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## InkStop employees file suit against company for unpaid wages and benefits

By Janet Cho, The Plain Dealer October 05, 2009, 11:39AM

Updated at 6:50 p.m.

WARRENSVILLE HEIGHTS, Ohio -- Employees of InkStop Inc., the ink and toner retailer that on Friday abruptly locked its doors and laid off all 500-some workers, have filed suit against the company and its owners for unpaid wages and benefits.

"They're all very, very frustrated and upset about this," said attorney Anthony Lazzaro of the Lazzaro Law Firm LLC, which is representing the group. "There's a lot of folks who aren't going to be able to pay their mortgage, make their rent payments and their car payments."

About 40 employees have already signed on to participate in the lawsuit, and hundreds more have called asking how to join, he said. More than 155 have joined a Facebook group called "InkStop employees for back wages" to share grievances.

"This is an egregious example of wage theft," said attorney Jason Bristol of Cohen Rosenthal & Kramer LLP, which is working with Lazzaro on the case.

"The wages weren't paid, the health premiums weren't paid, and we are continuing to investigate other claims that employees might have."

Phone calls to the owners, Dirk and Dawn Kettlewell, and to the company's Warrensville Heights headquarters went into voicemail. Dirk Kettlewell's cell phone is not



[InkStop closes all stores](#)

[Inkstop letter to employees \(PDF\)](#)

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accepting new messages because his mailbox is full.

InkStop, a Warrensville Heights chain of 162 stores that specialized in ink, toner, consumer electronics and other office supplies, faxed and e-mailed a letter to workers around 10 p.m. Thursday telling them the stores were closed and that all workers were laid off until further notice.

The letter from the company's Board of Directors said workers would not receive their final paychecks and that medical coverage and other insurance had been paid only through Aug. 31. It tells workers with funds in the company's 401(k) plan to call Noble-Davis Consulting Inc. of Solon.

"We are working on a plan to improve our cash flow situation and reopen under better circumstances," the letter said.

"Your patience during this difficult time is appreciated," it concluded.

Labor and employment lawyer Avery Friedman, who is not connected to the case, said that if InkStop took its employees' health care contributions and used them for other purposes, that could have serious legal implications.

Moreover, if InkStop were planning to reopen, why would it tell its employees to call about their 401(k) retirement accounts, he asked.

"At the very least, they have a moral obligation" to do the right thing, he said.

Bristol said the fact that the owners were generous to the community, including contributing to build InkStop Field at Aurora High School last summer, makes the way they're treating their employees even more appalling.

"This is an utter disaster for these people," he said.