

The  
Litigation  
Group

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## Mark Mikhaiel to Argue Case Before the Ohio Supreme Court

Mark Mikhaiel, Partner at SSSB, will argue a case that affects the entire Ohio business community before the Supreme Court of Ohio on May 2, 2023. Mikhaiel will argue the merits of *AJZ's Hauling, L.L.C. v. TruNorth Warranty Program of N. Am.* This case presents an opportunity to ensure that there is certainty and predictability to the business community when it comes to final orders (especially those relating to arbitration).

This dispute involves two commercial businesses that agreed to arbitrate all disputes in a warranty agreement and two identical lawsuits wrongfully brought against the defendant, Mikhaiel's client. The case centers around whether a plaintiff can avoid an arbitration agreement by dismissing a case where there is an existing order to arbitrate and re-filing it, and whether the doctrine of *res judicata* prohibits relitigating a previously settled issue.

*Res judicata* is one of the hallmarks of Ohio law. Justice is not served if a litigant can continually re-litigate matters that have already been decided.

SSSB's litigation team has a proven track record of courtroom victories because our litigators speak with the authority of the law behind them and act with the intentionality of what is right and fair. Mikhaiel's experience, tenacity, and commitment to his clients are why this case will be heard in the highest Ohio court in May.

We invite you to tune in to the livestream of the Supreme Court proceedings on May 2, 2023, which will be broadcast live at 9 a.m. on the Ohio Channel, livestreamed at [www.ohiochannel.org/live/supreme-court-of-ohio](http://www.ohiochannel.org/live/supreme-court-of-ohio), and archived for future viewing.

Our attorneys believe that this case presents an opportunity to clarify important legal concepts that can affect your business. And if you ever find yourself in need of litigation assistance, remember your first call should be to Schneider Smeltz Spieth Bell where you can count on a team of litigators who will stay resolute in your representation.



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experience dating back to 1867.