

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION
ITEM FOR INFORMATION

Received by the Regents
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Subject: Litigation

June 2006

I. NEW CASES

1. Heidi Philipsen v Board of Regents of the University of Michigan. United States District Court, Eastern District of Michigan. (Judge Anna Diggs Taylor) (Served May 15, 2006).

Ms. Philipsen claims that she applied for and was offered a position in the School of Business. She claims that the offer was rescinded when the hiring department learned that she has small children and inquired about working a flexible schedule. Plaintiff alleges gender discrimination under Title VII of the Civil Rights Act of 1964 and the Elliott Larsen Civil Rights Act. She seeks damages, lost wages, costs and attorney's fees.

2. Alissa Zwick v Regents of the University of Michigan, Marilyn Lantz, Wilhelm Piskorowski, Mark Snyder and Fred Burgett. Washtenaw County Circuit Court. (Judge Melinda Morris) (Filed May 12, 2006). Michigan Court of Claims. (Judge James R. Giddings) (Filed May 12, 2006).

Plaintiff is a former Dental School student who was dismissed in her third year of studies. She claims that she was targeted by the Dental School administration and the named defendants for reasons unrelated to her academic studies. Her allegations include violations of her free speech, due process, breach of contract, and defamation. She seeks damages in excess of \$25,000, reinstatement as a Dental School student, interest, costs and attorney's fees.

II. RESOLUTIONS

No cases were resolved this month.

III. CASE UPDATES

3. Owen Kevin McNulty v University of Michigan. Washtenaw County Circuit Court. (Judge Melinda Morris) (Filed April 11, 2005).

Plaintiff is employed by UM's Department of Public Safety. He claims that he has been treated unfairly and bypassed for promotion because of his disability. Plaintiff also alleges that his supervisors failed to accommodate his disability and then demoted him in retaliation for questioning the way in which he was being treated. He seeks lost wages, damages, costs, interest and attorney's fees. Plaintiff had previously filed his claims in federal court (*Owen K. McNulty v*

University of Michigan and William Bess. United States District Court, Eastern District of Michigan; filed February 24, 2004). He stipulated to a dismissal of his federal claims and re-filed his state claims in state court. The University filed a motion for summary disposition, which was denied by Judge Morris.

Respectfully submitted,



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Vice President and General Counsel

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