[Cite as *Fields-Arnold v. Cent. State Univ. Bd. of Trustees*, 2025-Ohio-2172.]

IN THE COURT OF CLAIMS OF OHIO

LENA FIELDS-ARNOLD Plaintiff v. CENTRAL STATE UNIVERSITY BOARD OF TRUSTEES Defendant	Case No. 2023-00279JD Judge Lisa L. Sadler DECISION

{¶1} Pursuant to L.C.C.R. 4(D), Defendant's February 14, 2025 motion for summary judgment is now fully briefed and before the Court for a non-oral hearing.

{¶2} Plaintiff brings claims of employment discrimination based on race, age, and sex in violation of R.C. 4112.02 and retaliation in violation of the Family and Medical Leave Act (FMLA) arising from her August 2, 2022 demotion. Defendant moved for summary judgment on the grounds that Plaintiff cannot establish a prima facie case on any of her claims. In support, Defendant submitted: (1) a copy of Lena Fields-Arnold's deposition, including exhibits referenced therein; and (2) the affidavit of Dr. Jack Thomas.

{¶3} In response, Plaintiff argues genuine issues of material fact remain for trial. To support her opposition, Plaintiff submitted neither evidence in accordance with Civ.R. 56(E) nor legal authority upon which she relies in accordance with L.C.C.R. 4(C). In reply, Defendant argues that Plaintiff has failed to oppose its motion aside from making "conclusory assertions that have no basis in the record or law." Having considered the evidence in a light most favorable to Plaintiff, the Court finds that Defendant is entitled to judgment as a matter of law for the reasons stated below.

Factual Background

{¶4} Given Plaintiff failed to submit any evidence in opposition, the Court synthesized the following circumstances from Plaintiff's amended complaint as well as the admissible testimony and referenced exhibits from Plaintiff's deposition and the

averments of Dr. Jack Thomas submitted by Defendant. Nevertheless, the Court views the following uncontroverted facts in a light most favorable to Plaintiff.

{¶5} Plaintiff, a 58-year-old, African American female, began working at Central State University (CSU) in May 2018. During her first year of employment, Plaintiff was a Marketing Representative of CSU's radio station. Thereafter, Plaintiff became CSU's Communication Coordinator for Land Grant. As Communication Coordinator, Plaintiff's annual salary was roughly $66,000.

{¶6} Sometime in 2022, Dr. Jack Thomas—CSU's former President—saw Plaintiff at a work event and suggested she should apply to be CSU's Executive Director of Public Relations and Communications (Executive Director of PR). According to Plaintiff, Dr. Thomas purported the salary to be between $100,000 and $115,000 during this conversation. However, Plaintiff does not believe the posting for the position stated any specific salary range.

{¶7} Nevertheless, Plaintiff applied for the vacant position. During the interview process, Plaintiff was one of two finalists. While the selection committee selected Plaintiff for the position, Dr. Thomas was particularly impressed with the resume of the other candidate, who was also an African American female.

{¶8} Following the selection process, Dr. Thomas called Plaintiff and offered her the position. During this conversation, Dr. Thomas offered Plaintiff a starting salary of $90,000 after consulting with CSU's Chief Fiscal Officer about an appropriate salary for the position. Plaintiff verbally accepted the promotion.

{¶9} As the Executive Director of PR, Plaintiff reported directly to Dr. Thomas. This position was classified as an at-will appointment that included an initial probationary period. Dr. Thomas did not have any other direct reports who performed the same job duties as Plaintiff.

{¶10} Following her acceptance, Dr. Thomas requested a meeting with Plaintiff during which he communicated general information about the job and his expectations. During this same meeting, Plaintiff questioned Dr. Thomas about why she was offered a lower salary than he originally represented for the position.

{¶11} According to Plaintiff, the tone of the conversation changed once she brought up the salary. From there, Dr. Thomas inquired why Plaintiff did not ask about salary

when they spoke on the phone and why she was asking about salary now after already accepting the position and prior offer. In response, Plaintiff explained that she was excited to be offered the position in the moment and thought salary negotiations would be commonplace. According to Plaintiff, Dr. Thomas made several comments at this point, including:

> saying things like, Well, what does your husband do? What does he make? And I'm like, Well, that's not really relevant to the conversation. And then that's when he said things -- it was a lot of things that were said. That was one of the things that kind of stuck out in my mind that I wasn't his first pick anyway, and was I even sure that I even wanted this job. This is going to be a really big job. Are you sure you're up to the task? And so as I was talking during that conversation, he stopped me in the middle of it and said, You talk too much. You just talk too much. Then I was -- I was just kind of sitting there, and at that point it was -- it became just a very uncomfortable conversation. Finally he said, Well, I'll bump it up to 5,000 more but that's it. I'm not going any higher than that. So we kind of left there and no more negotiations. But he indicated at that time – I'll be honest with you, I was a little nervous because how quickly the tone of the conversation changed, I was afraid that he was going to rescind the offer. But he -- he was very upset. He rushed me out of his office.

Fields-Arnold Depo., p. 50-53. Dr. Thomas said that he also tells his wife that she talks too much after telling Plaintiff that she talks too much. Notwithstanding her feelings about the meeting, Plaintiff subsequently signed her appointment letter officially accepting the position with an annual salary of $95,000 on June 6, 2022.

{¶12} Despite Plaintiff stating that she understood the required performance standards for the Executive Director of PR position during their initial meeting, Dr. Thomas stated that Plaintiff began struggling to meet his expectations soon after she was appointed. Specifically, Plaintiff's work product was not satisfactory. According to Dr. Thomas, he or his other direct reports had to rewrite or heavily edit Plaintiff's work product.

{¶13} Additionally, Dr. Thomas expected Plaintiff to attend events where there might be media or public attention. For Juneteenth, Dr. Thomas attended such an event

and Plaintiff did not attend. In comparison, Dr. Thomas saw that the public relations professional and the president of Wilberforce University attended that event together.

{¶14} For a different event, Dr. Thomas was not satisfied with Plaintiff's level of preparation when assisting him in preparing and he was not impressed with the advice she gave him when dealing with the media. In general, Dr. Thomas felt Plaintiff was more reactionary than proactive and that he briefed her about events more than she briefed him. As a result, Plaintiff lacked the initiative Dr. Thomas wanted for the position.

{¶15} According to Plaintiff, Dr. Thomas's hostility toward Plaintiff continued to worsen and he would make derogatory remarks directed at Plaintiff's job performance. When Plaintiff tried to defend her job performance, Dr. Thomas twice told Plaintiff she talked too much. However, Dr. Thomas never specifically commented on Plaintiff's race, sex, or age. Additionally, Plaintiff never heard Dr. Thomas make any general comments about sex, age, or race. Similarly, Dr. Thomas never made any comments about Plaintiff taking leave.

{¶16} Instead, Plaintiff deponed that Dr. Thomas approved her taking leave. On June 29, 2022, Plaintiff submitted an Employee Leave Form to Dr. Thomas requesting to take annual vacation leave on July 5, 8, 28, 29, 30, and August 1. On June 30, 2022, Dr. Thomas approved her request for vacation leave. Additionally, Plaintiff stated that Dr. Thomas approved her to use sick leave in mid-July where she had checked the FMLA box on the request form.

{¶17} Notwithstanding, CSU notified Plaintiff that Dr. Thomas was returning her to her previous position as Communications Coordinator after failing to meet his expectations during the probationary period of her appointment upon her return from vacation leave on August 2, 2022. According to the letter, the Executive Director of PR position particularly required "extensive knowledge and experience, autonomous decision making, forethought and planning at the highest level" and Plaintiff was "unable to successfully fulfill the job duties and responsibilities necessary to effectively perform." Based on his dissatisfaction with her job performance as Executive Director of PR, Dr. Thomas demoted Plaintiff. Resuming her duties as Communications Coordinator, Plaintiff's salary was reduced to $66,000 and Morakinyo Kuti became her direct supervisor.

{¶18} While Plaintiff believes that she did not perform poorly, she also references instances when Dr. Thomas communicated his dissatisfaction with her work performance before her demotion and Plaintiff did not subsequently inquire with Dr. Thomas about the specific reasons for her demotion. Regardless, Dr. Thomas stated that he did not have any other direct reports with the same type of performance issues as Plaintiff and Plaintiff does not point to any. Also, Dr. Thomas explained that he took disciplinary action against several individuals, including males, for performance issues while he was CSU's President from July 2020 to January 2024, but those employees performed different jobs and had different performance issues than Plaintiff.

{¶19} According to Dr. Thomas, his decision to demote Plaintiff was not based on her gender, race, or any alleged health issue she may have had. Similarly, Plaintiff was never told by anyone at CSU that her demotion was related to her age, race, gender, or requests for leave. Thereafter, the Executive Director of PR position was subsequently filled by a white, female who was not substantially younger than Plaintiff.[1]

{¶20} Separately, Plaintiff submitted paperwork for FMLA leave to CSU's Director of Human Resources, Pamela Bowman, in mid-July 2022. However, Bowman did not approve Plaintiff's request immediately because Plaintiff's healthcare provider failed to include an end date for her leave duration. On July 27, 2022, Plaintiff subsequently sent Bowman an email with a PDF attachment to which Bowman responded: "I have it. I believe your health care provider was only correcting page 1, is that right?"

{¶21} On August 8, 2022, Bowman sent Plaintiff an email reminding Plaintiff that she had not received the completed FMLA document. In response, Plaintiff explained that she sent Bowman the updated paperwork on August 2, 2022, and Bowman verbally confirmed receipt that day. On September 20, 2022, Bowman sent Plaintiff a letter approving her FMLA request and apologizing for the delay in providing her with CSU's official acknowledgement of approval. Notwithstanding, Plaintiff deponed that CSU never denied any request for leave before or after her demotion. Twice after her demotion,

[1] While there was no evidence presented establishing the exact age of the replacement, Plaintiff admitted during her deposition that the woman was not much younger than Plaintiff.

Plaintiff submitted Employee Leave Forms to Kuti requesting to take FMLA sick leave both of which Kuti approved.

Standard of Review

{¶22} When pursuing or defending against summary judgment, the parties must comply with the requirements of Civ.R. 56. *Dresher v. Burt*, 75 Ohio St.3d 280, 292-293 (1996). Initially, the moving party must identify evidence in the record which affirmatively shows the party is entitled to judgment as a matter of law pursuant to Civ.R. 56(C). *Id.* To meet this initial burden, the moving party must identify "pleadings, depositions, answers to interrogatories, written admissions, affidavits, transcripts of evidence, and written stipulations of fact, if any, timely filed in the action" that demonstrate the absence of a "genuine issue as to any material fact." Civ.R. 56(C); *see Mitchell v. Mid-Ohio Emergency Servs., LLC,* 10th Dist. Franklin No. 03AP-981, 2004-Ohio-5264, ¶ 12, citing *Turner v. Turner*, 67 Ohio St.3d 337, 340, 617 N.E.2d 1123 ("In the summary judgment context, a 'material' fact is one that might affect the outcome of the suit under the applicable substantive law.").

{¶23} If the movant meets this initial burden, the nonmoving party has a reciprocal burden to file a response which affirmatively demonstrates a genuine issue for trial pursuant to Civ.R. 56(E). *Dresher* at 292-293. To meet this reciprocal burden, "an adverse party may not rest upon the mere allegations or denials of the party's pleadings, but the party's response, by affidavit or as otherwise provided in this rule, must set forth specific facts" to survive summary judgment. Civ.R. 56(E).

{¶24} It is well-established that summary judgment is not appropriate unless (1) no genuine issue of material fact remains to be litigated; (2) the moving party is entitled to judgment as a matter of law; and (3) viewing the evidence most strongly in favor of the non-moving party, reasonable minds can come to but one conclusion, that conclusion being adverse to the nonmoving party. *Harless v. Willis Day Warehousing Co., Inc.*, 54 Ohio St.2d 64, 66 (1978).

Law and Analysis

{¶25} Defendant argues that it is entitled to judgment as a matter of law because (1) Plaintiff cannot prevail on her discrimination claims because she cannot show that a non-protected, similarly situated employee was treated more favorably; (2) Plaintiff abandoned her age discrimination claim because the employee that subsequently assumed the Executive Director of PR position was not substantially younger than Plaintiff; (3) Plaintiff cannot present evidence that Defendant's reasons for termination were merely a pretext for discrimination; (4) Dr. Thomas's stray comments are not sufficient to create a hostile working environment or to suggest discriminatory bias; and (5) Plaintiff cannot show causal connection between submitting FMLA paperwork to Bowman and Dr. Thomas's decision to demote her.

{¶26} Pursuant to R.C. 4112.02(A), it is an unlawful practice "[f]or any employer, because of the race, color, religion, sex, military status, national origin, disability, age, or ancestry of any person, . . . to discriminate against that person with respect to . . . any other matter directly or indirectly related to employment." It is well-established that "discrimination actions under federal and state law each require the same analysis." *See Ray v. Ohio Dept. of Health*, 2018-Ohio-2163, 114 N.E.3d 297, ¶ 22 (10th Dist.), citing *Plumbers & Steamfitters Joint Apprenticeship Commt. v. Ohio Civ. Rights Comm.*, 66 Ohio St.2d 192, 196, 421 N.E.2d 128 (1981); *Little Forest Med. Ctr. v. Ohio Civ. Rights Comm.*, 61 Ohio St.3d 607, 609-610, 575 N.E.2d 1164 (1991). Accordingly, "Ohio courts may look to both federal and state courts' statutory interpretations of both federal and state statutes when determining the rights of litigants under state discrimination laws." *Id.* Notwithstanding, the Court notes that discrimination claims and hostile work environment claims are analytically distinct theories of liability with different elements. *Schramm v. Slater*, 105 Fed.Appx. 34, 40 (6th Cir.2004); *Sessin v. Thistledown Racetrack, LLC*, 187 F.Supp.3d 869, 878 (N.D.Ohio 2016).

{¶27} To prevail on an employment discrimination claim, Plaintiff must "present[] evidence, of any nature, to show that an employer more likely than not was motivated by discriminatory intent." *Mauzy v. Kelly Servs., Inc.*, 75 Ohio St.3d 578, 664 N.E.2d 1272 (1996), paragraph one of the syllabus; *see also Kline v. Tennessee Valley Auth.*, 128 F.3d 337, 348-349 (6th Cir.1997) ("The direct evidence and circumstantial evidence paths are mutually exclusive; a plaintiff need only prove one or the other, not both. If a plaintiff

can produce direct evidence of discrimination, then the *McDonnell Douglas-Burdine* paradigm is of no consequence. Similarly, if a plaintiff attempts to prove its case using the *McDonnell Douglas-Burdine* paradigm, then the party is not required to introduce direct evidence of discrimination.").

{¶28} Plaintiff does not present any direct evidence of discriminatory intent. *See Smith v. Superior Prod., LLC*, 2014-Ohio-1961, 13 N.E.3d 664, ¶ 16 (10th Dist.) ("Direct evidence of discrimination is evidence of any nature, which if believed, is sufficient by itself to show the employer more likely than not was motivated by discriminatory animus in its action."). Absent direct evidence, Plaintiff bears the initial burden of establishing a prima facie case of discrimination. *Hall v. Ohio State Univ. College of Med.,* 10th Dist. Franklin No. 11AP-1068, 2012-Ohio-5036, ¶ 13-14. In order to establish a prima facie case, Plaintiff must demonstrate that she: "(1) is a member of a protected class, (2) suffered an adverse employment action, (3) was qualified for the position in question, and (4) was replaced by someone outside of the protected class or that the employer treated a similarly situated, non-protected person more favorably." (Cleaned up.) *Moody v. Ohio Dept. of Mental Health & Addiction Services*, 2021-Ohio-4578, ¶ 17 (10th Dist.).

{¶29} At the outset, Plaintiff failed to submit any evidence that a non-protected employee "dealt with the same supervisor, have been subjected to the same standards and have engaged in the same conduct without such differentiating or mitigating circumstances that would distinguish their conduct or the employer's treatment of them for it." *Brehm v. Macintosh Co.,* 10th Dist. Franklin No. 19AP-19, 2019-Ohio-5322, ¶ 39 (citations omitted); *Osborn v. Ohio Reformatory for Women*, 10th Dist. Franklin No. 20AP-45, 2021-Ohio-1036, ¶ 23. Furthermore, Plaintiff admits the employee that CSU subsequently appointed to be the Executive Director of PR was both female and not substantially younger than Plaintiff. *See Drummond v. Ohio Dept. of Rehab. & Corr.*, 2022-Ohio-1096, ¶ 13-14, fn. 5 (10th Dist.). Therefore, the Court finds that Plaintiff has not stated a prima facie case for employment discrimination based on both age and sex because Plaintiff did not meet her burden under Civ.R. 56(E) for those claims. Consequently, Defendant is entitled to summary judgment on Plaintiff's claims for employment discrimination based on sex and age.

{¶30} Inasmuch as Plaintiff can establish her prima facie case for employment discrimination based on race, she has failed to refute Defendant's legitimate explanation for its employment decisions. *See Boggs v. Scotts Co.*, 2005-Ohio-1264, ¶ 18 (10th Dist.) (poor performance is a legitimate, non-discriminatory justification for an adverse employment action). Defendant proffers that Plaintiff was demoted because Dr. Thomas was not satisfied with her performance during the probationary period of her appointment. While Defendant met its burden to articulate a legitimate, non-discriminatory basis for its action, the Court finds that Plaintiff has not "produced evidence from which a jury could reasonably doubt the employer's explanation." *Chen v. Dow Chem. Co.*, 580 F.3d 394, 400, fn.4 (6th Cir.2009).

{¶31} To refute Defendant's legitimate justification, Plaintiff must show that Defendant's "proffered reason (1) had no basis in fact, (2) did not actually motivate the employer's challenged conduct, or (3) was insufficient to warrant the challenged conduct." *Hall* at ¶ 27. Plaintiff retains the ultimate burden to produce evidence sufficient for the Court to conclude that both Defendant's justification was false, and that discrimination was the real reason. *See id.* at ¶ 35, quoting *St. Mary's Honor Ctr. v. Hicks,* 509 U.S. 502, 515 (1993). While Plaintiff disagrees that her performance was lacking, statements that are nothing more than rumors, conclusory allegations, or subjective opinions are insufficient evidence on which the Court can conclude that Defendant's legitimate explanation is pretext for discrimination. *See Mitchell v. Toledo Hosp.*, 964 F.2d 577, 585 (6th Cir.1992). Therefore, the Court finds that no genuine issue of fact exists whether CSU's justification was false and discrimination was the real reason for Plaintiff's demotion. Consequently, Plaintiff failed to meet her burden under Civ.R. 56(E) and Defendant is entitled to judgment as a matter of law on Plaintiff's claim for employment discrimination based on race.

{¶32} Plaintiff's claims that Dr. Thomas subjected her to a hostile work environment based on her race and sex similarly fail. Particularly relevant here, Plaintiff must demonstrate that the harassment was based on race or sex, and that the harassment had the effect or purpose of unreasonably interfering with the employee's work performance or of creating an intimidating, hostile, or offensive work environment. *See Hinton v. Ohio Dept. of Youth Servs.*, 2022-Ohio-4783, ¶ 33 (10th Dist,); *see Chapa v. Genpak, LLC*,

2014-Ohio-897, ¶ (10th Dist.). It is not disputed that Dr. Thomas never made any derogatory comments about women or African Americans. Further, the Court is not persuaded by Plaintiff's suggestion that Dr. Thomas asking one time about Plaintiff's husband's salary and mentioning one time that he tells his wife she talks too much created a hostile work environment based on sex. Even if Dr. Thomas's comments arguably amount to sexual innuendo or crass language, comments that are trivial or only annoying is not sufficient to establish sexual harassment. *Davis v. City of Columbus*, 1999 Ohio App. LEXIS 2679 (10th Dist. June 15, 1999). To the contrary, Plaintiff specifically denied that Dr. Thomas's comments prevented her from performing her work duties. Moreover, Plaintiff submitted no evidence or legal support to demonstrate there is a genuine issue of material fact whether Dr. Thomas saying Plaintiff talked too much on two occasions was sufficiently hostile or otherwise based on her race or her sex.

{¶33} In short, the Court finds that Plaintiff has failed to meet her reciprocal burden outlined in Civ.R. 56(E). It is not the Court's job to "'second guess the business judgments of an employer making personnel decisions'" absent evidence of illegal discrimination. *Morrissette* at ¶ 40, citing ***Brown v. Renter's Choice, Inc.***, 55 F.Supp.2d 788, 795 (N.D.Ohio 1999), quoting *Nix v. WLCY Radio/Rahall Communications*, 738 F.2d 1181, 1187 (11th Cir.1984) ("An employer may make employment decisions 'for a good reason, a bad reason, a reason based on erroneous facts, or for no reason at all, as long as its action is not for a discriminatory reason.'"). Furthermore, it is not for the Court to judge whether an employer made the best or fairest decision, but only to determine whether the decision would not have been made but for discrimination. *See Mittler v. Ohiohealth Corp*., 10th Dist. Franklin No. 12AP-119, 2013-Ohio-1634, ¶ 52, citing *Knepper v. Ohio State Univ.*, 10th Dist. Franklin No. 10AP-1155, 2011-Ohio-6054, ¶ 23. Plaintiff's conclusory, subjective belief is not sufficient evidence for this Court to conclude that Defendant demoted Plaintiff because of her race, age, or sex. *See Mitchell* at 585. Despite viewing the evidence in a light most favorable to Plaintiff, the Court finds Plaintiff failed to meet her burden pursuant to Civ.R. 56(E) to demonstrate a genuine issue remains for trial. Consequently, Defendant is entitled to judgment as a matter of law.

{¶34} With respect to Plaintiff's retaliation claim, federal law "prohibits employers from discriminating against employees for exercising their rights under FMLA." *Ressler*

v. AG, 2015-Ohio-777, ¶ 14 (10th Dist.), *citing* 29 U.S.C. 2615(a)(2). To prevail, Plaintiff bears the initial burden of establishing that "(1) she exercised rights afforded by FMLA, (2) she suffered an adverse employment action, and (3) there was a causal connection between her exercise of rights and the adverse employment action." *Id.* (citations omitted). "Under the retaliation theory, the employer's motive is relevant because retaliation claims impose liability on an employer that acts against an employee specifically because the employee invoked FMLA rights." *Id.*, citing *Edgar v. JAC Prods., Inc.*, 443 F.3d 501, 508 (C.A.6, 2006). The prohibition against retaliation protects employees from conduct that would have dissuaded a reasonable worker from engaging in protected activity. *See Niswander v. Cincinnati Ins. Co.,* 529 F.3d 714, 720 (6th Cir.2008), quoting *Burlington N. & Santa Fe Ry. Co. v. White,* 126 S.Ct. 2405, 2415 (2006).

{¶35} Dr. Thomas's criticisms of Plaintiff and ultimately demoting her did not dissuade Plaintiff from taking FMLA leave. Instead, the evidence shows that Plaintiff continued to take leave as needed following the adverse action. The evidence is undisputed that Plaintiff has taken multiple FMLA leaves without issue. Specifically, Plaintiff requested to take FMLA leave, which Dr. Thomas approved, even after he criticized her work performance. Further, Plaintiff took FMLA leave again in early and late August 2022 despite being demoted at the beginning of that same month. In short, the actions by Dr. Thomas did not dissuade Plaintiff and would not dissuade a reasonable worker from exercising rights under FMLA. *See, e.g., Bonfiglio v. Toledo Hosp.*, 2018 U.S.Dist. LEXIS 187204, 29-31 (N.D. Ohio Nov. 1, 2018) (the court granted summary judgment when the employee continued to use FMLA leave following the alleged adverse employment action). Therefore, the Court finds that Plaintiff has failed to identify an adverse employment action that was taken against her because she used FMLA leave.

{¶36} For these same reasons, the Court cannot conclude that a causal connection exists between Dr. Thomas's actions and Plaintiff exercising her rights under FMLA given Defendant's previous and subsequent approval of Plaintiff's leave requests. *See Sullivan v. Ikea*, 2020-Ohio-6661, ¶ 66 (12th Dist.), citing *Halker v. Bob Evans Farms, Inc.*, 2014 U.S. Dist. LEXIS 127379 (S.D.Ohio Sep. 11, 2014) ("An employer's prior approval of FMLA leave and its granting of requests for FMLA leave to employees has been found to

rebut the allegation that a causal connection exists between a plaintiff's discharge and his FMLA leave request"). Importantly, Plaintiff recognizes that Dr. Thomas approved her request to take FMLA sick leave even after making disparaging comments about her work performance and before demoting her. Furthermore, Plaintiff fails to provide any argument or point to any evidence that a causal connection exists between the alleged adverse actions and her taking FMLA leave. Even construing the evidence most strongly in Plaintiff's favor, the only reasonable conclusion is that she has failed to state a prima facie claim for retaliation because there is no causal connection between any alleged adverse employment action and her FMLA leave requests. Therefore, the Court finds Plaintiff failed to meet her burden pursuant to Civ.R. 56(E) to demonstrate a genuine issue remains for trial. Consequently, Defendant is entitled to judgment as a matter of law.

Conclusion

{¶37} Having reviewed all the evidence in a light most favorable to Plaintiff and applying the standard under Civ.R. 56, the Court finds no genuine issues of material fact remain for trial in this case. For the reasons stated above, the Court finds that Defendant is entitled to judgment as a matter of law on Plaintiff's claims for employment discrimination in violation of R.C. 4112.02 and retaliation in violation of FMLA. Consequently, the Court GRANTS Defendant's motion for summary judgment pursuant to Civ.R. 56.

LISA L. SADLER
Judge

[Cite as *Fields-Arnold v. Cent. State Univ. Bd. of Trustees*, 2025-Ohio-2172.]

LENA FIELDS-ARNOLD Plaintiff v. CENTRAL STATE UNIVERSITY BOARD OF TRUSTEES Defendant	Case No. 2023-00279JD Judge Lisa L. Sadler JUDGMENT ENTRY

IN THE COURT OF CLAIMS OF OHIO

{¶38} A non-oral hearing was conducted in this case upon Defendant's motion for summary judgment. For the reasons set forth in the decision filed concurrently herewith, Defendant's motion for summary judgment is GRANTED and judgment is rendered in favor of Defendant. All previously scheduled events are VACATED. Court costs are assessed against Plaintiff. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

LISA L. SADLER
Judge

Filed May 14, 2025
Sent to S.C. Reporter 6/20/25