

Advocate Attorneys Sues Ohio Governor DeWine to Reinstate Federal Pandemic Unemployment Benefits

Advocate Attorneys also seeks Temporary Restraining Order and Preliminary Injunction enjoining Governor Dewine from denying Ohioans the right to FPUC benefits.

COLUMBUS, OH, USA, July 9, 2021 /EINPresswire.com/ -- Advocate Attorneys LLP filed suit this week in Cuyahoga County Common Pleas Court to force Governor Mike DeWine and Matt Damschroeder, Director of the Ohio Department of Jobs and Family Services, to rescind their decision to terminate Ohio's participation in the Federal Pandemic Unemployment Compensation (FPUC), Pandemic Unemployment Assistance (PUA), and Pandemic Emergency Unemployment Compensation (PEUC) programs.

DeWine and Damschroeder announced on May 13, 2021 that federally funded pandemic-related unemployment benefits would be cut off on June 26, 2021. Ohio is one of 27 states governed by Republicans that decided to terminate the benefits early, claiming federal unemployment benefits encouraged people to not seek employment.

"Along with jeopardizing the personal and financial wellbeing of Ohioans who are struggling to recover from the pandemic, DeWine and Damschroeder's callous and politically-motivated decision to terminate the federal benefits represents a willful and blatant violation of Ohio law," Attorney Brian Flick said.

According to the lawsuit, Ohio Revised Code Section ORC 4141.43(I) requires Damschroeder to "...cooperate with the United States Department of Labor to the fullest extent...[and] take such action...as may be necessary to secure to this state and its citizens all advantages available under the provisions of the 'Social Security Act' that relate to unemployment compensation..."

The [mandamus action](#) asks the Cuyahoga County Common Pleas Court to:

- *Declare Governor Dewine and Director Damschroeder to be in violation of their statutory duties under R.C. 4141.43(I) by terminating Ohio's participation in PUA, PEUC, and FUPC benefits as of the week of June 26, 2021;
- *Enjoin Dewine, Damschroeder, their officers, employees, and agents, from withdrawing the State of Ohio from unemployment benefits offered through the CARES Act;
- *Order Dewine and Damschroeder to immediately notify the United States Department of Labor that Ohio will participate in the programs for its duration;

*Issue a peremptory writ of mandamus requiring the Defendants' to perform their statutory duties required by ORC 4141.43(I) and immediately take all action necessary to reinstate Ohio's participation in all federal unemployment insurance benefits available from the United States Department of Labor.

Advocate Attorneys Marc Dann, Flick, and Andrew Engel are also seeking a Temporary Restraining Order and Preliminary Injunction enjoining Dewine and Damschroder from denying Ohioans the right to receive FPUC benefits.

Similar suits have been filed in Indiana, Maryland, and Texas. On June 25, Indiana Superior Court Judge John Hanley ruled that the state must continue paying the benefits, saying "Indiana law recognizes the importance of these benefits. Indiana law requires the State to accept these benefits." A similar injunction has been issued in Maryland. The Texas Action remains pending.

"Indiana's statutory language is very similar to Ohio's," Dann noted. "We believe we are absolutely right on the law as it relates to public policy that protects the interests of the people of the state of Ohio."

Judge Michael Shaughnessy of the Cuyahoga County Common Pleas Court has set the injunction and mandamus hearing for July 21, 2021 at 1:30 p.m.

About Advocate Attorneys

Advocate Attorneys LLP, is a collective of Consumer Financial Protection Attorneys who represent individual clients in claims against Debt Collectors, Credit Reporting Agencies, Mortgage Loan Servicers, Banks, Credit Card Companies, and other predators in individual and Class Action matters. Advocate Attorneys co-counsels with attorneys across the country to help Americans assert their rights.

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