offering great insights. Steve has done really well taking on new projects.
Employee Comments:	
Next Level Supervisor Comments:	

Notes/History

08-24-2011 9:53 AM **James Drnek**

Saved Without Submitting

08-24-2011 10:20 AM **James Drnek**

Save

08-31-2011 4:14 PM **James Drnek**

Sent to Employee to Conduct Self Evaluation

09-06-2011 11:54 AM **Steven Liss**

Save

09-16-2011 11:10 AM	**Steven Liss**
Save	
09-16-2011 1:54 PM	**Steven Liss**
Sent to Supervisor to Conduct Evaluation	
09-16-2011 3:11 PM	**James Drnek**
Save	
09-22-2011 11:26 AM	**James Drnek**
Save	
09-22-2011 11:26 AM	**James Drnek**
Evaluation Complete - Pending Discussion with Employee	
09-23-2011 10:24 AM	**Steven Liss**
Discussion Complete - Sent to Employee for Review	
09-23-2011 10:25 AM	**Steven Liss**
Reviewed - Send to Supervisor	
09-23-2011 12:35 PM	**James Drnek**
Send to Next Level Supervisor for Review or Approval	
09-26-2011 10:04 AM	**Geoffrey Mearns**
Sent to HR for Review/Filing	
09-26-2011 4:47 PM	**Maria Krasniansky**
Evaluation Complete	

EXHIBIT 2

IN THE OHIO COURT OF CLAIMS

STEVEN LISS Plaintiff v. CLEVELAND STATE UNIVERSITY Defendant	Case No. 2013-00139 Judge Patrick M. McGrath Magistrate Holly T. Shaver DEFENDANT'S RESPONSES TO: PLAINTIFF'S FIRST SET OF INTERROGATORIES

GENERAL OBJECTIONS

1. Defendant objects to these interrogatories to the extent that they intend to invade the attorney-client privilege and/or attorney work product doctrine. Defendant specifically reserves all rights it has under those privileges, and its answers and objections to these interrogatories do not constitute a waiver of any rights whatsoever that Defendant has under said privileges. In fact, the parties have entered into a claw back agreement to protect such privileges through an inadvertent disclosure.

2. Defendant objects to these interrogatories to the extent that they fail to comply with, or seek to alter, the rights and obligations imposed by the Ohio Rules of Civil Procedure and/or the Local Rules of the Ohio Court of Claims. Defendant specifically reserves all rights it has under those rules, and its answers and objections to these interrogatories do not constitute a waiver of any rights whatsoever that Defendant has under said rules.

3. Defendant objects to these interrogatories to the extent that they are overly broad.

4. Defendant objects to these interrogatories to the extent that they are unduly burdensome.

5. Defendant objects to these interrogatories to the extent that they are vague.

6. Defendant objects to these interrogatories to the extent that they are ambiguous.

7. Defendant objects to these interrogatories to the extent that they are duplicative.

8. Defendant objects to these interrogatories to the extent that they are compound.

9. Defendant objects to these interrogatories to the extent that they seek information that is not relevant to the allegations set forth in the Complaint.

10. Defendant objects to these interrogatories to the extent that they are not reasonably calculated to the lead to the discovery of admissible evidence.

11. Defendant objects to these interrogatories to the extent that they seek information that is not within Defendant's knowledge or control.

12. Defendant objects to these interrogatories to the extent that they seek information that is already within Plaintiff's knowledge or control.

13. Defendant objects to these interrogatories to the extent that they seek information that is a matter of public record, and consequently, the burden of deriving it is substantially the same for the Plaintiff and Defendant.

14. Defendant objects to these interrogatories to the extent that they seek information that is protected by The Family Educational Rights and Privacy Act of 1974 (hereinafter "FERPA") and Plaintiff has not provided any executed releases that would permit Defendant to disclose such student information.

15. Defendant objects to these interrogatories to the extent that they are premature and seek information that is not presently available to Defendant, but which may be revealed as this discovery continues. Defendant specifically reserves the right to supplement its responses and objections to these interrogatories as discovery continues and additional information comes to light.

Without waiving these foregoing General Objections, Defendant answers as follows to Plaintiff's First Set of Interrogatories:

INTERROGATORY NO. 1: Please identify all individuals who participated in answering these interrogatories, including his or her full name, business and residential telephone numbers and addresses, position and job title and provide a brief description as to how each individual participated in answering.

ANSWER: **Objection. This interrogatory is vague, overly broad, and not reasonably calculated to lead to the discovery of admissible evidence. Moreover, this interrogatory seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and, in part, seeks a narrative response.**

Without waiving these objections, James Drnek, Dean of Students & Vice Provost for Student Affairs and Willie Banks, Associate Dean, Student Life assisted counsel. In lieu of providing their contact information, Dr. Drnek and Dr. Banks should be contacted through counsel.

INTERROGATORY NO. 2: Please state the names, residential and business addresses, telephone numbers and positions or job titles of all persons having knowledge of and responsibility for the administration of Defendant's personnel policies for the period of January 1, 2008, through the present.

ANSWER: **Objection. This interrogatory is vague and ambiguous. Further, it seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine.**

Without waiving these objections, Steve Vartorella, HR consultant who was assigned to service Student Life. In lieu of providing his contact information, Mr. Vartorella should be contacted through counsel.

INTERROGATORY NO. 3: Please state the names, residential and business addresses and telephone numbers of each person the Defendant believes has relevant knowledge concerning or relating to the subject matter of Plaintiff's Complaint or Defendant's Answer to Plaintiff's Complaint or any defenses asserted therein, and include a description of the substance of each person's knowledge.

ANSWER: **Objection. This interrogatory seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine. Moreover, this interrogatory, in part, seeks a narrative response.**

Without waiving this objection:

- James Drnek, Dean of Students & Vice Provost for Student Affairs
- Willie Banks, Associate Dean, Student Life
- Steve Vartorella, HR consultant assigned to service Student Life
- Ronald Berkman, President
- Stephanie McHenry, Vice President for Business Affairs and Finance
- Jamie Johnston, Assistant Dean of Students, Student Activities
- Robert Bergemann, Assistant Dean of Students, Student Organizations
- George Walker, Interim Provost & Senior Vice President for Academic Affairs
- Donna Whyte, Director, Office of Diversity and Multicultural Affairs
- Denise Mutti, Manager, Labor Relations
- Sonali B. Wilson, General Counsel
- Kelly M. King, Associate General Counsel
- Yulanda McCarty-Harris, Director, Office of Institutional Equity
- Jean McCafferty, Director, Compensation
- Carmen Brown, Vice President, Enrollment & Student Affairs, VP for Enrollment Services
- Rob Spademan, Assistant Vice President, University Marketing and Admissions
- Barb Smith, Director, Office of Special Events, Office of President
- Tommie Barclay, Director of Web and E-Initiatives
- Michael Artbauer, Chief of Staff, President's Office
- Jill Courson, Assistant Dean, Student Engagement
- Catherine Lewis, Coordinator, Student Activities
- Melissa Wheeler, Coordinator, Commuter Affairs & Student Center Programs
- Sandra Emerick, Associate Dean of Students
- Jianping Zhu, Senior Vice Provost
- Diane Dillard, Instructor
- Mary Myers, Student Organization Advisor
- Dan Lenhart, Student Media Specialist
- Olga Lee, Office Coorinator

In lieu of providing their contact information, these individuals should be contacted through counsel.

INTERROGATORY NO. 4: State whether the Defendant or any person or entity acting on the Defendant's behalf has obtained and/or solicited written statements from any person or entity regarding any alleged facts in either Plaintiff's Complaint, Defendant's Answer to Plaintiff's Complaint, and any of the defenses asserted therein, and if so, indicated the name of each person or entity who has provided a written statement to Defendant.

ANSWER: **Objection. This interrogatory is vague and seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine.**

Without waiving these objections, other than the statement provided by Defendant in response to Plaintiff's EEOC Complaint, Defendant is not aware of any unprivileged statement that would be responsive to this interrogatory.

INTERROGATORY NO. 5: Please state the names, residential and business addresses, telephone numbers and job titles of each employee, agent or representative of Defendant whose responsibility it was to review Plaintiff's job performance during his employment, indicating the dates during which each person held that responsibility.

ANSWER: **Objection. This interrogatory is vague, overly broad, unduly burdensome, and seeks information that is not relevant to the allegation of the Complaint. Moreover, this interrogatory is not reasonably calculated to lead to the discovery of admissible evidence.**

Without waiving these objections:

- **James Drnek, Dean of Students & Vice Provost for Student Affairs (2008-2009 & 8/2011-2/2012)**
- **Willie Banks, Associate Dean, Student Life (2/2012-9/2012)**
- **Diane Dillard, Instructor (1993-2007)**
- **Sandra Emerick, Associate Dean of Students (2007-2008; 2009-2011)**

In lieu of providing their contact information, these individuals should be contacted through counsel.

INTERROGATORY NO. 6: Please state the names, residential and business addresses, telephone numbers and job titles of each individual who participated in any way in any employment, promotion-related (including denial of promotion), raise, bonus, merit increase, commission, transfer, disciplinary, non-renewal or reassignment decision concerning Plaintiff, identifying each person's role in making any such decision.

ANSWER: **Objection. This interrogatory is vague, overly broad, unduly burdensome, and seeks information that is not relevant to the allegation of the Complaint. Moreover, this interrogatory is not reasonably calculated to lead to the discovery of admissible evidence. In addition, this interrogatory seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine. Finally, this interrogatory, in part, seeks a narrative response.**

Without waiving these objections:

- James Drnek, Dean of Students & Vice Provost for Student Affairs
- Willie Banks, Associate Dean, Student Life
- George Walker, Interim Provost & Senior Vice President for Academic Affairs
- Ronald Berkman, President
- Donna Whyte, Director, Office of Diversity and Multicultural Affairs

In lieu of providing contact information for these individuals, they can be contacted through counsel.

INTERROGATORY NO. 7: Please state the names, residential and business addresses, telephone numbers and job titles of each individual who participated in any way in the termination decision concerning Plaintiff, identifying each person's role in making any such decision.

ANSWER: Objection. This interrogatory is vague and seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine. Finally, this interrogatory, in part, seeks a narrative response.

Without waiving these objections:

- James Drnek, Dean of Students & Vice Provost for Student Affairs
- Willie Banks, Associate Dean, Student Life
- George Walker, Interim Provost & Senior Vice President for Academic Affairs
- Ronald Berkman, President
- Donna Whyte, Director, Office of Diversity and Multicultural Affairs

In lieu of providing contact information for these individuals, they can be contacted through counsel.

INTERROGATORY NO. 8: Please describe the job responsibilities and duties for the position of Director, Student Involvement held by Plaintiff during the course of his employment with Defendant.

ANSWER: Objection. This interrogatory calls for a narrative response and is overly broad and unduly burdensome. In addition, this interrogatory seeks information that is not relevant to the allegation of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence. In addition, this interrogatory seeks information that is already within Plaintiff's knowledge or control.

Without waiving these objections, pursuant to Civ.R. 33(C),job descriptions will be provided.

INTERROGATORY NO. 9: Please describe the job responsibilities and duties for each person reporting to Dr. William Banks and including but not limited to the position of Assistant Dean of Students Organizations held by Bob Bergmann from September 5, 2012 to present.

ANSWER: **Objection. This interrogatory calls for a narrative response and is overly broad and unduly burdensome. In addition, this interrogatory seeks information that is not relevant to the allegation of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence. Additionally, Dr. Banks's first name is Willie, not William.**

INTERROGATORY NO. 10: Please state the salary, bonuses, commissions and merit increases received by Plaintiff while employed by Defendant.

ANSWER: **Objection. This interrogatory calls for a narrative response and is overly broad and unduly burdensome. In addition, this interrogatory seeks information that is already within Plaintiff's knowledge or control.**

Without waiving this objections, pursuant to Civ.R. 33(C), payroll records will be provided.

INTERROGATORY NO. 11: Please state the salary, bonuses, commission and merit increases received by each person reporting to Dr. William Banks including but not limited to Bob Bergmann, Jill Courson, Catherine Lewis and Melissa Wheeler while employed by Defendant.

ANSWER: **Objection. This interrogatory calls for a narrative response and is overly broad, unduly burdensome. In addition, this interrogatory seeks information that is not relevant to the allegation of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence. Finally, Dr. Banks's first name is Willie, not William.**

INTERROGATORY NO. 12: Please state the cost of any medical plan, stock plan, pension plan and any other benefit provided to Plaintiff while he was employed with Defendant and state what the costs would be, to Defendant and to Plaintiff, through the present if the Plaintiff were still employed in the position he held at the time of his termination.

ANSWER: **Objection. This interrogatory calls for a narrative response and is overly broad and unduly burdensome. In addition, this interrogatory seeks information that is already within Plaintiff's knowledge or control.**

Without waiving this objection, pursuant to Civ.R. 33(C), benefits records will be provided.

INTERROGATORY NO. 13: Please identify any individual, including his or her name, residential and business address, grade level, telephone number and job title, who has filed a disability

discrimination, age discrimination, retaliation, harassment, termination, or wrongful discharge complaint, charge, grievance or lawsuit against Dr. William Banks or Defendant, during the period of January 1, 2008, to the present, either internally with Defendant or though a state or federal agency or a state or federal court, including the date the complaint, charge, grievance or lawsuit was made or filed, the case number or charge number of the corresponding complaint, charge, grievance or lawsuit and, if applicable, the disposition of the complaint, charge, grievance or lawsuit.

ANSWER: **Objection. This interrogatory is overly broad, unduly burdensome, and seeks information that is confidential. This interrogatory also seeks information that is not relevant to the allegation of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence. Moreover, this interrogatory seeks information that is a matter of public record, and consequently, the burden of deriving it is substantially the same for the Plaintiff and Defendant. This interrogatory seeks information that is not within Defendant's knowledge or control. Additionally, Dr. Banks's first name is Willie, not William.**

INTERROGATORY NO. 14: Identify all complaints, whether formal or informal regarding Dr. William Banks including but not limited to complaints of inappropriate conduct or alleged conduct which might bring the Defendant into disrepute.

ANSWER: **Objection. This interrogatory is vague, overly broad and unduly burdensome. This interrogatory also seeks information that is not relevant to the allegation of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence. Additionally, Dr. Banks's first name is Willie, not William.**

INTERROGATORY NO. 15: Please state the name, residential and business address and telephone number, date of hire, salary, bonus, cost of benefits, and position or title, for each individual who made decisions, was informed of, and/or provided any documents and/or information concerning Plaintiff's communications, complaints, grievances and concerns about discrimination at the workplace, and include a description of the substance of each individual's knowledge.

ANSWER: **Objection. This interrogatory is vague, ambiguous and confusing. Further, it seeks information that is irrelevant and protected by the attorney-client privilege and/or attorney work product doctrine. Finally, this interrogatory seeks a narrative response.**

Without waiving these objections:

- **James Drnek, Dean of Students & Vice Provost for Student Affairs**
- **Ronald Berkman, President**
- **George Walker, Interim Provost & Senior Vice President for Academic Affairs**

- **Steve Vartorella, HR consultant assigned to service Student Life**
- **Donna Whyte, Director, Office of Diversity and Multicultural Affairs**

In lieu of providing contact information for these individuals, they can be contacted through counsel.

INTERROGATORY NO. 16: Please state the name, residential and business address and telephone number, job position or job title, grade level, date of hire, date of birth, salary, bonus, commissions, merit increases and cost of benefits for each individual performing any of the same duties as performed by Plaintiff at any time during the period January 1, 1993, through the present.

ANSWER: **Objection. This interrogatory is overly broad. In addition, this interrogatory seeks information that is not relevant to the allegation of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence.**

Without waiving these objections:

- **Robert Bergemann, Assistant Dean of Students, Student Organizations**
- **Mary Myers, Student Organization Advisor**

In lieu of providing contact information for these individuals, they can be contacted through counsel.

INTERROGATORY NO. 17: Please state the name, residential and business address and telephone number, salary, bonus, cost of benefits, and position or title, for each individual including but limited to students who made decisions, was informed of, and/or provided any documents and/or information concerning Defendant's September 5, 2012 Student Life Reorganization, and include a description of the substance of each individual's knowledge.

ANSWER: **Objection. This request specifically seeks information that is protected by FERPA and Plaintiff has not provided any executed releases that would permit Defendant to disclose such student information. In addition, this interrogatory overly broad, unduly burdensome, and seeks information that is irrelevant and/or not within Defendant's knowledge or control. Finally, this request seeks a narrative response.**

INTERROGATORY NO. 18: Please list the dates and times of all events, including but not limited to meetings, telephone calls, conferences, teleconferences and videoconferences, regarding the planning, strategy, discussions, determinations, implementation and execution of Defendant's September 5, 2012 Student Life Reorganization, and include a description of the substance of each event.

ANSWER: **Objection. This request specifically seeks information that is protected by FERPA and Plaintiff has not provided any executed releases that would**

permit Defendant to disclose such student information. In addition, this interrogatory is overly broad, unduly burdensome, and seeks information that is irrelevant and/or not within Defendant's knowledge or control. Finally, this request, in part, seeks a narrative response.

Without waiving these objections:

- June 19, 2012: meeting with Human Resources (hereinafter "HR") regarding the consultant's report
- June 22, 2012: meeting with HR regarding the consultant's report
- August 1, 2012: meeting with HR to finalize the plan for reorganization
- August 10, 2012: meeting with Provost to present the reorganization plan
- August 16, 2012: meeting with HR to review plan for informing affected staff about the reorganization
- September 4, 2012: meeting with HR to finalize plan for informing affected staff about the reorganization

INTERROGATORY NO. 19: Please state the name, residential and business address and telephone number, date of hire, salary, bonus, cost of benefits, and position or title, for each individual who made decisions, was informed of, and/or provided any documents and/or information concerning Plaintiff's grievances and complaints that were filed internally and with the Department of Human Resources Development and Labor Relations, the Affirmative Action office, and the EEOC, and include a description of the substance of each individual's knowledge.

ANSWER: Objection. This interrogatory is overly broad, unduly burdensome, seeks information that is not relevant to the allegation of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence. Moreover, this interrogatory seeks information that is a matter of public record, and consequently, the burden of deriving it is substantially the same for the Plaintiff and Defendant. Finally, this interrogatory seeks a narrative response.

Without waiving these objections:

- James Drnek, Dean of Students & Vice Provost for Student Affairs
- Willie Banks, Associate Dean, Student Life
- Steve Vartorella, HR consultant assigned to service Student Life
- Sonali B. Wilson, General Counsel
- Donna Whyte, Director, Office of Diversity and Multicultural Affairs
- Yulanda McCarty-Harris, Director, Office of Institutional Equity

In lieu of providing their contact information, these individuals should be contacted through counsel.

INTERROGATORY NO. 20: Please state the name, residential and business address and telephone number, date of hire, salary, bonus, cost of benefits, and position or title, for each individual who made decisions, was informed of, and/or provided any documents and/or information or input concerning all investigations or decisions regarding Plaintiff's 2012 performance review, and include a description of the substance of each individual's knowledge.

ANSWER: **Objection. This interrogatory is overly broad, unduly burdensome, seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Finally, this interrogatory, in part, seeks a narrative response.**

Without waiving these objections:

- **James Drnek, Dean of Students & Vice Provost for Student Affairs**
- **Willie Banks, Associate Dean, Student Life**

In lieu of providing their contact information, these individuals should be contacted through counsel.

INTERROGATORY NO. 21: Please state the name, residential and business address and telephone number, date of hire, salary, bonus, cost of benefits, and position or title, for each individual who made decisions, was informed of, and/or provided any documents and/or information or input concerning all investigations or decisions regarding Plaintiff's performance reviews from 1993 until 2011, and include a description of the substance of each individual's knowledge.

ANSWER: **Objection. This interrogatory is overly broad, unduly burdensome, seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Finally, this interrogatory, in part, seeks a narrative response.**

Without waiving these objections:

- **James Drnek, Dean of Students & Vice Provost for Student Affairs**
- **Sandra Emerick, Associate Dean of Students**
- **Diane Dillard, Instructor**

In lieu of providing their contact information, these individuals should be contacted through counsel.

INTERROGATORY NO. 22: Please state the name, residential and business address and telephone number, date of hire, salary, bonus, cost of benefits, and position or title, for each individual who was interviewed for, made decisions, attended meetings with T.W. Cauthen III, was informed of, and/or provided any documents and/or information or input concerning the June 15,

2012 Department of Student Life Leadership Consultant Report written by T.W. Cauthen III, and include a description of the substance of each individual's knowledge.

ANSWER: **Objection. This interrogatory is overly broad, unduly burdensome, seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Finally, this interrogatory, in part, seeks a narrative response.**

Without waiving this objection:

- **James Drnek, Dean of Students & Vice Provost for Student Affairs**
- **Willie Banks, Associate Dean, Student Life**
- **Mary Myers, Student Organization Advisor**
- **Dan Lenhart, Student Media Specialist**
- **Jamie Johnston, Assistant Dean of Students, Student Activities**
- **Robert Bergemann, Assistant Dean of Students, Student Organizations**
- **William Russell**
- **Steven Liss**

With the exception of Mr. Russell and Mr. Liss, in lieu of providing their contact information, these individuals should be contacted through counsel.

INTERROGATORY NO. 23: Please state the name, residential and business address and telephone number, date of hire, salary, bonus, cost of benefits, and position or title, for each individual who made decisions, was informed of, and/or provided any documents and/or information or input concerning the selection, hiring and commission paid to T.W. Cauthen III, and include a description of the substance of each individual's knowledge.

ANSWER: **Objection. This interrogatory is overly broad, unduly burdensome, seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Finally, this interrogatory, in part, seeks a narrative response.**

Without waiving this objection:

- **James Drnek, Dean of Students & Vice Provost for Student Affairs**
- **Willie Banks, Associate Dean, Student Life**
- **Olga Lee, Office Coordinator**
- **Geoff Mearns, President, Northern Kentucky University**

In lieu of providing their contact information, these individuals should be contacted through counsel.

INTERROGATORY NO. 24: Please list the job titles, grade level, date of birth, salary, date of hire, job description, educational requirements and experience requirements for all the positions created by or reorganized Defendant's September 5, 2012 Student Life Reorganization.

ANSWER: **Objection. This interrogatory is overly broad, unduly burdensome, seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence.**

Without waiving these objections, pursuant to Civ.R. 33(C), position descriptions will be provided.

INTERROGATORY NO. 25: Please describe Dr. William Banks professional relationship with T.W. Cauthen III for the ten years prior to the June 15, 2012 Department of Student Life Leadership Consultant Report including but not limited to prior work history together.

ANSWER: **Objection. This interrogatory is ambiguous and vague, calls for a narrative response, seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. In addition, this interrogatory seeks information that is not within Defendant's knowledge or control.**

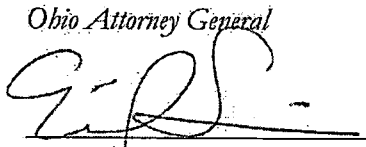
Without waiving this objection, Dr. Banks and Dr. Cauthen have been professional acquaintances since June 15, 2002 when Dr. Cauthen was hired by the University of Georgia to be Dr. Bank's Graduate Assistant. After Dr. Cauthen graduated, the University of Georgia hired him to be the Assistant Director of the Center for Leadership & Service (CLS) and thereafter as the Director of CLS.

As to all objections,

RANDALL W. KNUTTI (0022388)
AMY S. BROWN (0079650)
EMILY M. SIMMONS (0082519)

Respectfully submitted,

MICHAEL DEWINE
Ohio Attorney General



RANDALL W. KNUTTI (0022388)
Principal Assistant Attorney General
AMY S. BROWN (0079650)
Associate Assistant Attorney General
EMILY M. SIMMONS (0082519)
Assistant Section Chief
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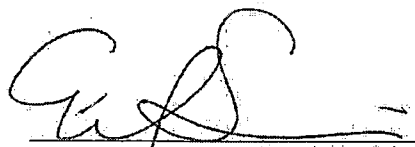
Emily.Simmons@OhioAttorneyGeneral.gov
Randall.Knutti@OhioAttorneyGeneral.gov
Amy.Brown@OhioAttorneyGeneral.gov

COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

On August 30, 2013, we mailed a copy of this document via regular U.S. Mail to Plaintiff's Counsel:

J. Matthew Linehan
Mark Davies Griffin
Peter Stephen Hardin-Levin
3100 Terminal Tower
50 Public Square
Cleveland, Ohio 44113



EMILY M. SIMMONS (0082519)
RANDALL W. KNUTTI (0022388)
AMY S. BROWN (0079650)
Assistant Attorneys General

EXHIBIT 3

Cleveland State University

Office of the President

September 5, 2012

Via Certified and Regular Mail

Mr. Steven Liss
4452 Donna Drive
Richmond Heights, Ohio 44143

Dear Mr. Liss:

Dean Drnek has recommended that the University release you from your employment as the Director, Student Involvement in the Department of Student Life. Your layoff is part of an overall reorganization of the Department. After careful consideration and review of the commissioned consultant's report, I have accepted Dean Drnek's recommendation, and therefore, in accordance with Sections 8.5.8.4.2 and 8.5.8.4.3 of the Professional Staff Personnel Policies, you will be laid-off due to reorganization effective October 6, 2012.

Please note that this decision is not based on performance. Thank you for your service to the University.

Sincerely,

Ronald M. Berkman
President

cc: Jim Drnek, Dean of Students and Vice Provost for Student Affair
Steve Vartorella, Human Resources Generalist

Mailing Address: 2121 Euclid Avenue, AC 302 • Cleveland, Ohio 44115-2214
Campus Location: Parker Hannifin Administration Center, Rm 302 • 2300 Euclid Avenue • Cleveland, Ohio
Telephone (216) 687-3544 • Fax (216) 687-9333

EXHIBIT 4

Cleveland State University

Office of the President

February 12, 2013

Steven Liss
4450 Donna Drive
Richmond Heights, OH 44143

Dear Mr. Liss:

I have reviewed the report of the investigation findings, prepared by Dr. Donna Whyte acting as the Interim Affirmative Action Officer for the University, relative to your complaint of age discrimination and retaliation in the termination of your employment as the Director, Student Involvement in the Department of Student Life. Upon completion of my review of the record, I have accepted the findings of Dr. Whyte that your dismissal from the university was not related to either your age or due to retaliation. This decision is final and this matter is considered closed.

Sincerely,

Ronald M. Berkman, Ph.D.
President

cc: Dr. George Walker, Interim Provost
Dr. Jim Drnek, Vice Provost for Student Affairs
Yulanda McCarty-Harris, Director, Affirmative Action Office

Mailing Address: 2121 Euclid Avenue, AC 302 • Cleveland, Ohio 44115-2214
Campus Location: Parker Hannifin Administration Center, Rm 302 • 2300 Euclid Avenue • Cleveland, Ohio
Telephone (216) 687-3544 • Fax (216) 687-9333

EXHIBIT 5

IN THE OHIO COURT OF CLAIMS

STEVEN LISS, Plaintiff, vs. CLEVELAND STATE UNIVERSITY, Defendant.	)))))))))))	CASE NO.: 2013-00139 JUDGE PATRICK M. McGRATH MAGISTRATE HOLLY T. SHAVER **PLAINTIFF'S NOTICE OF DEPOSITION OF DR. RONALD BERKMAN**

Defendant is hereby notified that, pursuant to notice, Plaintiff will take the deposition of Dr. Ronald Berkman on July 25, 2014, commencing at 10:00 a.m. and ending at or before 2:00 p.m.

The deposition will be taken at the offices of Thorman Petrov Griffin Co., LPA, 3100 Terminal Tower, 50 Public Square, Cleveland, Ohio, 44113, will take place before a person authorized to administer oaths pursuant to the Ohio Rules of Civil Procedure, and may be videotaped.

Respectfully submitted,

MARK GRIFFIN (0064141)
mgriffin@tpgfirm.com
SARA W. VERESPEJ (0085511)
sverespej@tpgfirm.com

THORMAN PETROV GRIFFIN CO., LPA
3100 Terminal Tower
50 Public Square
Cleveland, Ohio 44113
Tel. (216) 621-3500
Fax (216) 621-3422

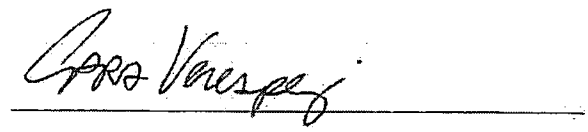
Attorneys for Plaintiff Steven Liss

CERTIFICATE OF SERVICE

A true and accurate copy of the foregoing was served via electronic and U.S. Mail, on this 18th day of July 2014 to:

Randall W. Knutti, Esq.
Amy S. Brown, Esq.
Emily M. Simmons, Esq.
Ohio Attorney General's Office
Court of Claims Defense Section
150 East Gay Street, Floor 18
Columbus, OH 43215
Randall.Knutti@OhioAttorneyGeneral.gov
Amy.Brown@OhioAttorneyGeneral.gov
Emily.Simmons@OhioAttorneyGeneral.gov

Attorneys for Defendant



Attorney for Plaintiff Steven Liss

EXHIBIT 6

Lesa Liston

From: Sara Verespej
Sent: Wednesday, July 23, 2014 4:28 PM
To: Lesa Liston
Subject: FW: Liss v. CSU/ Russell v. CSU notices of deposition for Dr. Berkman

TimeMattersID: ME455A38D3EFC777
TM Contact: Liss, Steven
TM Contact No: 201225
TM Matter No: 2013-00139
TM Matter Reference: Liss v. Cleveland State University

From: Randall W. Knutti [mailto:randall.knutti@ohioattorneygeneral.gov]
Sent: Wednesday, July 23, 2014 4:27 PM
To: Mark Griffin; Sara Verespej
Cc: Emily Simmons; Amy S. Brown
Subject: Liss v. CSU/ Russell v. CSU notices of deposition for Dr. Berkman

Mark and Sara,

We received your notices of deposition for Dr. Berkman, but, as we explained some time ago, we will not be producing him voluntarily. Please let me know if you have any questions.

Randy

Randall W. Knutti
Principal Attorney – Court of Claims Defense Section
Office of Ohio Attorney General Mike DeWine
Office: 614-466-7447
Direct: 614-644-5070
Fax: 866-771-4236
Randall.Knutti@OhioAttorneyGeneral.gov

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EXHIBIT 7

IN THE OHIO COURT OF CLAIMS

Steven Liss,	)	
	)	
Plaintiff,	)	
	)	Case No.
vs.	)	2013-00139
	)	
Cleveland State University,	)	
	)	
Defendant.	)	
	)	
	and	
William Russell,	)	
	)	
Plaintiff,	)	
	)	Case No.
vs.	)	2013-00138
	)	
Cleveland State University,	)	
	)	
Defendant.	)	

- - - - -

ATTEMPTED DEPOSITION OF

DR. RONALD BERKMAN

July 25, 2014

- - - - -

The attempted deposition of Dr. Ronald Berkman, called by the Plaintiffs for examination pursuant to the Ohio Rules of Civil Procedure, taken before me, the undersigned, Irma A. Blank, Notary Public within and for the State of Ohio, taken at the offices of Thorman Petrov Griffin Co., LPA, 3100 Terminal Tower, 50 Public Square, Cleveland, Ohio, commencing at 10:00 a.m., the day and date above set forth.

1 APPEARANCES:

2 On behalf of the Plaintiffs:

3 MARK GRIFFIN, Esquire
Thorman Petrov Griffin, Co., LPA
4 3100 Terminal Tower
50 Public Square
5 Cleveland, Ohio 44113
216.621.3500
6 mgriffin@tpgfirm.com

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1 P R O C E E D I N G S

2 - - -

3 MR. GRIFFIN: We are

4 here in the matters of Steve Liss and Bill

5 Russell versus Cleveland State University,

6 Case No. 2013-00139 and Case No. 2013-00138.

7 I have asked the court reporter to

8 mark Exhibits 415 and 416, which are Plaintiffs'

9 Exhibits, notice of deposition of Dr. Ronald

10 Berkman.

11 Dr. Berkman was noticed for a deposition

12 today beginning at ten o'clock. Dr. Berkman has

13 not appeared for his properly-noticed deposition.

14 Had he appeared, we would be ready to

15 proceed. Dr. Berkman nor counsel have filed a

16 motion for a protective order of any kind.

17 His failure to appear is in violation

18 of the rules, and we will proceed accordingly to

19 seek a motion to compel his deposition and for

20 sanctions.

21 With that, I have nothing further to put

22 on the record at this time.

23 - - -

24

25

1 CADY REPORTING SERVICES, INC.

2 THE STATE OF OHIO,) SS:

3 COUNTY OF CUYAHOGA.)

4

5 I, Irma A. Blank, a Notary Public within and

6 for the State of Ohio, duly commissioned and

7 qualified, do hereby certify that foregoing is a

8 true and correct transcript of the proceedings in

9 this matter.

10 I do further certify that these proceedings

11 were taken at the time and place in the foregoing

12 caption specified. I do further certify that I am

13 not a relative, counsel or attorney of either

14 party, or otherwise interested in the event of this

15 action.

16 IN WITNESS WHEREOF, I have hereunto set my

17 hand and affixed my seal of office at Cleveland,

18 Ohio, on this 28th day of July, 2014.

19

20 Irma Blank, Notary Public

within and for the State of Ohio

21 My Commission expires May 20, 2019.

22

23

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