

Adverse Finding

The Ohio State University (“OSU”) hereby discloses the following matter (an adverse finding against OSU in a matter wholly unrelated to the operation of its radio stations).

Dr. Sheryl L. Szeinbach, a faculty member in OSU’s College of Pharmacy, filed a complaint in Federal District Court in August of 2008, alleging retaliation and discrimination and retaliation by association. In Szeinbach v. Ohio State University, No. 11-3002 (6th Cir. Aug. 10, 2012), the Sixth Circuit Court of Appeals affirmed in part and reversed in part a District Court grant of summary judgment in favor of OSU. The Court of Appeals affirmed the District Court’s dismissal of certain of Dr. Szeinbach’s claims with the exception of claims regarding differential salary increases and research-misconduct investigation. On remand, a jury found that OSU was liable for coworker retaliation in violation of the Civil Rights Act of 1964.

OSU submits that this judgment does not in any way reflect adversely on its qualifications as a broadcast station licensee. The finding was based on actions that did not involve OSU’s broadcast stations or any FCC-licensed facility or FCC-regulated functions, nor employees of OSU that have any role in its operation of broadcast stations. As a large state institution of higher education, OSU is, from time to time, subject to adjudication that is wholly separate from its broadcast operations and FCC qualifications. Accordingly, OSU believes that these matters have no bearing on its stewardship of its broadcast stations.