

IN THE SUPREME COURT OF OHIO

06-2085

Case Information Statement

Case Name: Keith E. Nielsen, et al. v. The Andersons, Inc., et al.

Case No.: Lucas County Court of Appeals, Sixth District Case No. L-06-1073

I. Has this case previously been decided or remanded by this Court? Yes [] No [X]

If so, please provide the Case Name: Case No.: Any Citation:

II. Will the determination of this case involve the interpretation or application of any particular case decided by the Supreme Court of Ohio or the Supreme Court of the United States? Yes [X] No []

If so, please provide the Case Name and Citation: See attached Exhibit A.

Will the determination of this case involve the interpretation or application of any particular constitutional provision, statute, or rule of court? Yes [X] No []

If so, please provide the appropriate citation to the constitutional provision, statute, or court rule, as follows:

U.S. Constitution: Article Section Ohio Revised Code: R.C. 4123.74 Ohio Constitution: Article Section Court Rule: Civ. R 56(C) United States Code: Title Section Ohio Admin. Code: O.A.C.

III. Indicate up to t three primary areas or topics of law involved in this proceeding (e.g., jury instructions, IM/UIM, search and seizure, etc.):

- 1) Burden of proof to establish Worker's Compensation immunity 2) Burden of proof to establish right to summary judgment 3)

IV. Are you aware of any case now pending or about to be brought before this Court that involves an issue substantially the same as, similar to, or related to an issue in this case? Yes [] No [X]

If so, please identify the Case Name: Case No.: Court where currently pending: Issue:

Contact information of appellant or counsel:

Andrew S. Goldwasser #0068397 L. Jason Blake #0080320 Name Atty. Reg. #

1500 W. 3rd Street, Suite 460 Address

Cleveland Ohio 44113 City State ZIP code

(216) 658-9900 (216) 658-9920 Telephone # Fax #

Signature of appellant or counsel

FILED NOV 13 2006 MARGIA J. MENGEL, CLERK SUPREME COURT OF OHIO