

DANIEL M. HARRIGAN

IN THE COURT OF COMMON PLEAS

2010 MAY 24 PM 2:46

COUNTY OF SUMMIT

STATE OF OHIO, COUNTY
CLERK OF COURTS

) CASE NO. CV 2006 07 4740
)
)

Plaintiff,

) JUDGE MARY MARGARET ROWLANDS
) MAGISTRATE JOHN SHOEMAKER
)

-vs-

9150 GROUP, L.P., *et al*,

) **MAGISTRATE'S ORDER**
)
)

Defendant.

This matter came on for a final pretrial before the Magistrate upon the record (Leann Orner, Court Reporter) on May 24, 2010 at 10 am.

Present representing the State of Ohio was Attorney Brian A. Ball of the Attorney General's Office. Representing the Defendants, 9150 Group, L.P., Larry Albright, Irvin Sands, and Gerald C. West was Attorney Robert J. Karl. Representing the Defendant, Jeffrey Lippold was his newly retained Counsel, Lee Wagoner and Darin R. Toney.

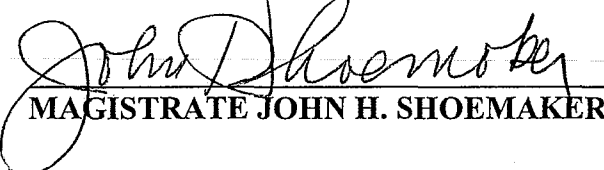
On May 24, 2010, the Magistrate denied an oral motion made by Counsel for Lippold to continue the Bench Trial set for June 14, 2010 at 9 a.m. Additionally, it was ordered that the Counsel for Lippold should file its witness and exhibit lists by the close of business on June 4, 2010. Such list was due well prior to the May 24, 2010 final pretrial. An extension was granted because new Counsel is present. It was also ordered on the record, and is set out in this Order, that Counsel shall exchange trial briefs, with a copy to the Magistrate, on or before the close of business June 8, 2010.

Inasmuch as a consent Order had been previously agreed to and filed upon the docket of this Court between the State of Ohio, Albright, Sands, West, and 9150, the only issue remaining for Trial before the Magistrate on June 14, 2010 is 9150 Group, L.P., Albright, Sands and West's third party complaint against the third party Defendant, Jeffrey Lippold.

No resolution between the parties was able to be reached at the final pretrial on May 24, 2010.

The record taken on May 24, 2010 is fully incorporated as though set forth herein.

It is so ordered.


MAGISTRATE JOHN H. SHOEMAKER

cc: Judge Rowlands
Attorney Brian Ball
Attorney Robert Karl
Attorney Lee Wagoner
Attorney Darrin Toney

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