

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE EX REL. THE OHIO CIVIL RIGHTS COMMISSION, et al.

Relators,

v.

THE HON. RICHARD J. McMONAGLE,

Respondent.

v.

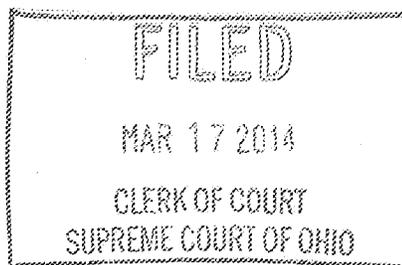
GMS MANAGEMENT CO., INC.

Intervenor.

Case No. 2014-0295

Original Action in Prohibition  
Arising from Cuyahoga County  
Common Pleas Court

Case No. 14 CV 820282



**MOTION FOR LEAVE TO FILE AMICI CURIAE BRIEF OF THE OHIO EMPLOYMENT LAWYERS ASSOCIATION (OELA) AND THE OHIO DISABILITY RIGHTS LAW AND POLICY CENTER (DISABILITY RIGHTS OHIO) IN SUPPORT OF MEMORANDUM IN OPPOSITION TO DISMISS**

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The Ohio Employment Lawyers Association (OELA) and the Ohio Disability Rights Law and Policy Center, Inc., (Disability Rights Ohio) move the Court for leave to file a brief as friends of the court. The brief has been conditionally filed with this motion.

### **OELA**

The Ohio Employment Lawyers Association (OELA) is the state-wide professional membership organization in Ohio comprised of lawyers who represent employees in labor, employment and civil rights disputes. OELA is the only state-wide affiliate of the National Employment Lawyers Association (NELA) in Ohio. NELA and its 67 state and local affiliates have a membership of over 3,000 attorneys who are committed to working on behalf of those who have been treated illegally in the workplace. NELA and OELA strive to protect the rights of their members' clients, and regularly support precedent-setting litigation affecting the rights of individuals in the workplace. OELA advocates for employee rights and workplace fairness while promoting the highest standards of professionalism, ethics, and judicial integrity.

### **DISABILITY RIGHTS OHIO**

The Ohio Disability Rights Law and Policy Center, Inc. (d.b.a. Disability Rights Ohio) is the system to protect and advocate for the rights of people with disabilities in Ohio. See, e.g., R.C. 5123.60; 29 U.S.C. §794e; 42 U.S.C. §10801 et seq. Disability Rights Ohio is a 501(c)(3) not-for-profit corporation chartered under the laws of Ohio. The mission of Disability Rights Ohio is to advocate for the human, civil, and legal rights of people with disabilities in Ohio. In accordance with that mission, Disability Rights Ohio receives many requests for assistance in a wide variety of legal areas affecting individuals with disabilities, including housing, employment and public accommodations, issues that fall within the jurisdiction of the Ohio Civil Rights Commission to investigate charges of discrimination.

**THE ISSUE BEFORE THE COURT IS OF GREAT IMPORTANCE, AND AMICI'S  
BRIEF PROVIDES VALUABLE INFORMATION FOR THE COURT'S  
CONSIDERATION**

The Court's decision in this matter will have a great impact on the ability of individuals to discover and remedy unlawful discrimination, and on the state's ability to uncover discrimination on behalf of those who cannot do so on their own. As organizations focused on protecting the interests of those who are subjected to discrimination, OELA and Disability Rights Ohio have knowledge about the significance of maintaining the integrity and efficiency of the investigations of the Ohio Civil Rights Commission, which are immensely important to those who are victims of discrimination. This is especially true for individuals who cannot find or afford an attorney, those who need more information in order to determine whether they have experienced discrimination, and those whose claims are capable of mediation through the Commission without the need for litigation or judicial intervention.

*Amici* bring a valuable perspective to the case, and the brief provides the Court with an overview of important legal and public policy considerations relevant to the writ of prohibition and the pending motion to dismiss. Accordingly, leave to proceed as friend of the court should be granted.

Respectfully Submitted,



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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 17, 2014, the foregoing Motion for Leave to File Amici Curiae Brief of the Ohio Employment Lawyers Association (OELA) and the Ohio Disability Rights Law And Policy Center (Disability Rights Ohio) in Support of Memorandum in Opposition to Dismiss with the Clerk of the Court for the Supreme Court of Ohio. I certify that all participants were served via regular U.S. Mail as listed below.



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