

## JACK S. KLUZNIK



**JACK S. KLUZNIK** is a Partner with Weston Hurd LLP and Chair of the firm's Litigation Section and Employment and Civil Rights Practice Group. He focuses his practice on litigation, employment and labor, civil rights, intellectual property, copyright, trademark, commercial and education law. He has extensive trial experience, both jury and bench in matters involving wrongful termination, age discrimination, sex discrimination, race discrimination, sexual harassment, directors' and

officers' liability claims, and commercial litigation matters including restrictive covenants and trade secret claims.

After receiving his B.A. *summa cum laude* and his M.A. *with distinction* from Ohio University, Jack received his J.D. from Yale Law School. He was granted admission to the Ohio Bar in 1977 and subsequently to the United States District Court for the Northern and Southern Districts of Ohio and the Sixth Circuit Court of Appeals.

Jack is a member of the Ohio State Bar Association's Labor and Employment Section Council and he has presented at the Midwest Labor and Employment Conference on the topic of "Professionalism and Civility in Depositions, Mediations and Settlements." Jack is a member of the Cleveland Metropolitan Bar Association, the Defense Research Institute, the Ohio Association of Civil Trial Attorneys, the John M. Manos Inn of Court, the Employment-American Inns of Court, and the Court of Nisi Prius. He is also a volunteer in the CMBA 3R's teaching program, a board member of the non-profit Canalway Partners whose mission is to extend the Towpath Trail to downtown Cleveland, a member of the regional faculty of the National Institute of Trial Advocacy, and a former adjunct faculty member of the Case Western Reserve University School of Law. Jack is a participant on the CMBA committee to develop and present a series of interactive seminars on professionalism and civility for lawyers in various aspects of the legal practice including depositions, mediation and settlement, and business transactions. He has also been a presenter at the Council of Smaller Enterprises' Annual Small Business Conference on the topic of the "Workplace Investigative Process" and has conducted diversity training for supervisors of a large governmental employer.

An AV-rated attorney by Martindale-Hubbell, Jack has been listed in the *Best Lawyers in America*<sup>®</sup> for Employment and Labor Law, Entertainment Law, and Litigation since 2007. Jack has been named an *Ohio Super Lawyer* in the areas of Civil Rights/First Amendment and Employment Litigation-Defense since 2009, and is considered by Ohio Super Lawyers as a Top Rated Lawyer in Cleveland for Schools and Education.

### Contact Information

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### REPRESENTATIVE MATTERS

#### Employment Litigation

- ) *Suliman v. Open Door West, et al.* Cuyahoga Common Pleas Court, jury trial, 1996. Sexual harassment. Defense verdict. Client: Chubb.
- ) *McLeod v. Philips Osborn School.* Lake County Common Pleas Court, bench trial, 1997. Wrongful discharge. Defense verdict. Client: Chubb.
- ) *Nath v. Landmark.* Cuyahoga Common Pleas Court, jury trial, 1998. Age discrimination. Defense verdict. Client: Landmark.
- ) *Wasserman v. Yardmaster.* Cuyahoga Common Pleas Court, jury trial, 1998. Breach of contract. Defense verdict and damages in favor of defendant counterclaimant. Client: Yardmaster.
- ) *Schlossberg v. Discount Drug Mart.* United States District Court, Cleveland, jury trial, 1998. Age and religious discrimination. Defense verdict on religious discrimination on \$25,000; verdict for plaintiff on age discrimination. Client: Discount Drug Mart.
- ) *Goldberg v. Lake Hospital System.* Lake County Common Pleas Court, jury trial, 1998. Promissory Estoppel/wrongful discharge. Verdict for plaintiff for \$320,000, reversed on appeal. Client: Lake Hospital System.
- ) *SAIC v. Kuhn.* Cuyahoga Common Pleas Court, 1998. TRO hearing – harassment and threats. TRO issued for SAIC. Client: SAIC.
- ) *Brooks v. White.* United States District Court, Cleveland, jury trial, 1999. Police misconduct. Defense verdict. Client: City of Cleveland.
- ) *Gary Smith and Cuyahoga Landmark.* Arbitration (four days), 2000. Breach of contract. Adverse decision. Client: Gary Smith.
- ) *McGuire v. Elyria United Methodist Village.* Lorain County Common Pleas Court, jury trial, 2000. Whistleblower retaliation – wrongful discharge. Verdict for plaintiff, reversed on appeal. Client: Elyria United Methodist Village.
- ) *Fredrickson v. Olsten.* Mahoning County Common Pleas, jury trial, 2000. Age discrimination. Verdict for plaintiff. Client: Olsten.

- J *Peger v. Elyria United Methodist Village*. Lorain County Common Pleas, jury trial, 2001. Age discrimination. Defense verdict. Client: Elyria United Methodist Village.
- J *Wolfe v. City of Rocky River Fire Dept.* Cuyahoga Common Pleas Court, jury trial, 2002. Sexual harassment and retaliation. Verdict for defendant on sexual harassment; verdict for plaintiff on retaliation, \$330,000. Client: City of Rocky River.
- J *Dylon v. Metal Forming Lubricants*. Cuyahoga Common Pleas Court, jury trial, 2002. Trade secrets. Case terminated in favor of defendants. Client: Metal Forming Lubricants.
- J *Ohio College of Podiatric Medicine v. National Board of Podiatric Medical Examiners and Chauncey Group*. United States District Court, Cleveland. Three week preliminary injunction hearing, seven week jury trial, 2003. Breach of contract and deceptive trade practices. Verdict for plaintiffs. Client: Ohio College of Podiatric Medicine.
- J *Aquarium Systems, Inc. v. Omega Sea*. Lake County Common Pleas. Preliminary injunction hearing, four days, 2003. Trade secrets. Verdict for plaintiff. Client: Omega Sea.
- J *Wolfe v. Restaurant Development Corp., et al.*, Cuyahoga County Common Pleas Court, jury trial, 2008. Breach of fiduciary duty. Case settled at trial in favor of client.
- J *Blake v. Beachwood*. Civil Service Commission. 2008/2009. Civil service hearing, full day. Challenge of disciplinary demotion. Client: Liberty Mutual Insurance Co.
- J *Dawson Insurance v. Thomas Freund*. Cuyahoga County Common Pleas Court, defense verdict for client, 2009. Breach of contract.
- J *Cachat v. IQS*. Cuyahoga County Common Pleas Court, 2009-2010. Summary judgment granted.
- J *Allied v. Genesis*, United States District Court, Youngstown, jury trial, two weeks, 2010. Trade secret. Defense JNOV. Client: Travelers.
- J SERB Hearing. Beachwood, 2010. SERB Administrative Hearing, full day. Resolved. Unfair labor practice.
- J *Peters v. Merrill Lynch*, Cuyahoga County Common Pleas Court, 2011. Preliminary injunction to block mandatory arbitration. Injunction granted for client.
- J *Passerell v. Allpass Corp.* Lake County Common Pleas Court, 2011. Breach of contract. TRO issued for client.