

THE UNIVERSITY OF MICHIGAN  
REGENTS COMMUNICATION  
ITEM FOR INFORMATION

Received by the Regents  
January 17, 2008

Subject: Litigation

January 2008

I. NEW CASES

1. Marlin Air, Inc. v The Board of Regents of the University of Michigan, Michigan Court of Claims. (Judge Joyce Draganchuk) (Filed December 5, 2007).

Plaintiff was under contract with the University to provide fixed wing aero medical transport services. Following the tragic accident that resulted in the deaths of the pilots and medical personnel aboard one of the Marlin Air planes, the University terminated the contract with Marlin Air. Plaintiff claims that the University breached its contract and seeks damages, costs, interest and attorney fees.

2. Kathy Halabicky, et al. v University of Michigan. Washtenaw County Circuit Court. (Judge David S. Swartz) (Filed December 7, 2007); Removed to United States District Court, Eastern District of Michigan (January 4, 2008) (Judge unknown).

This is a complaint filed by female Physicians Assistants and Nurse Practitioners at the University Medical Center. The plaintiffs claim that they are paid less than their male counterparts, even though they perform substantially the same duties. Plaintiffs claim gender discrimination under the Equal Pay Act and Elliott Larsen Civil Rights Act and seek past and future economic damages, past and future non-economic damages, an increase in current compensation, interest, costs and attorney fees. The University removed the case to the federal court.

3. Tammy Escamilla-Albrecht v Skanska USA Building Inc. and Board of Regents of the University of Michigan. Washtenaw County Circuit Court. (Judge Donald E. Shelton) (Filed December 4, 2007).

Plaintiff was employed by a subcontractor working on the Walgreen Drama Center construction project when she fell from a ladder. She claims that she was seriously injured and that the general contractor and the University were negligent in failing to provide a safe work site. Plaintiff seeks damages, costs, interest and attorney fees.

4. Michael Wells v Securitas Security Services USA, Inc. and the University of Michigan. United States District Court, Eastern District of Michigan. (Judge Anna Diggs Taylor) (Filed December 28, 2007).

Plaintiff was employed by Securitas Security Services as a security officer. The University contracts with Securitas to provide security for the University's Power Plant. Mr. Wells states that a University employee had told him that she had been sexually assaulted by another University employee the

previous year. Thereafter, Mr. Wells informed DPS and Power Plant officials of the assault. Plaintiff claims that shortly after he reported that assault, he was removed from his position at the Power Plant by Securitas, was reassigned to another facility in Saline, and subsequently terminated. Plaintiff alleges that these actions were violations of the Whistleblowers' Protection Act and in retaliation for reporting a sexual assault. He seeks damages in excess of \$5 million, as well as costs and fees.

## II. RESOLUTIONS

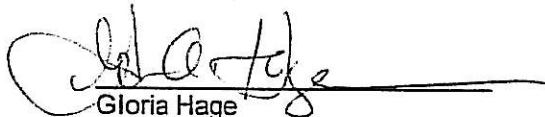
5. Megan Newman v University of Michigan. Washtenaw County Circuit Court. (Judge Donald E. Shelton) (Served August 14, 2006).

Plaintiff is an employee at the University. She states in her complaint that she went on medical leave to have surgery and the University refuses to put her back to work. She alleges that she is being discriminated against because of her handicap. Plaintiff seeks judgment against the University, including costs, interest and attorney fees. Settlement was reached between the parties and the case is dismissed.

6. Ronald J. Rolak v Regents of the University of Michigan and Kristen D. Skivington. Genesee County Circuit Court. (Judge Judith A. Fullerton) (Filed June 26, 2006).

Mr. Rolak states that he applied for a number of positions in the Development/Gift Giving area at the UM-Flint campus and that he was never interviewed or offered any of the positions. He claims that he was well-qualified for the positions but that he is not being considered because of his age and gender. He seeks judgment in excess of \$25,000, plus costs and attorney's fees. Settlement was reached between the parties and the case is dismissed.

Respectfully submitted,



Gloria Hage  
Interim Vice President and General Counsel