

Section (1) (A) (B) (C), Section (2), Section (3) be included for consideration as: Mr. Michael E. Lewyn, LPA; Mr. David C. Levine, LPA, Arbitrator [(re: joined suit Case No: CV 08CVH-294 to which additional known {Fraudulent activities of 'involved others' also regard; *Insurance Fraud* and *Tax Fraud*, and as such is known to include medical practices of (Shaker Heights Clinic, to name one such practice: Goldman, M.D. Lebedeva, M.D.)}] [(also involves various nursing home(s) {blatant neglect<s> and abuse<s>})] as ha(s) been forcefully witnessed by me during various fraudulent claims as ha(d) been incarcerations of my own well being, as well as of my own disciplined profession(s).]; Mr. Lawrence Oscar, L.P.A.; and Mr. Grant T. Stein, L.P.A.

2. Pursuant to Supreme Court Practice Rules and with due respect to the Court, I, Marsha Shear, BSN, LNC, Plaintiff and Appellant, (and as Litigant) wish to further amend and correct each of my earlier pleadings ("Documents") as I had filed the "Documents" with the Court of Appeals. I also wish to further 'discover' with the appropriated Legal Counsel, as well, and to which pertains of my request (as on my behalf, in addition) that this include; Mr. Michael E. Lewyn, L.P.A.; Mr. David C. Levine, L.P.A., Arbitrator; Mr. Lawrence Oscar, L.P.A.; and Mr. Grant T. Stein, L.P.A.; as such pertains to Hedonic Damages, Punitive Damages and Pain and Suffering, as I know/ha(ve) known by *virtues* of my learned discipline(s) and observed religious practice, as such also regards separation of Church from State, and as such is known and remains known, as it

also regards (non consensual premarital sexual intercourse [as regards 'known' rapist Mr. Tom Ferrito Dill Road, South Euclid, Ohio of August 1975]).

3. Spoliation (as ha[s] been *known* of my own personal, as well as professional records/files, including portion(s) of my tax records, as I ha(ve) noted missing), as I ha(ve) known my matters and my matters of account(s) over extended periods, and as such also is/ha(s) been known relates to multiple 'cases' and related issues to [*Identity Theft*, as is one named *Illegality*], [*Insurance Fraud, Tax Fraud* as to name *Illegality(s)*], (and as such pertains to the hundreds of resumes which I ha(ve) submitted over an extended course(s) of time, as I, Marsha Shear, BSN, LNC, one respondent to posted, as well as advertised positions of employment (those for which I ha[ve] been well qualified, as well as then appropriately suited for such kinds of work), and as such also regards [*Chattels*, as one named *Illegality*], and as such also regards [*Income Tax Fraud*, and as such pertains to *Illegality* and relate(d) issues (to) *Identity Theft*]. A portion of such time related issues, appear(ed) to also involve various [Legal Defense(s) as it has appeared regard(ed) Criminal Defense], as ha(d) been experienced as had repeatedly, wrongfully victimized my own personal well being, in addition to having repeatedly, wrongfully victimized my own professional well being, and as such also regards ORC 4723.03(A), as I, Marsha Shear, BSN, LNC ha(ve) known, and as I ha(d) noted earlier causes of action, known subsequent to the vehicular accident of 1987; Brainard Road and Fairmount Blvd; those to which a portion of my pertaining accounts remain relevant and in of such accounts.

4. This case is also one that involves EEOC as discriminatory, and regards matters and issues also related to employment contract breaches (MSMC, St. Lukes Hospital and Safavi, M.D. 1983) as it had in addition pertained/regard(ed) unemployment compensation (The Cleveland Clinic Foundation 1986) to which I ha(ve) known additional matters of concern regard, as I ha(ve) *essentially* been an *uncompensated, virtually unpaid, disciplined professional*, and basically as I had been overtaxed as by overburdened, especially since the time of the 1987 vehicular accident Fairmount & Brainard Road, and as such remains my matter(s) of account(s). Such abuses, ha(ve) been also known to relate to various other types of medical fraud, especially as such then regard(ed) [J.C.C. and Dr(s). Susan Kimmel...(ad infinitum)/UHHS], as thereafter, as *was then 'said' that I had assaulted a police officer*, when **matters of record need read and/or are to stand to be corrected**, as I, Marsha Shear, (R.N.), BSN, LNC, a member on record with The Jewish Community Center, then a graduate school student of Counseling and Human Services, had been accused of trespassing, had been apprehended by Beachwood Police, [*had been assaulted by Beachwood Police Officer #IV*]; after which I was accused of resisting arrest and to which it was said that I was to take off my jewelry and give it to the Police Officer, that to which I had refused (additional matters in camera, as remains thought by me and re: Miranda Rights). Related matters of EEOC, also regard additional matters pertaining to ADA as ha(s) been noted over extended periods of time, as such also regards numerous employment applications which I, Marsha Shear, BSN LNC had submitted in response to posted, as well as advertised positions of

employment and to which also regard others' uses of professional licensure [ORC 4723.03(A)], as matter(s) of *Illegality* concerns which also regards my uncompensated, professional employed salary wages, (fraudulent insurance claims) and too regards multiple involvements as others', as such regards *Chattels*.

5. It had been after such time, that allegation(s) of my mental well being, as then subsequent to the Personal Injury of August 1987 (Re: my banked earned wages as savings \$5,000 capital savings/certificate of deposits/Superior Savings Bank/Cedar Road), of which time I had been a back seat passenger victim, during a vehicular accident on Brainard Road and Fairmount Blvd; and of which time my professional graduate school studies ha(d) been ('self employed', as one better means to mitigate my personal injuries, as I had implemented 'self rehabilitative measures' on minimal financial availability [re: capital savings]), as then during time at the Jewish Community Center, also to which I had additionally submitted/had filed employment application/resume(s) with The Jewish Community Center, which ha(s) been known relate(s) to one issue as such ha(s) been known was [causative to the allegations of Miss Jackie Loewe (and was said that she, Miss Loewe, was a Social Worker employed by The Jewish Community Center)] and to which additional damages further regard, as I ha(ve) known such also then regards my elderly parents (retired), and then also in observance of other elderly population(s), as I ha(ve) as well 'observed' populations of youth and middle aged people (by virtues of learned disciplines), as I have known a greater

portion of issues to this case, especially since the [time of the related legal case(s) [(re: 1975 and Miss Betty Ruth Shear and re: Mr. Tom Ferrito)].

6. I am, Marsha Shear, BSN, LNC, Plaintiff and Appellant (and as Litigant). I, Marsha Shear, BSN, LNC remain rather comprehensive of earlier years, as I ha(ve) known the issues throughout courses of my professional studies (and endeavors), as well as I have known my personal interests, as a (United States citizen), (tax payer), (practicing disciplined professional), all to which as well pertains to my constitutional rights in this state, and in each state in which I have resided (e.g. Pennsylvania), and/or in which I am to later reside.

7. I, Marsha Shear, BSN, LNC attach several supplements as appendices, those to which pertain to:

Appendices – Supplemental Exhibits (To Brief)

- A. My Financial Accounts and Budget Plans: premillineum-2008; quarterly budgetary plan allowances, as I, Marsha Shear, BSN, LNC, Plaintiff and Appellant, LNC ha(ve) prepared independently subsequent to graduate school studies/Counseling and Human Services; The John Carroll University.
- B. My Flow Chart ‘explanation’, as had been first asked of me by Magistrate Alan Shankman, Cuyahoga County Court during JCC/UHHS ‘incarceration’, as ha(d) been one means to further clarify the issue(s) and from which to project future goal(s) (attainment), which ha(s) included a secure, loving, relationship with my marital partner, as to be evidence by rabbinic witness to the signing of a kittubah. Numerous instances of (others’ misinterpretations)/(others’ impulsivities), as various (others’ responses) and in addition, probably ‘reactive’ to circumstantial issues/concerns (at least at times); allegations having further only compromised my well being, e.g.) matter of instance ha(d) regarded a [The Ohio Savings Bank; parenthetical misprint - earlier ordered checks, that which also yet include(s) language barrier issues], as other additional known deficits, and to which other allegation(s) of my well being also still pertain.
- C. IC/BWC forms as such pertains to incurred occupational injuries, as I ha(d) first experienced when I ha(d) worked at MSMC, clocked time, as a paid employee [(SICU – 1983 – back injury – [surgical resident – ‘Jackie’] compounded with at-

home-insidious, yet *uncontrolled 'psychotic behaviors'*, as such regards my older sister Miss Betty Ruth Shear, who then at the time ha(d) remain(s) as one primary causative factor to harm], as such harm ha(s) been rendered since 197(5), and to which later also involved 1 occupational injury at [The Cleveland Clinic Foundation (1986 CVICU), as I have known regard(s) the mishandling of sharps/(MSMC 1982/CCF 1996)]. It ha(s) been also known that such related activities had essentially only served to interfere with my more normal social relationship(s), as such pertains to 'the concept of a Jewish marriage', as such interferences had impeded more normal social allowances as had been caused by such on-going disruptions, (e.g. 1977-1986). These issues remain(ed) as ha(ve) been caused by Medical Negligence: Failure to Submit Claim(s)/Failure to Comply with Contract Agreement(s), as such pertains to employment, (MSMC 1983) and to which my future employment negotiation(s) again pertains as well, as this also regards Public Policy.

D. IC/BWC coursework and certifications.

E. OSU BSN 12/11/1981 Board of Nursing Education and Nurse Registration
03/17/1982.

F. Professional letters of Recommendation Re: licensure...

G. Re: Student Pilot Flight Training 1998-2001 (re: 1986 Eleuthra/Nassau, as well as matters re: life flight/BCLS/ACLS).

H. Escrow and place(s) of residence, former in addition to current, (apartment<s> in [‘deplorable’ condition(s)], at times of signed lease(s), and to which my professional discipline and certifications also regard, then known also relates to such ‘*allegations*’ of *my actual well being*, as such allegations ha(d) been additionally causative to years of harm (various abuses and multiple instances of neglects), as had been repeatedly rendered, as was said as ‘provided service’, [provided care/‘claimed care’], and to which the Medical Records and Requested Documents in this case also pertain; as I, Marsha Shear, BSN, LNC, Plaintiff and Appellant (and as Litigant) ha(ve) motioned; as do issues relevant to assorted ‘places’ of hourly wage based employment, additionally regard over an extended period of time, some of those to which also regard various violations of Codes and Regulation(s), as had been then presented during such times, and ha(s) been as uncompensated professional financial allowances, with medical compromises, and to which regards Chattels.

I. Re: one example of my telephone logs, as such regard(s) 2001 employment UHHS, as then had been Enterprise Staffing and as such regards Fraud e.g.) tax account(s), and as such additionally pertains to a period relevant to September 11, 2001 (e.g. Anthrax - UHHS mailroom & jammed paper shredder to only name 1 example).

- J. Re: public computer access; Homer, Cleo precedes Cassie, of more current time; to which also re: 'leaks', as appears to additionally pertain to FCC, and as regards cellular account(s), and as such also regards 'decentralized wireless' access/accounts, and in question of electronic transfer(s) of funds.
- K. Re: academic business; Mummy and Company/Marsha's Shears, as such regards St. Lukes Hospital/Safavi, M.D., nor it as a misnomer.
- L. Re: *(as currently missing among other more recent file(s) of M. L. Shear, BSN LNC Plaintiff and Appellant (and as Litigant) as such pertains to Nursing Home Abuse(s) and Neglects, however nor preclusive to such environments)* a photostat copy of a governmental check that which pertains to income tax return as ha(d) been prepared by Defendant(s) (all names unknown) and to which also regards 'claimed' social security income and temporary disability (as ha{s} also been many years of known related Fraud, to which I, Marsha Shear, BSN, LNC request an investigation of all involved ['said' preparers' and of such tax return(s)]. As I had earlier mentioned, various portions of my own personal files, as well as professional file(s) ha(ve) been known as ha(d) been missing/tampered/corrupted from/of my own possession, and of my account(s), especially since about 1993, around which time my elderly parents had used a portion of the 'claimed' disability money to purchase one insured Toyota Paseo, whereas I, by virtue(s) of my learned discipline(s) ha(ve) better known, then again in my own best interest, as well as of my own professional interest; as ha(s) been

known especially since the time of the 1987 PI, as my primary, personal, priority as I yet demand normal, safe and comfortable living allowance(s), as one place of residence, as to say separate from those type(s) of environments in which there still remains issues [re: laundry]. I ha(d) earlier locally considered [(1986 around the time of the 1987 PI) The Georgetown Condominium Lyndhurst], for all intended practical purposes, personal as well as professional, as I had then additionally considered ranch type(s) of houses, in similar geographical areas.

M. Re: isolated issues pertaining to various local police departments, subsequent to the time of the JCC/Beachwood Police's apprehension, that to which also regards various other [abuse(s) of processes], as I, Marsha Shear, BSN, LNC, know also [regards my older sister Miss Betty ... and her then live in mate (Neil Turney) (1987 – 20..; S. Euclid, Cleveland Heights, Maple Heights) as "Miss Betty..." now lives at 2112 Acacia Park Drive, Lyndhurst, Ohio], and then which matters of 'the estate' yet still regard, as separate causes of action.

N. Identity Theft(s): completion of the appropriate forms as to be furthered under directives of to-be appointed Legal Counsel, as I request the appropriate legal assistance by ways of the Ohio Supreme Court.

O. Supplements To The Brief.

P. Re: Appeal and as on Indigent allowance – [re: cash receipts/& re: credit accts./receipts, as I ha(ve) filed my matters regularly including of earlier time and accounts during undergraduate school OSU, as such regard(ed) my apartment rent, utilities, expenses...in addition to my accounts of my hourly earned wages of such time(s) (1973-2003)].

8. I further ask the Court to allow me, Marsha Shear, BSN, LNC to more appropriately, continue legal work (as by durable power of attorney) with the Court so as to ‘further’ assist my elderly parents (‘as said guardians’) with ‘their’ admissions (should/when/if such becomes necessary, and as such matters continue to present as ‘their needs’), into deemed appropriate retirement home(s), also with various causes of additional concern, those which ha(ve) essentially ‘plagued’ me over extended periods of time, and as ha(s) been causative to many years of Fraud and related fraudulent activity, especially since the time of my then unemployment compensation subsequent to my employment at The Cleveland Clinic Foundation (1986). I additionally request that the Court further consider my other siblings (in addition to my siblings’ children) also in such regard, as this again regards my elderly (81 y.o.) parents, as I ha(ve) known matters especially since the completion of my undergraduate school degree with a ‘Bachelor of Science’. The pertaining issues remain known causative to the processing of erroneous and/or fictitious information, (at times as hearsay) as I know such regards [abuse(s) of process], non-factual information (‘in question’ of perjury), and possibly having been then as was stated maliciously, and as such also regards to the Intentional Infliction of

Emotional Distress as such (re: 1975 Elementary School Building – Justin E. Rowland and Miss Betty Ruth Shear and a black delta Oldsmobile, then after which a subsequent instance of rape had happened, and to which various breach(es) of employment contract(s) also regard; as such now again pertains to the ***Reinstatement of license RN 176742, and for good cause.*** I further request that the Court grant me permission to appropriately have processed all necessary Probate Court Documents, with my legal assistance, as such regards Miss Betty Ruth Shear; so as to compel Miss Betty Ruth Shear to be re-evaluated under Court appointed medical service(s), as [Miss Betty...(and/or her associates) remain known as causative to much of related harm that ha(s) been personally experienced by me (as had been also similarly experienced by me during Miss Betty’s ‘said’ times of employments, and then given Miss Betty’s employers), and nor to disregard (as I had not) (additional complaints of all involved with Miss Betty..., as then maybe merely by association)]. I ask the Court to further consider having a monitoring device placed around the ankle of Miss Betty, so as to have the Court more clearly comprehend the issues, as ha(ve) been historically known to me, and as such includes laundry in addition to various other types of endangerment(s). Miss Betty... had stated that she didn’t care if she goes “to jail”, as I had earlier asked her about various illegalities over earlier past years; some questions to which she had not provided answer(s), other times she had chosen instead to talk to me about her college times as such first regard(ed) The University of Cincinnati, as had then been before the first time she had traveled alone to Europe (before her 20th year of age) (as she is to be 53 y.o. December 16, 2008), and other times when she had

responded rather aggressively (verbally, in addition to physically) then as ha(d) been typically experienced as threatening (e.g. about the time she had driven a fire engine red Toyota sports car) and even of more current time, in a 'shared' stateroom during an August 2008 family cruise.

9. I, Marsha Shear, BSN, LNC, Plaintiff and Appellant, (and as Litigant) personally as well as professionally ha(ve) experienced multiple instances of harm, as I ha(ve) known such regards 'known' fraud, as especially has been known subsequent to the related matters of 1975. It is my professional thinking that Miss Betty Ruth Shear, my second older sister, remains as incompetent and/or criminal, as ha(s) been true for many years, and as she (and/or her associations) ha(ve) been causative to greater portion(s) of the damages, as known causative factors, since the time that she had first returned alone from [Europe 1974], as I ha(ve) known that such also includes related issues to the first Occupational Injury, and that to which also regard(s) my father (1977) (1987).

10. I, Marsha Shear, BSN LNC ha(d) been subjected to multiple wrongful acts, [(others', all Tortfeasors names not known [as Defendants]), as such intrusiveness [intrusive individuals] also ha(ve) been known to regard [Invasion of Privacy], that which is to later only name other associated Illegalities.

Certificate of Service

I, Marsha L. Shear, BSN, LNC hereby have had this Motion certified (notarized document), as true and correct, as I am to hand deliver it to the Supreme Court of Ohio, 65 Front Street, 8th Floor, Columbus, Ohio 43215 on Friday October 3, 2008.

addendum: This "document" is to be served to the appellees, and as yet without legal advisement.

mbs

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Fontella Thomas 10/3/08
Notary Public

 FONTELLA THOMAS
Notary Public, State of Ohio
Cuyahoga County
My Commission Expires Feb. 24, 2013

Attachment not scanned