

# LARGEST MANUFACTURING COMPANIES

## RANKED BY FTE EMPLOYEES

Rank	Company Address Phone/Web site	Full-time equivalent local employees	Full-time equivalent employees in Ohio	Parent company Headquarters	Local manufacturing facilities	Products manufactured locally	Person in charge Title
1	<b>SHERWIN-WILLIAMS CO.</b> 101 Prospect Ave., NW, Cleveland 44115 (216) 566-2000/www.sherwin-williams.com	3,010	3,846	Cleveland	Cleveland, Bedford Heights	Aerosol filling and packaging	Christopher M. Connor chairman, CEO
2	<b>GOODYEAR TIRE &amp; RUBBER CO.</b> 1144 E. Market St., Akron 44316 (330) 796-2121/www.goodyear.com	3,000	5,000	Akron	Akron	Race tires	Robert J. Keegan chairman, president, CEO
3	<b>SWAGELOK CO.</b> 29500 Solon Road, Solon 44139 (440) 248-4600/www.swagelok.com	3,000	3,000	Solon	Aurora, Solon, Highland Heights	Fluid system components	Arthur F. Anton president, CEO
4	<b>LINCOLN ELECTRIC HOLDINGS INC.</b> 22801 St. Clair Ave., Cleveland 44117 (216) 481-8100/www.lincolnelectric.com	2,854	2,860	Cleveland	Euclid, Mentor	Arc welding products, thermal cutting products and robotic welding systems	John M. Stropki Jr. chairman, president, CEO
5	<b>PARKER HANNIFIN CORP.</b> 6035 Parkland Blvd., Cleveland 44124 (216) 896-3000/www.parker.com	2,106	4,715	Cleveland	Akron, Avon, Eastlake, Elyria, Fairlawn, Kent, Mentor, Ravenna, Strongsville, Wadsworth, Wickliffe	Valves, hoses, fittings, actuators, filters, pumps for pneumatic and hydraulic applications	Donald E. Washkewicz chmn., president, CEO
6	<b>THE LUBRIZOL CORP.</b> 29400 Lakeland Blvd., Wickliffe 44092 (440) 943-4200/www.lubrizol.com	2,034	2,097	Wickliffe	Avon Lake, Chagrin Falls, Painesville	Specialty chemicals	James L. Hambrick chmn., president, CEO
7	<b>ROCKWELL AUTOMATION</b> 1 Allen-Bradley Drive, Mayfield Heights 44124 (440) 646-5000/www.rockwellautomation.com	2,004	2,200	Milwaukee	Twinsburg, Warrensville Heights	Control disciplines, motion and process control systems, distributed I/O platforms	Steven A. Eisenbrown sr. vp, architecture and software business
8	<b>GENERAL MOTORS CORP.</b> 5400 Chevrolet Blvd., Parma 44130 (216) 265-5000/www.gm.com	1,980	NA	Detroit	Parma	Metal stampings, metal assemblies, transmission components	Bruce Pierson plant manager
9	<b>DAIMLERCHRYSLER CORP.</b> 2000 E. Aurora Road, Twinsburg 44087 (330) 425-1777/www.daimlerchrysler.com	1,800	NA	Auburn Hills, Mich.	Twinsburg	Stampings for vehicles and minor assembly	Michael L. Orlovski plant manager
10	<b>THE BABCOCK &amp; WILCOX CO.</b> 20 S. Van Buren Ave., Barberton 44203 (330) 753-4511/www.babcock.com	1,700	2,995	McDermott International Inc. Houston	Barberton, Copley	Components for power generation systems and equipment	Brandon Bethards president, Fossil Power Group
11	<b>MITTAL STEEL USA</b> 4020 Kinross Lakes Parkway, Richfield 44286 (330) 659-9100/www.mittalsteel.com	1,640	1,900	Mittal Steel USA Chicago	Cleveland	Steel	Terry Fedor general manager
12	<b>GE CONSUMER &amp; INDUSTRIAL</b> 1975 Noble Road, East Cleveland 44112 (216) 266-2222/www.geconsumerandindustrial.com	1,610	3,000	General Electric Fairfield, Conn.	Cleveland, East Cleveland, Euclid, Ravenna, Willoughby	Lighting products for consumer, commercial and industrial customers	Michael B. Petras Jr. vp, electrical distribution and lighting sales
13	<b>AVERY DENNISON</b> 8080 Norton Parkway, Mentor 44060 (440) 534-6000/www.averydennison.com	1,603	1,692	Pasadena, Calif.	Painesville, Mentor, Concord, Strongsville, Brunswick, Fairport Harbor	Pressure-sensitive paper, film and foil	Christian A. Simcic, group vp, Roll Material Worldwide; Sandra Beach Lin, group vp, Specialty Materials Worldwide
14	<b>NESTLE USA</b> 30003 Bainbridge Road, Solon 44139 (440) 349-5757/www.nestleusa.com	1,503	2,227	Nestle USA Inc. Glendale, Calif.	Solon	Stouffer's and Lean Cuisine frozen prepared meals	Angelo Iantosca president, CEO, Nestle Prepared Foods Co.
15	<b>EATON CORP.</b> 1111 Superior Ave., Cleveland 44114 (216) 523-5000/www.eaton.com	1,381	3,081	Cleveland	Brooklyn, Parma, Aurora, Mantua	Industrial clutches, electrical assembly, metal fabrication, thermoplastic hoses and tubing	Alexander M. Cutler chairman, president, CEO
16	<b>THE SCOTT FETZER CO.</b> 28800 Clemens Road, Westlake 44145 (440) 892-3000/www.berkshirehathaway.com	1,351	1,903	Berkshire Hathaway Omaha, Neb.	Avon, Bedford, Chagrin Falls, Cleveland	Home cleaning products, medical and industrial fittings, regulators, explosion proof enclosures	Kenneth J. Semelsberger president, CEO
17	<b>BRIDGESTONE AMERICAS HOLDING INC.</b> 1200 Firestone Pkwy., Akron 44317 (330) 379-7000/www.bridgestoneamericas.com	1,272	2,001	Bridgestone Corp. Tokyo, Japan	Akron	Racing tires, polymer products	Hank Hara president, product development
18	<b>ALCOA</b> 1600 Harvard Ave., Cleveland 44105 (216) 641-3600/www.alcoa.com	1,250	1,393	Pittsburgh	Cuyahoga Heights, Cleveland, Barberton	Forged wheels, forged aerospace and industrial products, fastening systems and tooling	William F. Christopher exec. vp, Alcoa; group pres., Alcoa Aerospace, Automotive, Commercial Transportation
19	<b>INVACARE CORP.</b> One Invacare Way, Elyria 44035 (440) 329-6000/www.invacare.com	1,227	1,227	Elyria	Elyria	Powerchairs, handcycles, custom manual wheelchairs	A. Malachi Mixon III chairman, CEO
20	<b>PHILIPS MEDICAL SYSTEMS</b> 595 Miner Road, Highland Heights 44143 (440) 483-3000/www.medical.philips.com/us	1,200	1,200	Royal Philips Electronics Best, Netherlands	Highland Heights	CT, MR, PET scanners	James Fulton sr. vice president, general manager
21	<b>REPUBLIC ENGINEERED PRODUCTS INC.</b> 3770 Embassy Pkwy., Akron 44333 (330) 670-3000/www.republicengineered.com	1,200	NA	Industrias CH Mexico City	Lorain, Canton, Massillon	Hot rolled and cold finished steel bar products	Jaime Vigil president, CEO
22	<b>BEN VENUE LABORATORIES INC.</b> 300 Northfield Road, Bedford 44146 (440) 232-3320/www.benvenue.com	1,094	1,094	Boehringer Ingelheim Ridgefield, Conn.	Bedford	Injectable pharmaceuticals	Thomas J. Murphy president, COO
23	<b>STERIS CORP.</b> 5960 Heisley Road, Mentor 44060 (440) 354-2600/www.steris.com	855	931	Mentor	Mentor	Sterilization equipment and chemistries, biological and chemical indicators	Les C. Vinney president, CEO
24	<b>RPM INTERNATIONAL INC.</b> PO Box 777, Medina 44258 (330) 273-5090/www.rpminc.com	837	1,153	Medina	Cleveland, Medina, Twinsburg	Paints, roof coatings maintenance products	Frank C. Sullivan president, CEO
25	<b>MYERS INDUSTRIES INC.</b> 1293 S. Main St., Akron 44301 (330) 253-5592/www.myersind.com	828	1,256	Akron	Middlefield, Wadsworth	Plastics: bins, tool boxes, storage and material handling containers, flower pots	John Orr president, CEO
26	<b>SHILOH INDUSTRIES INC.</b> 880 Steel Drive, Valley City 44039 (330) 558-2600/www.shiloh.com	815	1,151	Cleveland	Parma, Valley City, Wellington	Steel blanks, stampings and processed steel	Theodore K. Zampetis president, CEO
27	<b>PPG INDUSTRIES INC.</b> 3800 W. 143rd St., Cleveland 44111 (216) 671-0050/www.ppg.com	766	1,500	Pittsburgh	Cleveland, Strongsville	Powder coatings, automotive coatings	Larry Corrigan plant manager
28	<b>RIDGE TOOL CO.</b> 400 Clark St., Elyria 44035 (440) 323-5581/www.ridgid.com	704	786	Emerson Electric Elyria	Elyria	Plumbing tools	Frederick D. Pond president
29	<b>MOEN INC.</b> 25300 Al Moen Drive, North Olmsted 44070 (440) 962-2000/www.moen.com	695	695	Fortune Brands Lincolnshire Ill	Elyria	Residential and commercial plumbing products	Richard E. Posey president, CEO



# Enforcement, not just presence, of compliance programs now a must

If you think your corporate compliance policy and enforcement are sufficient to protect the company against prosecution in criminal cases, you might want to check more closely.

Too often, CEOs and their boards adopt just a paper policy, thinking they are then "covered." However, many corporations are doing a poor job of compliance management, and prosecutors no longer are willing to let them off the hook just because of the mere presence of a policy. A recent change in the charging guidelines for federal prosecutors reinforces the fact that corporations need to be more diligent in managing compliance.

The new guidelines, issued by U.S. Deputy Attorney General Paul J. McNulty, place particular emphasis on the "adequacy of the corporation's pre-existing compliance program," stating:

"... the existence of a compliance program is not sufficient, in and of itself, to justify not charging a corporation for criminal conduct undertaken by its officers, directors, employees, or agents. Indeed, the commission of such crimes in the face of a compliance program may suggest that the corporate management is not adequately enforcing its program."

The Department of Justice recognizes corporations can guard against criminal activity if:

- The compliance program is adequately designed for maximum effectiveness in preventing and detecting employee wrongdoing.

- Corporate management actively enforces the program.

- Management does not undermine the program by tacitly encouraging or pressuring employees to engage in misconduct to meet business objectives.

The Justice Department has not issued formal guidelines for corporate compliance programs, but advises prosecutors to determine whether the program is merely a "paper program" or whether it is designed and implemented effectively.

In addition, prosecutors should determine whether the corporation has established a staff sufficient to audit, document and analyze the corporation's commitment to the compliance program. This will enable prosecutors to make informed decisions about whether the corporation has implemented a truly effective program, so that only the wrongdoers will be charged and not the corporation.

Prosecutors have been advised to consider the following points in evaluating the effectiveness of a compliance policy:

- How comprehensive the program is;

- The extent and pervasiveness of criminal conduct;

- The number and level of corporate employees involved;

- The seriousness, duration and frequency of misconduct;

- How promptly the corporation discloses wrongdoing and how well it cooperates with the investigation; and

- Any remedial action taken, including restitution, discipline, and

## JAMES RENCH ADVISER

revisions to the compliance program.

In evaluating a compliance program, prosecutors can consider whether it contains mechanisms to effectively detect and prevent misconduct. For example:

Do directors exercise independent review over proposed corporate actions or do they unquestioningly ratify officers' recommendations?

Do directors have sufficient information that enables them to exercise independent judgment?

Are internal audits conducted at a level sufficient to ensure independence and accuracy?

Is a system in place to provide management and directors with timely and accurate information that allows them to make informed decisions about the organization's compliance with the law?

The Justice Department's McNulty Memorandum adds new restrictions for prosecutors seeking privileged information from corporations. Specifically, it establishes new requirements that prosecutors must meet before they can request a corporation to waive attorney-client privilege and work-product protections in criminal investigations.

In addition, prosecutors can no longer automatically consider a corporation to be complicit in any wrongdoing if it advances attorneys' fees to employees.

Deputy Attorney General McNulty issued the memorandum in response to mounting criticism from Congress,

the American Bar Association and others of the way prosecutors previously investigated and prosecuted alleged corporate fraud. Critics were united around the notion that field prosecutors routinely required corporations to waive attorney-client privilege and refuse to advance attorneys' fees in order to avoid prosecution.

Whether the memorandum will restrain perceived abuses is a matter of debate; however, there is little question that the central tenets of Justice Department corporate fraud prosecution remain intact.

"Our efforts to investigate and prosecute corporate fraud in the past five years ... have been tremendously successful," Mr.

McNulty said. "With this new guidance, we want to encourage corporations to prevent corruption through self-policing and continue to punish wrongdoers through cooperation with law enforcement."

Mr. Rensch is a partner with the law firm of Stark & Knoll Co. in Akron.

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# LARGEST MANUFACTURING COMPANIES

## RANKED BY FTE EMPLOYEES

Rank	Company Address Phone/Web site	Full-time equivalent local employees	Full-time equivalent employees in Ohio	Parent company Headquarters	Local manufacturing facilities	Products manufactured locally	Person in charge Title
30	<b>AIRCRAFT BRAKING SYSTEMS CORP.</b> 1204 Massillon Road, Akron 44306 (330) 796-4400/www.aircraftbraking.com	684	684	K and F Industries Inc. New York	Akron	Wheels, brakes and related systems for commercial, general aviation and military aircraft	R.W. Johnson sr. vp, finance and administration
31	<b>GOODRICH LANDING GEAR</b> 8000 Marble Ave., Cleveland 44105 (216) 341-1700/www.goodrich.com	680	NA	Goodrich Corp. Charlotte, N.C.	Cleveland	Landing gear components	Mike Brand president
32	<b>POLYONE CORP.</b> 33587 Walker Road, Avon Lake 44012 (440) 930-1000/www.polyone.com	670	915	Avon Lake	Avon Lake, Macedonia	Thermoplastic compounds	Stephen D. Newlin chairman, president, CEO
33	<b>NORDSON CORP.</b> 28601 Clemens Road, Westlake 44145 (440) 892-1580/www.nordson.com	636	636	Westlake	Amherst	Spraying systems for liquid and powder paints, coating systems and systems that apply adhesives and sealants	Edward P. Campbell chairman, CEO
34	<b>HENKEL CORP.</b> 32150 Just Imagine Drive, Avon 44011 (440) 937-7000/www.stickwithhenkel.us	600	600	Henkel Corp. Dusseldorf, Germany	Avon, Mentor	Sealants, solvent-based adhesives, Duck brand carpet tapes	John Kahl CEO
35	<b>FERRO CORP.</b> 1000 Lakeside Ave., Cleveland 44114 (216) 641-8580/www.ferro.com	550	695	Cleveland	Cleveland (2), Walton Hills	Coating systems, specialty glass, pharmaceuticals, polymer specialties, fine chemicals, pigments and colorants	James F. Kirsch chairman, president, CEO
36	<b>LOCKHEED MARTIN MARITIME SYSTEMS &amp; SENSORS</b> 1210 Massillon Road, Akron 44315 (330) 796-2800/www.lockheedmartin.com	550	550	Lockheed Martin Corp. Bethesda, Maryland	Akron	Flight simulators, guidance systems, sensor systems, LaserNet, tactical systems	Rick Perez vp, general manager
37	<b>AUTOMATED PACKAGING SYSTEMS INC. (1)</b> 10175 Philipp Pkwy., Streetsboro 44241 330-342-2000/www.autobag.com	498	498	Streetsboro	Streetsboro, Garfield Heights, Bedford	Packaging machinery, air pillow systems and materials, packaging materials	Hershey Lerner, chairman; Bernie Lerner, president, CEO
38	<b>HAWK CORP.</b> 200 Public Square, Suite 1500, Cleveland 44114 (216) 861-3553/www.hawkcorp.com	400	400	Cleveland	Akron, Medina, Solon	Friction products brakes, clutches and transmissions	Ronald E. Weinberg chairman, CEO
39	<b>EAST MANUFACTURING</b> 1871 State Route 44, Randolph 44265 330-325-9921/www.eastmanufacturing.com	400	400	Randolph	Randolph	Commercial trailers	David J. Tate president
40	<b>THE STEP2 CO.</b> 10010 Aurora-Hudson Road, Streetsboro 44241 (330) 656-0440/www.step2.com	380	674	Step2 Holdings LLC Streetsboro	Streetsboro	Rotationally molded plastic toys and home and garden products	Scott Levin president, CEO
41	<b>SANDRIDGE FOOD CORP.</b> 133 Commerce Drive, Medina 44256 (330) 725-2348/www.sandridge.com	300	300	Medina	Medina	Fresh refrigerated food products	Mark D. Sandridge CEO
42	<b>SGS TOOL CO.</b> 55 S. Main St., Munroe Falls 44262 (330) 688-6667/www.sgstool.com	298	298	Munroe Falls	Cuhahoga Falls, Munroe Falls	End mills, burs, drills, precision cutting tools	Thomas J. Haag president, CEO

Source: Information is supplied by the companies unless footnoted. Crain's Cleveland Business does not independently verify the information and there is no guarantee these listings are complete or accurate. We welcome all responses to our lists and will include omitted information or clarifications in coming issues. Business lists and The Book of Lists are available to purchase at [www.crainscleveland.com](http://www.crainscleveland.com) Ford Motor Co. and Kraftmaid Cabinetry declined to provide employee numbers.

RESEARCHED BY Deborah W. Hillyer

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# Ford: Workers previously have found home in health care

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"Obviously, this is a challenge for us" as an economy, said regional economist Jack Kleinhenz, who operates Kleinhenz & Associates, a business and economic consulting firm in Cleveland Heights. "There are some important skill sets in the foundry business. Putting that knowledge to work in a different way will be not so easy."

Ryan Reed, an economist at National City Corp., said manufacturers nationwide have complained about not finding the help they need. "In that sense, there does seem to be a lack of supply in certain manufacturing sectors," Mr. Reed said.

In response, government and labor training officials across Northeast Ohio say they have begun discussing which of their job training programs will be best suited for Ford's workers.

Dennis Roberts, director of Cuyahoga County's Workforce Development Department, said he has begun discussing with union officials at Ford which programs are available to displaced workers. Mr. Roberts said his department, which also oversees the state's One Stop career training centers, will need to do skills assessments of the Ford employees to see how they might fit the needs of other employers.

Those assessments, however, might be a while in coming in order to see the type of buyouts the Ford employees take.

"Many times when people get a buyout, they're not motivated to work right away," Mr. Roberts said.

## A 'big need' to fill

Ford offers eight separate early retirement and buyout packages, said company spokeswoman Marcey Evans. Two of the packages allow for education reimbursement, with one offering up to \$15,000 in tuition payments per year for up to four years, an annual stipend of 50% of the employee's annualized straight-time wage rate, plus health insurance and other benefits during the four-year period. The other package provides up to \$15,000 in tuition for two years and 70% of wages instead of 50%.

About 25,000 employees nationwide already have left the company through a buyout program last year, Ms. Evans said. She declined to say how many workers at Ford's North-

east Ohio plants took that buyout or how many workers at the Ford plant in Lorain took similar buyouts when that plant stopped producing the Econoline van in December 2005.

Workers who choose to go back to school will find training programs waiting for them.

"Community colleges especially are set up to meet the needs of displaced workers," said Judith Crocker, director of education and training at Magnet, a regional manufacturing assistance group.

Cuyahoga Community College, for instance, offers an array of programs, including training on how to operate computer numerical control (CNC) machinery, said Bob Paponetti, vice president of work force and economic development.

"There's a big need" for the CNC operators, Mr. Paponetti said. "There are lots of openings."

## A healthy transition

Not all of the Ford workers, however, will look to manufacturing if they choose to continue being part of the work force. If history is any guide, the health care field will be a popular choice for some former Ford employees.

"I know former Teamsters who are now nurses," said John Colm, president of the Westside Industrial Retention and Expansion Network, or WIRE-Net, a Cleveland manufacturing support group.

Tom Snowberger, senior vice president of human resources at University Hospitals of Cleveland, said the hospital saw a spike in the number of former manufacturing workers joining UH following past layoffs in the sector, such as when steelmaker LTV Corp. laid off 900 workers in June 2001.

"There are opportunities for a wide range of skill sets in a health care environment," Mr. Snowberger said. "We're not just about nurses, doctors and technicians."

UH employs 23,000 people throughout its system, Mr. Snowberger said. He didn't know how many of those have a manufacturing background, but he said people in the manufacturing sector might be able to find jobs at UH in maintenance or administrative support roles.

"Here at UH, we are basically running cities that are open 24 hours a day, seven days a week, 365

days a year," Mr. Snowberger said. "To keep our facilities operating and efficient, we certainly have recruited for a variety of skill sets."

Michelle Dumpe, associate chief nursing officer at the Cleveland Clinic, said the hospital in the past has been contacted by employers such as LTV and Ford when layoffs have hit, asking whether there might be positions available.

"These are (people) who have families and they need benefits," Ms. Dumpe said. "They see that manufacturing is maybe not the most dependable now, (and) that health care jobs are dependable because people always need health care."

Mr. Kleinhenz, the economist, said this migration isn't surprising.

"The health care industry in Ohio and elsewhere is growing," Mr. Kleinhenz said, adding that there is a certain percentage of people who won't want to relocate for a new job with Ford or another manufacturer and may just decide to take advantage of Northeast Ohio's robust health care organizations.

## Union stigma?

There remain local manufacturing opportunities for the Ford

workers, too.

Kay Jelinek, human resource manager at Rotek, a bearing manufacturer in Aurora, has hired former Ford workers in the past and found they make a good fit.

"Those people do have a lot of the skills that we actually need in our environment," Ms. Jelinek said. "They have a lot of experience."

But Ford employees likely won't be welcomed in some manufacturing settings.

Though they wouldn't say so for the record, a few employers indicated in conversations with *Crain's* that they wouldn't be eager to introduce into their shops employees who came from a unionized setting.

Even so, Jim Stone, resident partner at labor law firm Jackson Lewis LLP in Beachwood, said he doesn't believe the workers' union affiliations will play much of a role in determining where they are hired.

"It's possible that in older days, when the unions were more powerful, there would be more of an effect, but I don't see much of that anymore," he said.

A bigger factor, Mr. Stone said, has to do with pay. "They're never going to make the same type of

money they did at Ford," he said. "It's not even going to be close."

## Concern over 'outdated' skills

The employee roster at Rotek includes 160 manufacturing jobs, and though the company isn't hiring right now, Ms. Jelinek said Ford employees facing job loss "would be great in our candidates' pool for anything we might have coming in the future."

As Ms. Jelinek's comment suggests, filling manufacturing jobs often is a matter of timing: When Rotek, a union shop, was looking to fill about 30 positions a year and a half ago, Ms. Jelinek said it took the company quite a while to find qualified employees.

Magnet's Ms. Crocker acknowledged that it might be a struggle for some Ford workers to find employment once they hit the job market.

"They come in with minimal skills, and skills they acquired just to be able to do the job they needed to do," she said. "And they're not transferable to skills they need right now. Their skills might be outdated." ■

Staff reporter John Booth contributed to this story.

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Kim Nunley  
Office Managing Partner

## Brew: Craft beer sales still hot

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six buildings just west of the West Side Market near Lorain Avenue and West 25<sup>th</sup> Street. Three of the buildings formerly housed the Schlather Brewing Co.

Brothers Daniel and Patrick Conway founded the brewery in 1988 and have expanded it several times since. An \$8 million expansion in 2000 allowed the brothers to expand Great Lakes' brewing capacity and distribution area.

Neither Conway brother returned two phone calls placed by *Crain's Cleveland Business*.

Great Lakes Brewing makes and distributes five year-round brews — Dortmund Gold, Burning River Pale Ale, Edmund Fitzgerald Porter, Eliot Ness Amber Lager and Holy Moses White Ale. It also sells seasonal products such as Conway's Irish Ale, Engine 20 Ale and Christmas Ale. Its

current distribution area covers Ohio, Illinois, Kentucky, Michigan, New York, Pennsylvania, West Virginia and Wisconsin.

The company also operates a brewpub and restaurant adjacent to the brewery at 2516 Market Ave.

According to the Brewers Association, a Boulder, Colo.-based non-profit for the craft brewing industry and beer enthusiasts, Great Lakes Brewing is the 26<sup>th</sup> largest craft brewer in the country and ranks 41<sup>st</sup> among all brewers. The association defines a craft brewery as one that produces less than 2 million barrels of beer annually.

While national beer sales volume is flat, the association estimates that total craft beer sales by the nation's 1,400 craft brewers has grown 31.5% during the last three years and that supermarket sales rose 17.8% in 2006 alone. ■



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# Invention: Innovations mean better treatments, more patients

continued from PAGE 3

using them in the classroom, Mr. Coticchia said.

It didn't help that Case and UH were not fully committed to tech transfer, which left faculty without any help in taking their inventions to market, said Joe Jankowski, vice president for biomedical science in Case's tech transfer office. But that office now acts as a direct pipeline between inventions and the market, Mr. Jankowski said.

And the more inventions that are disclosed and taken to market, the better off the research institutions and Northeast Ohio will be, said Phil Cola, vice president of research and technology at University Hospitals Case Medical Center. The hospital

expects to have 15 inventions in 2007, up from 10 in each of the last four years, he said.

More inventions lead to more research opportunities, Mr. Cola said, because companies want to conduct research in the most innovative academic medical centers. Those innovations translate into better treatments and more patients choosing UH or the Clinic for health care, he added.

Mr. Coburn said more inventions also mean more patents, licensing agreements, spinoff companies and even more interest from researchers and doctors who are looking for a place to conduct research.

"As the Cleveland Clinic's recognition for innovation grows broader,

more innovators will be attracted to work here," Mr. Coburn said. "We (already) have inventors who are at the Cleveland Clinic because of the opportunity it provides, because of the environment and the large number of (chances) to be innovative."

That wasn't the region's reputation in the recent past, Mr. Cola said. Five years ago, Cleveland was known as a great health care town, but not as a great innovation hub.

However, that perception is beginning to change.

### Laggard no more

Case and UH average one invention for every \$2.5 million in research money spent, which is right on par with the national average,

Mr. Coticchia said.

In February, the Association of University Technology Managers, a professional group for tech transfer officers in Northbrook, Ill., ranked Case among the top 10 nationwide for the number of university-based startup companies, gross licensing income, the number of inventions disclosed and the total number of licenses in 2005, the latest year for which information is available. Case is ranked among 102 institutions with research bases under \$275 million.

Mr. Shah said Case, the Clinic and UH when viewed as a whole have made significant strides in the amount of licensing revenues they've obtained each year, reaching \$18

million in the fiscal year that ended last June 30, up from \$3 million in the fiscal 2002.

Mr. Shah said such figures demonstrate the validity of Northeast Ohio as a significant player in tech transfer and they let those outside the region know that Greater Cleveland "is a place where innovation occurs."

That reputation should only grow stronger with the partnership formed recently between BioEnterprise and the Pittsburgh Life Sciences Greenhouse to promote Cleveland and Pittsburgh as one big biotechnology corridor, Mr. Shah said.

Noted Mr. Coticchia: "We've gone from being laggards in tech transfer to being one of the top programs in the country." ■

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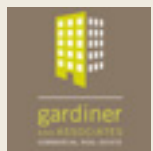
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# ADA: Some judges grow weary of 'abusive litigation'

continued from PAGE 1

states on its web site that it is monitoring 7,000 such lawsuits in California alone. Called "drive-by lawsuits" in both the legal and disabled communities, the actions appear relatively benign, asking only that violations of the disabilities act be corrected because the law does not allow plaintiffs to recover monetary damages.

However, courts can award attorneys' fees, and those sums of money appear to some observers, including Cleveland attorney Bruce Hearey, to be the motive for these lawsuits.

"The end result may make some sense, but their tactics are flat-out wrong," said Mr. Hearey, who has represented defendants in several ADA lawsuits and whose daughter is in a wheelchair.

"This particular group's tactics are more about remunerating the lawyers than fixing anything," said Mr. Hearey, who referred to the Disabled Patriots group as "professional plaintiffs."

Legal fees in these cases can run from \$10,000 to \$20,000, said Mr. Hearey, an attorney with the Cleveland office of the Ogletree Deakins labor and employment law firm.

## Put to the test

*Crain's Cleveland Business* reviewed more than a dozen lawsuits filed locally by Disabled Patriots. In those suits, Disabled Patriots and a member of the group who is disabled state that the named plaintiff was denied "full enjoyment" of a facility because some parts of the property were inaccessible to the plaintiff, which is a violation of the disabilities act.

In some cases, the named plaintiff is described as a "tester" who

visits places open to the public for the purpose of testing barriers to access. Among the alleged violations that have been cited in the lawsuits are not enough parking places for the disabled, restrooms with insufficient maneuvering clearances, and hotels lacking one or more rooms with roll-in showers or water closets that cannot be easily flushed by the disabled.

In its lawsuit against the city of Shaker Heights, Disabled Patriots states among various alleged violations that counters in the public library were too high and the city's Thornton Park swimming pool lacked all appropriate handrails. The suit goes on to say that the defendant "has known for at least sixteen years of its duties and obligations under ... ADA to complete the necessary and required changes."

William Gruber, chief counsel in the Shaker Heights law department, said the city had not heard a complaint from the group until the lawsuit was filed last October. Mr. Gruber acknowledged that some problems exist, but questioned why concerns weren't raised directly to the city rather than through a lawsuit. He said negotiations to resolve the lawsuit are ongoing.

RTA spokesman Chad Self said the transit agency had not yet been served with the lawsuit against it, which was filed in late April.

## Plaintiff of choice

Disabled Patriots is one of several groups around the country that is filing ADA access lawsuits. It is a Florida nonprofit organization that because of its small size is not required to file federal tax forms. Attempts to reach Maria Gallagher, listed as the group's president on its

## "Wouldn't conciliation and voluntary compliance be a more rational solution?"

— Gregory A. Presnell, an Orlando, Fla., judge who found in favor of Sandy Lake Towers Hotel after the hotel was sued for noncompliance with the ADA

most recent annual report, were unsuccessful. The telephone number listed for her and the group on its 2005 annual report, the latest on file with the Florida Secretary of State's office, has been disconnected.

Typically, the lawsuits name an individual member of the organization and the organization itself as plaintiffs. In nearly all of the 30 lawsuits involving defendants in Northeast Ohio, a woman named Bonnie Kramer is identified as the plaintiff.

The attorney who filed Disabled Patriots' articles of incorporation with the Florida Secretary of State in 2002 is Todd W. Shulby of West Palm Beach, one of a handful of attorneys filing the ADA lawsuits in federal court in Cleveland. A call to Mr. Shulby was returned by his co-counsel on many cases, Guy M. Shir of Boca Raton, Fla.

Mr. Shir would not disclose the address or the phone number of Ms. Kramer. He only would say she lives in Northeast Ohio.

Mr. Shir was unapologetic about filing a lawsuit without first writing a letter of complaint. He said property owners have had as long as 17 years to understand the ADA guidelines and to make changes.

In the early years of the ADA, Mr. Shir said, a disabled person would send a letter to a property owner

asking that access be brought up to the ADA standards.

"The disabled person would get a letter back thanking them for their concern and saying they would take appropriate action," he said. "But (the letter) would go into the circular file" and nothing would happen.

## A judge's rebuke

Nationwide, few of the cases that defendant lawyers complain about reach a courtroom, though in a handful of cases judges dismissed the complaints and issued stinging rebukes of the plaintiffs and their attorneys.

In a case in a federal district court in Los Angeles, the judge described the plaintiff as engaging in "a well-established pattern of abusive litigation" and granted summary judgment in favor of a Solvang, Calif., restaurant.

In a case in a federal district court in Orlando, Fla., Judge Gregory A. Presnell, who described the ADA access litigation as a "cottage industry," complained about the tactics of the plaintiffs. In his opinion, Judge Presnell noted that the plaintiff filed his lawsuit less than a week after his attorney verified ADA deficiencies at Sandy Lake Towers Hotel in Orlando without notifying the hotel of the problems and offering it a chance to fix the problems on its own.

"Wouldn't conciliation and voluntary compliance be a more rational solution?" he wrote. "Of course it would, but pre-suit settlements do not vest plaintiff's counsel with an entitlement to attorney's fees."

Judge Presnell found in favor of the defendant. The attorney who filed that lawsuit on behalf of Disabled Patriots was Todd W. Shulby.

Mr. Shulby's associate, Mr. Shir,

defended the legal fees involved in ADA disputes.

"If legal fees weren't involved — attorneys like everybody else have to make a living — you would have a system where a person like Bonnie (Kramer), who has little means available to her, couldn't get representation," Mr. Shir said.

## Disability groups disagree

Some disabled rights groups are critical of these lawsuits, while others prefer to give litigants the benefit of the doubt.

Andrew Imparato, president of the 100,000-member American Association of People with Disabilities, spoke out on the issue during a recent dispute in California over a group of cases filed by one individual.

"There are these individuals and boutique law firms that make a business out of filing 75 claims at a time, and it leads to a strong backlash against the ADA and it can do harm to the cause of increasing access for those with disabilities," Mr. Imparato said. "The point of this law is not to shake down businesses and make money off them. The point is to improve accessibility."

However, Linda Kilb, an attorney for Disability Rights Education and Defense Fund Inc., a national law and policy center in Berkeley, Calif., was reluctant to criticize such legal tactics. Ms. Kilb said the ADA access requirements have been law since the early 1990s and that private lawsuits are a key mechanism for enforcing the ADA law.

"The only thing that brings (defendants) to address this was that somebody brought a lawsuit," Ms. Kilb said. "And without the ability to get the lawyer paid, you're never going to find a lawyer." ■

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# KnowVille: Grand opening gave way to a slow start

continued from PAGE 3

Holcomb's annual revenues are roughly \$25 million, but Mr. Culler said sales the last five years have been flat. The company hired Andy Birol of Birol Growth Consulting in Solon to help it grow.

Mr. Birol said Holcomb's reputation makes the move to an arena beyond retail sales a logical one.

"Both parents and teachers value Holcomb's," Mr. Birol said. "We were able to leverage that and to project it into what was an enormous and emerging societal need, which is: Kids who are too old for preschool and not yet in high school, what can they do in an ongoing way both after school and in the summer?"

## A whole new world

Mr. Culler said Holcomb's investment in KnowVille "has passed the half-million dollar mark," but costs have been kept down because Holcomb's already had some necessities on hand, and some vendors donated toys and games.

KnowVille's 15,000-square-foot layout looks like the pages of a kids book made real.

A spongy green floor and cartoony trees mark a central "play park," and a tidy white bridge spans a painted stream. In one corner is a theater complete with movie screen, stage and low bleachers, and along one wall are areas designated "KnowLab," "Library" and "Clubhouse." A small coffee counter gives parents a place to relax.

The environment — handled by Cleveland firm V2V Design — leaves visitors both impressed and maybe a bit confused, said Kathy Balogh, Holcomb's director of market development and "Governor" of KnowVille.

"You see their faces when they come in, and they haven't seen anything like it, but at the same time it doesn't fit with any categories they're already familiar with," Ms. Balogh said.

KnowVille, she said, isn't designed to be a day care center, though it may seem like one. The Clubhouse, for instance, is tagged for study and board games. The Library, with its beanbags and leather chairs and ottomans, is lined with bookshelves. Art, science and math programs also are offered.

There are about a dozen employees on the KnowVille roster, but Ms. Balogh said that number will likely double once things are running full steam. Three-quarters of the employees are expected to be teachers or students pursuing teaching as a career.

A store inside KnowVille bears Holcomb's retail KnowPlace name but differs from the company's 32 stores in that its stock is mostly games and study aids and not teaching supplies.

That's part of Holcomb's overall marketing plan for KnowVille, said Mr. Culler, who says the company hopes its reputation in the teacher's market will get through to parents, too.

## A marketing challenge

After a grand opening April 28 and 29 that drew 500 visitors, things have gotten off to a slow start. Ms. Balogh estimated about a dozen sign-ups for classes during the opening day festivities, and a handful of participants daily since.

It's not entirely unexpected, though, because KnowVille opened in mid-spring, when few parents are likely to change their after-school programs.

The school-year plan is to offer after-school activities — two schools already have KnowVille on their bus route — and to host field trips for

home-school groups and possibly preschoolers during the school day.

During the summer, KnowVille will offer eight-week classes and one-day events.

Bill Thomas, Mayfield Village's director of parks and recreation, said his early concerns about KnowVille competing with the village's own summer activities have disappeared.

"We're recreation-oriented, and they're more education-oriented," Mr. Thomas said. "We'll be doing a lot of cooperation together. Hopefully it's going to work out for both of us — for them to use our facilities and for our camps to use theirs."

Given its seclusion and surroundings, KnowVille presents a marketing challenge, Ms. Balogh admitted, but she's optimistic.

"We'd like to get our core group of members (established). It's not like we need to rely on lots of walk-ins," she said. "As long as we can go into summer with a full summer camp schedule, we'll be on the right track." ■



KnowVille's spongy green floor and cartoony trees mark a central "play park," and one corner features a theater complete with movie screen, stage and low bleachers. Other areas are designated "KnowLab," "Library" and "Clubhouse."

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## THE WEEK

MAY 7 - 13

**The big story:** Ford Motor Co.'s troubles are hitting Cleveland in a big way. The automaker plans to close its Cleveland Casting Plant in Brook Park in 2009 as part of the company's Way Forward plan to transform its North American automotive business. The plant employs 1,100 hourly and 118 salaried workers. Ford also said it will close the Cleveland Engine Plant No. 1 in Brook Park for 12 months, with the shutdown beginning in two weeks. The plant has 530 hourly workers and 47 salaried workers. A second engine plant at Ford's Brook Park complex will remain open.

**Members only:** Solon-based MemberHealth Inc. is being acquired by Universal American Financial Corp. for \$630 million. Universal American, a health and life insurance holding company in Rye Brook, N.Y., will pay 55% of the purchase price in cash and the rest in Universal American common stock, which is valued at \$20 a share. The deal is expected to close late in the third quarter. MemberHealth covers more than 1.1 million people in its prescription drug coverage plans and had sales of \$1.24 billion last year.

**Looking to the future:** The John L. and James S. Knight Foundation intends to double its investment in the Fund for Our Economic Future. The foundation pledged \$2 million to the second, three-year phase of the fund's effort to help shape a regional economic development agenda. The foundation committed \$1 million to the fund's three-year startup phase. The fund hopes to raise \$34 million to allow it to continue its Advance Northeast Ohio program.

**Seeing the light:** FirstEnergy Corp.'s Ohio subsidiaries — Ohio Edison, Cleveland Electric Illuminating Co. and Toledo Edison — notified the Public Utilities Commission of Ohio of their intention to request a change in distribution rates that, when combined with previously approved changes in regulatory charges, would result in an overall reduction in the regulated portion of customer bills. FirstEnergy said a filing will be made to increase distribution rates; the \$334 million increase would be more than offset by a reduction in charges related to electric restructuring in Ohio. As a result, customer bills would decrease by an average of 4.6%, or a total of \$208 million annually. The new rates would take effect in 2009.

## The wait just got longer:

Cedar Point's new \$21 million roller coaster won't be ready for the opening of the 2007 season, and alterations may

be in store before the ride carries its first passengers. Amusement park officials said three, 40-foot sections of Maverick's 4,400-foot-long steel track will be replaced before the coaster is ready to run. Tests and consultation with Maverick manufacturer IntaRide led to the decision. The coaster is expected to open in early June.

**For the record:** Deere & Co. completed its acquisition of Lesco Inc., the Cleveland-based supplier of lawn care, landscape, golf course and pest control products. Deere last February agreed to buy Lesco for \$14.50 a share, or about \$135 million. ... Case Western Reserve University School of Medicine received a seven-year, \$27 million grant from the National Institute of Allergy and Infectious Diseases to continue its work in the global fight against tuberculosis.

To keep up with local business news as it happens, visit [www.crainscleveland.com](http://www.crainscleveland.com).

## REPORTERS' NOTEBOOK

BEHIND THE NEWS WITH CRAIN'S WRITERS

## CVB chooses Bush (not that one) as liaison in Washington

■ In the hope of attracting national associations to the region, the Convention and Visitors Bureau of Greater Cleveland has opened a sales branch in Washington, D.C.

It's just one person, Betsy Bush, working without a permanent office space, but CVB president Dennis Roche said it's an important start.

Ms. Bush, according to the CVB, is a George Mason University graduate who has worked in the hospitality and tourism industry for more than a decade. She has spent more than eight years in CVB sales and will be tasked with generating leads for the Cleveland sales team.

"She is sitting down with various meeting and association decision-makers trying to pitch Cleveland, which has not taken place significantly in a long time, Mr. Roche said. "It's been almost 12 years since we had a Washington (sales) rep."

For Ohio cities trying to reach the associations market, Mr. Roche observed, Columbus and Washington, D.C., are where energy should be focused. Being centrally located, Columbus has a virtual lock on attracting statewide organizations, but, Mr. Roche said, "Nationally, we are getting back into the game." — *John Booth*

## It isn't party time in the Flats

■ The eminent domain battle over Flats East Bank property got under way last week in the courtroom of Probate Judge John E. Corrigan.

The Cleveland-Cuyahoga County Port Authority is seeking to take the land that developer Scott Wolstein does not yet own for his planned \$230 million residential and retail project on the East Bank.

The holdout property owners believe the port has not negotiated fairly. Outside the courtroom last Monday, one of the property owners, Tony George, said he would be willing to sell his property to the project, "but not for the money Wolstein's talking about."

While he admits his dispute with the port and Mr. Wolstein comes down to cold, hard cash, Mr. George is taking the matter at least a little personally.

"Give me one-tenth of the money (the government) is giving Scott and I'll create more jobs than he is," he said. The project will be the beneficiary of tax-increment financing and infrastructure improvements valued at as much as \$40 million. — *Jay Miller*

## Get a load of those pesos, rubles and shekels

■ The world's money has arrived at the Federal Reserve Bank of Cleveland.

The Cleveland Fed's Learning Center and Money Museum is the first outside museum to host "Money of the World Today: A Portrait of Global Society." The exhibit features coins and other artifacts from 192 countries and is on loan from the American Numismatic Association Money Museum in Colorado Springs, Colo.

The loaned exhibit joins 30 other exhibits

and displays at the museum, which tries to explain how money derives its meaning.

Admission to the exhibit, which runs through July 12, is free. It is open from 10 a.m. to 2 p.m. Monday through Thursday and closed on holidays. — *Shawn A. Turner*



## Docs can share and share alike via this site

■ A local company has launched a web site that enables doctors from all over the world to share information on the latest diagnosis and treatment techniques.

Smart Link Medical Inc., which last year moved its headquarters to Cleveland from Philadelphia, has launched [www.within3.com](http://www.within3.com), a private physician networking web site. Hospitals or health systems that subscribe to the web site can invite as many of their physicians as they want to participate on the site, said Michael Markus, president of Smart Link.

The company is working on signing up health systems in Cleveland, Philadelphia and Los Angeles, but the firm likely will broaden its focus over the next six months, Dr. Markus said. Locally, MetroHealth Medical Center has signed on, and Dr. Markus said his firm is in late-stage talks with all the other health systems in the area to participate on the web site.

The idea is to allow physicians to obtain medical information without wondering whether the information is coming from a credible source. — *Shannon Mortland*

## WHAT'S NEW



**COMPANY:** Alcoa Forged Specialty Wheels, Cleveland

**PRODUCT:** Dura-Bright surface treatment

The business unit of Alcoa Inc. bills Dura-Bright as the product for the vehicle owner whose ride just has to look sharp.

Dura-Bright, available on aftermarket truck and SUV wheels, "provides sophisticated style that is easy to maintain," the company says. It's not a coating or a finish, but a proprietary surface treatment "that penetrates and reacts with the aluminum, thus becoming an integral part of the wheel," according to Alcoa. The process also resists peeling, cracking and corrosion, the company says.

Alcoa said trucks and SUVs with large brake packages generate high amounts of brake dust along with dirt and road grime accumulated in daily driving.

For information, visit [www.alcoawheels.com](http://www.alcoawheels.com).

Send new product information to [suttell@crain.com](mailto:suttell@crain.com).

## STOCKS

## 10 BEST PERFORMERS

COMPANY	CLOSE 5/11	WEEK'S % CHANGE	52-WK HIGH	52-WK LOW
1. Sifco Industries Inc. (SIF)	17.70	84.38	18.25	3.80
2. Hawk Corp. (HWK)	10.85	6.48	16.00	9.35
3. Steris Corp. (STE)	27.86	5.33	28.00	21.28
4. Park-Ohio Holdings (PKOH)	21.89	4.04	22.60	12.72
5. Brush Engineered Materials (BW)	52.09	3.25	61.82	17.67
6. PolyOne Corp. (POL)	7.29	2.97	9.80	5.99
7. Nordson Corp. (NDSN)	47.64	2.85	57.65	38.70
8. RPM International Inc. (RPM)	22.23	2.63	24.25	17.40
9. Sherwin-Williams Co. (SHW)	66.60	2.62	71.11	44.08
10. Associated Estates Realty (AEC)	15.69	2.48	16.95	11.18

## 10 WEAKEST PERFORMERS

COMPANY	CLOSE 5/11	WEEK'S % CHANGE	52-WK HIGH	52-WK LOW
1. Cleveland BioLabs Inc. (CBLI)	8.84	-9.24	13.99	4.17
2. DataTrak International (DATA)	5.13	-5.52	8.48	4.05
3. Ferro Corp. (FOE)	20.97	-3.54	22.95	13.82
4. Omnova Solutions Inc. (OMN)	5.42	-2.87	6.74	4.00
5. Oglebay Norton Co. (OGBY)	24.30	-2.80	25.00	14.50
6. National City Corp. (NCC)	35.41	-2.72	38.94	34.50
7. A. Schulman Inc. (SHLM)	23.54	-2.36	25.24	19.60
8. Keithley Instruments Inc. (KEI)	12.08	-2.27	16.45	10.77
9. Goodyear Tire & Rubber (GT)	32.96	-2.14	35.00	9.75
10. Forest City Enterprises (FCEA)	66.95	-1.83	71.68	41.96

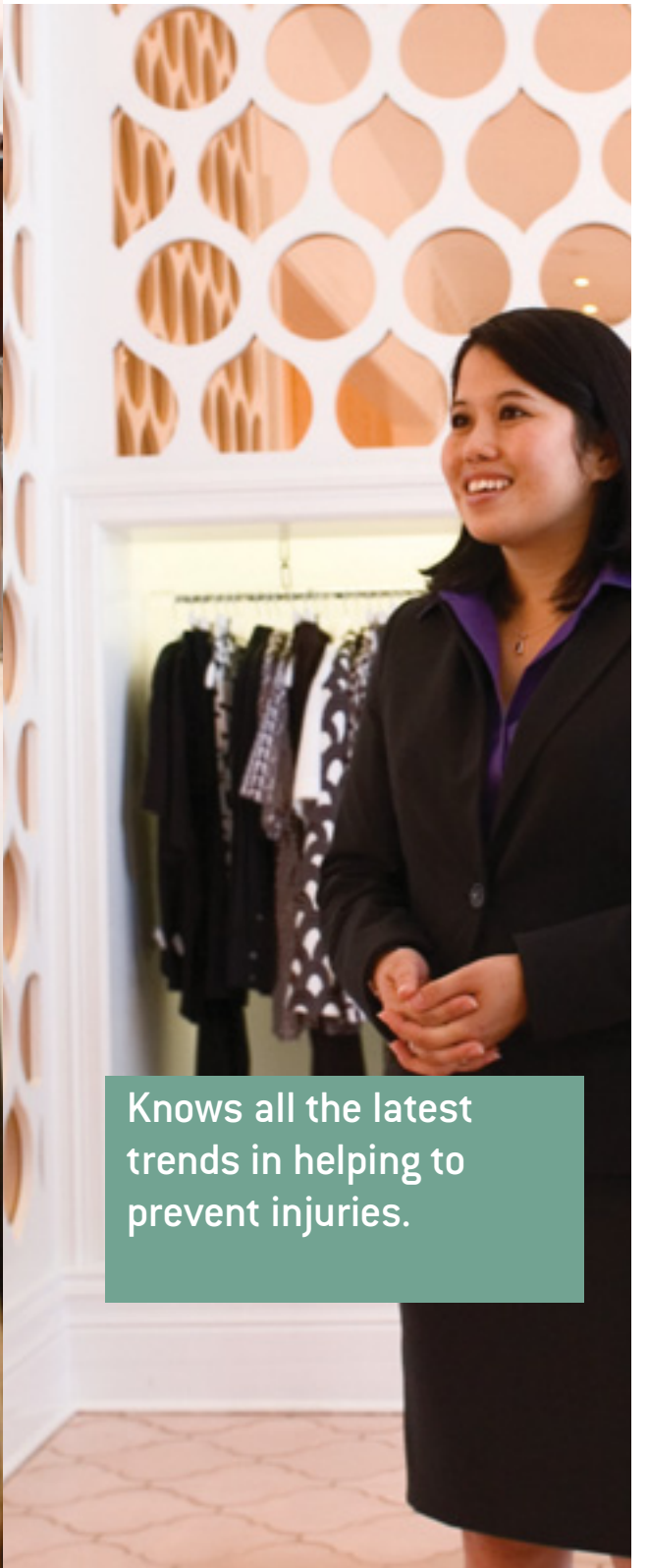
## 10 MOST ACTIVE

COMPANY	CLOSE 5/11	WK'S VOL. (in thousands)	52-WK HIGH	52-WK LOW
1. National City Corp. (NCC)	35.41	17,027	38.94	34.50
2. Progressive Corp. (PGR)	23.37	13,195	27.86	20.91
3. Goodyear Tire & Rubber (GT)	32.96	11,277	35.00	9.75
4. KeyCorp (KEY)	36.64	7,968	39.90	34.24
5. FirstEnergy Corp. (FE)	70.83	4,801	71.55	51.20
6. Sherwin-Williams Co. (SHW)	66.60	4,138	71.11	44.08
7. Eaton Corp. (ETN)	90.99	3,889	92.93	62.81
8. PolyOne Corp. (POL)	7.29	3,781	9.80	5.99
9. Cleveland-Cliffs Inc. (CLF)	73.60	3,438	74.75	31.39
10. Parker Hannifin Corp. (PH)	95.65	3,216	96.63	69.70

Source: FinancialContent Inc.



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5K and 1 MILE

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National Cancer Survivors Day  
RAIN or SHINE Beachwood Place  
26300 Cedar Road, Beachwood\*



Race Day Registration .....	7:30 am - 9:00 am
Celebration Village - Family Activities .....	Opens at 8:15 am
National Cancer Survivors Day Ceremony .....	9:00 am
<b>5K and 1 Mile</b> .....	<b>9:15 am</b>
Award Ceremony .....	10:30 am

\*1 mile west of I-271 at Cedar Road Exit  
Upper Level Parking Deck between Nordstrom and Dillard's Enter from George Zeiger Drive

Adult Pre-registration (18 and over): \$20 • Adult Race Day: \$25  
Teen (ages 13-17): \$15 • Youth (ages 6-12): \$10  
Children 5 and under: Free

To register for the Race or for more information  
please visit us at [www.touchedbycancer.org](http://www.touchedbycancer.org)  
or contact Betsy Kohn or Kris Austin at 216-595-9546  
Entry fee includes Race T-shirt All Race participants can  
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