

No. 2015-0604

In the Supreme Court of Ohio

ORIGINAL ACTION FOR WRIT OF PROHIBITION

STATE ex rel. CHESTER TOWNSHIP, ET AL.,

Relators,

v.

**THE HONORABLE TIMOTHY J. GRENDALL, JUDGE
GEAUGA COUNTY COURT OF COMMON PLEAS, PROBATE DIVISION**

Respondent.

**AFFIDAVIT OF KARLA MURRAY, CHIEF DEPUTY CLERK
GEAUGA COUNTY PROBATE/JUVENILE COURT**

TODD M. RASKIN (0003625)
FRANK H. SCIALDONE* (0075179)
**Counsel of Record*
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100 Franklin's Row
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*Counsel for Relators Chester Township and
the Chester Township Board of Trustees,
Michael J. Petruziello, Bud Kinney, and Ken
Radtke, Jr.*

STEPHEN W. FUNK* (0058506)
**Counsel of Record*
Roetzel & Andress, LPA
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*Counsel for Respondent The Honorable Timothy J.
Grendell, Judge Geauga County Court of Common
Pleas, Probate Division*

IN THE SUPREME COURT OF OHIO

CHESTER TOWNSHIP BOARD OF TRUSTEES, <i>et al.</i> ,)	Case No. 2015-0604
)	
Relators,)	Original Action in Prohibition
)	
v.)	
)	
THE HONORABLE TIMOTHY J. GRENDALL,)	
)	
Respondent.)	

STATE OF OHIO)	
)	ss:
COUNTY OF GEAUGA)	

AFFIDAVIT OF KARLA MURRAY

I, KARLA MURRAY, having been duly cautioned and sworn, hereby state as follows:

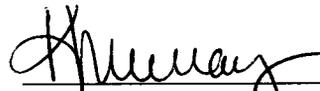
1. I am the Chief Deputy Clerk for the Geauga County Probate/Juvenile Court. In this capacity, I am primarily responsible for the docketing of cases, the filing of pleadings, orders, and other docket entries, and the reporting of cases to the Ohio Supreme Court.

2. I submit this Affidavit based upon my personal knowledge and am competent to testify thereto.

3. Attached as Exhibit A is a true and correct copy of the Docket for the civil action, *In Re Chester Township Park District*, Case No. 84-PC-139 (Gauga County Court of Common Pleas, Probate Division).

4. The reference to “closed” on the docket sheet refers to the status of the case for Supreme Court statistical reporting purposes only. Under Form C of the Supreme Court of Ohio’s Instructions for the Preparation of Statistical Report Forms for Courts of Common Pleas, a non-adversarial civil action that does not have a defendant, such as a petition for the creation of a park district, does not fall within the category of cases to be reported as active cases on Form C of the Supreme Court of Ohio’s reporting form. Rather, the Instructions for Preparation of Statistical Report Forms for Courts of Common Pleas provide that “non-adversarial civil actions are not to be reported in this category or elsewhere on this report form.” A true and correct copy of the relevant pages from the Supreme Court of Ohio’s Instructions for the Preparation of Statistical Report Forms for Courts of Common Pleas is attached hereto as Exhibit “B.”

5. Thus, even though Case No. 84-CP-139 remains pending on the Court’s docket and even though there has been a number of filings, orders, and docket entries since 1984, the case is treated as “closed” for Supreme Court statistical reporting purposes only.



KARLA MURRAY

SIGNED AND SWORN BEFORE ME ON THIS 1st DAY OF JUNE, 2015.



NOTARY PUBLIC TINA BREUNIG

Notary Public, State of Ohio
Recorded in Geauga County
Notary Commission Expires 1/3/2016

EXHIBIT A

CRTR5925

Detail

<u>Case Number</u>	<u>Status</u>	<u>Judge</u>
84 PC 139	CLOSED	JUDGE BY ASSIGNMENT

<u>In The Matter Of</u>	<u>Action</u>
CHESTER TOWNSHIP PARK BOARD	PROBATE CIVIL

<u>Party</u>	<u>Attorneys</u>
NONE	DFNDT

CHESTER TOWNSHIP PARK BOARD 12701 CHILLICOTHE ROAD CHESTERLAND, OH 44026	PLNTF
--	-------

TRAPP, MARY J THRASHER, DISMORE & DOLAN 1400 W 6TH ST, STE 400 CLEVELAND, OH 44113	OT
---	----

GEAUGA COUNTY PROSECUTOR 231 MAIN ST SUITE 300 CHARDON, OH 44024	OT
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<u>Opened</u>	<u>Disposed</u>	<u>Case Type</u>
01/11/1994	CLOSED - CONVERSION	CIVIL

Comments:

No.	Date of	Pleadings Filed, Orders and Decrees Journal Book-Page-Nbr	Ref Nbr	Amount Owed/ Amount Dismissed	Balance Due
1	04/02/84	APPLICATION BY RESOLUTION OF THE CHESTER TOWNSHIP TRUSTEES, PURSUANT TO OHIO REVISED CODE CHAPTER 1545. W/EXHIBITS A, B, & C.		0.00	0.00
2	04/02/84	ALL PREVIOUS DOCKET ENTRIES FOR THIS CASE CAN BE FOUND IN DOCKET 17 PG 371 TIME-STAMPED 4/2/1984 - 10/18/1993. ADDED TO COMPUTERIZED DOCKET 1/11/1994.			0.00
3	05/10/84	JUDGMENT ENTRY - HEARING MAY 10, 1984 RE: APPROVAL OF CREATION OF CHESTER TOWNSHIP PARK DISTRICT.		0.00	0.00
4	10/26/93	LETTER AND RESUME OF LINDA GRIMM TO SERVE ON CHESTER PARK BOARD VOLUME # 245 PAGE # 0			0.00
5	11/04/93	INTERVIEW SET W/LINDA GRIMM FOR 11/30/1993 @ 3:40 PM.		0.00	0.00
6	11/05/93	RECOMMENDATION BY NANCY PATTERSON		0.00	0.00

CRTR5925

Detail

84 PC 139 CHESTER TOWNSHIP PARK BOARD DEFENDANT: NONE

No.	Date of	Pleadings Filed, Orders and Decrees Journal Book-Page-Nbr	Ref Nbr	Amount Owed/ Amount Dismissed	Balance Due
7	11/08/93	RECOMMENDATION BY PATRICIA MULA		0.00	0.00
8	12/08/93	LETTER OF APPOINTMENT - LINDA GRIMM		0.00	0.00
9	12/23/93	JOURNAL ENTRY APPOINTING LINDA GRIMM TO A THREE YEAR TERM FILED VOLUME # 245 PAGE # 0			0.00
10	12/23/93	JOURNAL ENTRY-OATH FILED LINDA GRIMM VOLUME # 245 PAGE # 0			0.00
11	12/23/93	PRESS RELEASE		0.00	0.00
12	12/23/93	MAPLELEAF		0.00	0.00
13	12/30/93	NEWSPAPER ARTICLE		0.00	0.00
14	01/05/94	CHESTERLAND NEWS		0.00	0.00
15	01/21/94	WEST GEAUGA PAPER		0.00	0.00
16	12/15/94	JOURNAL ENTRY APPOINTING JOAN DICILLO TO A THREE YEAR TERM VOLUME # 258 PAGE # 0			0.00
17	12/15/94	JOURNAL ENTRY-OATH FILED VOLUME # 258 PAGE # 0			0.00
18	12/06/95	JOURNAL ENTRY APPOINTING JAMES WILLIAM PATTERSON TO A THREE YEAR TERM FILED - ISSUED TO CONCERNED PARTIES VOLUME # 278 PAGE # 0			0.00
19	12/13/95	OATH OF JAMES WILLIAM PATTERSON FILED VOLUME # 278 PAGE # 0			0.00
20	12/04/96	JOURNAL ENTRY APPOINTING ROBERT J. LAUTENSCHLEGER TO A THREE YEAR TERM FILED REEL 312			0.00
21	12/04/96	JOURNAL ENTRY-OATH FILED REEL 312			0.00

CRTR5925

Detail

84 PC 139 CHESTER TOWNSHIP PARK BOARD DEFENDANT: NONE

No.	Date of	Pleadings Filed, Orders and Decrees Journal Book-Page-Nbr	Ref Nbr	Amount Owed/ Amount Dismissed	Balance Due
22	12/05/96	PRESS RELEASE		0.00	0.00
23	12/03/97	APPLICATION - CHARLES STEVENS		0.00	0.00
24	01/27/98	JOURNAL ENTRY APPOINTING CHARLES R. STEVENS TO THE CHESTER TOWNSHIP PARK BOARD FOR A THREE YEAR TERM COMMENCING ON JANUARY 1, 1998 JOURNAL ENTRY - OATH OF CHARLES R. STEVENS FILED REEL 312			0.00
25	01/27/98	OATH - CHARLES STEVENS		0.00	0.00
26	12/24/98	JOURNAL ENTRY APPOINTING JAMES WILLIAM PATTERSON TO PARK BOARD ENDING DECEMBER 31, 2001 - ISSUED TO ALL PARTIES OATH FILED			0.00
27	12/24/98	OATH JAMES WILLIAM PATTERSON		0.00	0.00
28	12/22/99	JOURNAL ENTRY REAPPOINTING ROBERT J LAUTENSCHLEGER TO A 3 YR TERM ON THE CHESTER TOWNSHIP PARK BOARD JOURNAL ENTRY - OATH FILED ISSUED TO CONCERNED PARTIES			0.00
29	12/22/99	OATH - ROBERT LAUTENSCHLEGER		0.00	0.00
30	01/04/00	THE BALANCE OF THE ABOVE MATTER CAN BE FOUND ON REEL NO. 334			0.00
31	01/29/01	JOURNAL ENTRY - APPOINTING CHARLES R STEVENS AS A MEMBER TO THE CHESTER TOWNSHIP PARK DISTRICT			0.00
32	03/05/01	OATH OF CHARLES R STEVENS FILED			0.00
33	01/24/02	JOURNAL ENTRY APPOINTING WAYNE D WILLIAMS TO CHESTER TOWNSHIP PARK DISTRICT JOURNAL ENTRY - OATH FILED ISSUED TO CONCERNED PARTIES			0.00

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Detail

84 PC 139 CHESTER TOWNSHIP PARK BOARD DEFENDANT: NONE

No.	Date of	Pleadings Filed, Orders and Decrees Journal Book-Page-Nbr	Ref Nbr	Amount Owed/ Amount Dismissed	Balance Due
34	01/24/02	OATH - WAYNE WILLIAMS		0.00	0.00
35	01/24/02	LETTER TO MICHAEL HERBST		0.00	0.00
36	01/24/02	LETTER TO KENNETH RADKE, JR		0.00	0.00
37	09/30/03	JOURNAL ENTRY APPOINTING WILLIAM C RODGERS TO PARK BOARD JOURNAL ENTRY/OATH FILED - ISSUED - JMP -			0.00
38	09/30/03	OATH - WILLIAM RODGERS		0.00	0.00
39	11/19/03	CORRECTED APPOINTMENT - WILLIAM RODGERS		0.00	0.00
40	12/05/03	JOURNAL ENTRY APPOINTING RONALD DOWNS TO THE CHESTER TOWNSHIP PARK BOARD JOURNAL ENTRY - OATH FILED - ISSUED JMP			0.00
41	12/05/03	OATH - RONALD DOWNS		0.00	0.00
42	12/01/04	RESUME - PHILLIP CHRISTOPHER		0.00	0.00
43	02/03/05	JOURNAL ENTRY APPOINTING PHILLIP CHRISTOPHER TO A THREE YEAR TERM ON THE CHESTER TOWNSHIP PARK DISTRICT CC ISSUED CHESTER TWP TRUSTEES, CHESTER TWP PARK BOARD AND PHILLIP CHRISTOPHER - JMP			0.00
44	02/03/05	JOURNAL ENTRY - OATH OF PHILLIP CHRISTOPHER JMP			0.00
45	01/13/06	JOURNAL ENTRY - FILED APPOINTING WILLIAM C. RODGERS ON A THREE YEAR TERM ON THE CHESTER TOWNSHIP PARK BOARD COMMENCING ON JANUARY 1, 2006 TO DECEMBER 31, 2008 CC ISSUED TO WILLIAM RODGERS AND THE CHESTER TWP TRUSTEES AND CHESTER TWP PARK BOARD.		0.00	0.00
46	01/13/06	JOURNAL ENTRY- OATH WILLIAM C. RODGERS FILED		0.00	0.00

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Detail

84 PC 139 CHESTER TOWNSHIP PARK BOARD DEFENDANT: NONE

No.	Date of	Pleadings Filed, Orders and Decrees Journal Book-Page-Nbr	Ref Nbr	Amount Owed/ Amount Dismissed	Balance Due
47	12/29/06	JOURNAL ENTRY REAPPOINTING RONALD DOWNS TO A THREE YEAR TERM ON THE CHESTER TOWNSHIP PARK DISTRICT COMMENCING JANUARY 1, 2007 AND SHALL EXPIRE ON DECEMBER 31, 2009 JOURNAL ENTRY- OATH FILED		0.00	0.00
48	12/29/06	OATH - RONALD DOWNS		0.00	0.00
49	06/22/07	RESIGNATION - WILLIAM RODGERS		0.00	0.00
50	07/09/07	ACCEPTANCE OF RESIGNATION - WILLIAM RODGERS		0.00	0.00
51	09/06/07	JOURNAL ENTRY - OATH ENTRY APPOINTING ROBERT H DAVID TO THE CHESTER TOWNSHIP PARK BOARD TO COMPLETE THE TERM OF WILLIAM C RODGERS ENDING DECEMBER 31, 2008 - CC ISSUED REGULAR MAIL TO CHESTER TOWNSHIP TRUSTEES, CHESTER TOWNSHIP PARK BOARD AND ROBERT H DAVIS.		0.00	0.00
52	03/12/08	JOURNAL ENTRY - OATH ENTRY APPOINTING TODD BIDWELL TO THE CHESTER TOWNSHIP PARK BOARD TO COMPLETE A THREE YEAR TERM COMMENCING ON JANUARY 1, 2008 AND ENDING ON DECEMBER 31, 2010 - CC ISSUED REGULAR MAIL TO CHESTER TOWNSHIP TRUSTEES, CHESTER TOWNSHIP PARK BOARD AND TODD BIDWELL.		0.00	0.00
53	01/30/09	JOURNAL ENTRY - OATH ENTRY APPOINTING JAMES M RIZZO TO THE CHESTER TOWNSHIP PARK BOARD TO COMPLETE A THREE YEAR TERM COMMENCING ON JANUARY 1, 2009 AND ENDING ON DECEMBER 31, 2011 - CC ISSUED REGULAR MAIL TO CHESTER TOWNSHIP TRUSTEES, CHESTER TOWNSHIP PARK BOARD AND JAMES M RIZZO		0.00	0.00
54	11/20/09	JOURNAL ENTRY - OATH ENTRY APPOINTING RONALD DOWNS TO THE CHESTER TOWNSHIP PARK BOARD TO COMPLETE A THREE YEAR TERM COMMENCING ON JANUARY 1, 2010 AND ENDING ON DECEMBER 31, 2012 - CC ISSUED REGULAR MAIL TO CHESTER TOWNSHIP TRUSTEES, CHESTER TOWNSHIP PARK BOARD AND RONALD DOWNS		0.00	0.00

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Detail

84 PC 139 CHESTER TOWNSHIP PARK BOARD DEFENDANT: NONE

No.	Date of	Pleadings Filed, Orders and Decrees Journal Book-Page-Nbr	Ref Nbr	Amount Owed/ Amount Dismissed	Balance Due
55	11/24/10	JOURNAL ENTRY - OATH ENTRY APPOINTING TODD BIDWELL TO THE CHESTER TOWNSHIP PARK BOARD TO COMPLETE A THREE YEAR TERM COMMENCING ON JANUARY 1, 2011 AND ENDING ON DECEMBER 31, 2013 - CC ISSUED REGULAR MAIL TO CHESTER TOWNSHIP TRUSTEES, CHESTER TOWNSHIP PARK BOARD AND TODD BIDWELL.		0.00	0.00
56	12/19/11	JOURNAL ENTRY - OATH ENTRY APPOINTING JOSEPH H WEISS JR TO THE CHESTER TOWNSHIP PARK BOARD TO A THREE YEAR TERM COMMENCING ON JANUARY 1, 2012 AND ENDING ON DECEMBER 31, 2014 - CC ISSUED REGULAR MAIL TO CHESTER TOWNSHIP TRUSTEES, CHESTER TOWNSHIP PARK BOARD AND JOSEPH H WEISS JR		0.00	0.00
57	12/28/12	JOURNAL ENTRY - OATH ENTRY APPOINTING LANCE S YANDELL TO THE CHESTER TOWNSHIP PARK BOARD TO A THREE YEAR TERM COMMENCING ON JANUARY 1, 2013 AND ENDING ON DECEMBER 31, 2015 - CC ISSUED REGULAR MAIL TO CHESTER TOWNSHIP TRUSTEES, CHESTER TOWNSHIP PARK BOARD AND LANCE S YANDELL		0.00	0.00
58	12/27/13	JOURNAL ENTRY - OATH ENTRY APPOINTING CLAY LAWRENCE TO THE CHESTER TOWNSHIP PARK BOARD TO A THREE YEAR TERM COMMENCING ON JANUARY 1, 2014 AND ENDING ON DECEMBER 31, 2016 - CC ISSUED REGULAR MAIL TO CHESTER TOWNSHIP TRUSTEES, CHESTER TOWNSHIP PARK BOARD AND CLAY LAWRENCE		0.00	0.00
59	03/20/14	DONATION PAPERWORK - DAN SMITH OF CONSOLIDATED INVESTMENT CORP.		0.00	0.00
60	03/20/14	APPOINTMENT OF MASTER COMMISSIONER OATH OF MASTER COMMISSIONER		0.00	0.00
61	06/06/14	APPOINTMENT OF TWO PARK BOARD MEMBERS		0.00	0.00
62	06/27/14	JOURNAL ENTRY - OATH ENTRY APPOINTING AL PARKER TO THE CHESTER TOWNSHIP PARK BOARD COMMENCING IMMEDIATELY AND ENDING ON DECEMBER 31, 2015 - CC ISSUED REGULAR MAIL TO CHESTER TOWNSHIP TRUSTEES, CHESTER TOWNSHIP PARK BOARD AND AL PARKER		0.00	0.00

CRTR5925

Detail

84 PC 139 CHESTER TOWNSHIP PARK BOARD DEFENDANT: NONE

No.	Date of	Pleadings Filed, Orders and Decrees Journal Book-Page-Nbr	Ref Nbr	Amount Owed/ Amount Dismissed	Balance Due
63	06/27/14	JOURNAL ENTRY - OATH ENTRY APPOINTING RUTH PHILBRICK TO THE CHESTER TOWNSHIP PARK BOARD COMMENCING IMMEDIATELY AND ENDING ON DECEMBER 31, 2014 - CC ISSUED REGULAR MAIL TO CHESTER TOWNSHIP TRUSTEES, CHESTER TOWNSHIP PARK BOARD AND RUTH PHILBRICK		0.00	0.00
64	11/26/14	JUDGMENT ENTRY FINDINGS OF FACT CONCLUSIONS OF LAW CC: 12/1/14 CHESTER TOWNSHIP TRUSTEES/CHESTER PARK BOARD COMMISSIONERS/ MASTER COMMISSIONER MARY JANE TRAPP-MAIL; PROS-BOX		1.00	1.00
65	12/12/14	NOTICE OF APPEAL FILED		38.00	38.00
66	12/12/14	COURT OF APPEALS DOCKETING STATEMENT FILED BY JAMES R. FLAIZ.		0.00	0.00
67	12/12/14	INSTRUCTIONS FOR SERVICE FILED BY JAMES R. FLAIZ.		0.00	0.00
68	12/12/14	MOTION FOR ORDER STAYING ENFORCEMENT OF NOVEMBER 26, 2014 JUDGMENT ENTRY FINDINGS OF FACT CONCLUSIONS OF LAW DURING THE PENDENCY OF THE APPEAL FILED BY JAMES R FLAIZ.		5.00	5.00
69	12/12/14	NOTICE OF HEARING - ISSUED REGULAR MAIL TO: (N) NOTICE OF HEARING ON MOTION TO STAY SET FOR 12/15/14 @ 7:00 AM. Sent on: 12/12/2014 16:26:23.96		4.00	4.00
70	12/12/14	HEARING SCHEDULED: Event: MOTIONS HEARING Date: 12/15/2014 Time: 7:30 am Judge: GRENDALL, TIMOTHY J Location: COURTROOM A Result: HEARING HELD		0.00	0.00
71	12/15/14	ORDER FOR HEARING & NOTICE OF HEARING - ISSUED REGULAR MAIL TO: (N) NOTICE OF HEARING & ORDER FOR HEARING Sent on: 12/15/2014 09:58:41.27		4.00	4.00
72	12/15/14	HEARING SCHEDULED: Event: STATUS HEARING Date: 12/24/2014 Time: 11:00 am Judge: GRENDALL, TIMOTHY J Location: COURTROOM A Result: HEARING CANCELED		0.00	0.00

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Detail

84 PC 139 CHESTER TOWNSHIP PARK BOARD DEFENDANT: NONE

No.	Date of	Pleadings Filed, Orders and Decrees Journal Book-Page-Nbr	Ref Nbr	Amount Owed/ Amount Dismissed	Balance Due
73	12/15/14	JUDGMENT ENTRY ON MOTION TO STAY FILED BY CHESTER TWP TRUSTEES		0.00	0.00
74	12/15/14	SUPPLEMENTAL JUDGMENT ENTRY		0.00	0.00
75	12/24/14	APPELLATE JUDGEMENT ENTRY RE: STAY.		0.00	0.00
76	12/31/14	JUDGMENT ENTRY - JOSEPH H WEISS, JR REAPPOINTMENT. CC: 12/31/14 J WEISS - COUNTERSERVE;CHESTER TWP PARK COMMISSION - MAIL		0.00	0.00
77	12/31/14	JOURNAL ENTRY - OATH JOSEPH H WEISS, JR. CC: 12/31/14 J WEISS - COUNTERSERVE;CHESTER TWP PARK COMMISSION - MAIL		0.00	0.00
78	12/31/14	JUDGEMENT ENTRY - RUTH PHILBRICK REAPPOINTMENT CC: 12/31/14 R PHILBRICK - COUNTERSERVE;CHESTER TWP PARK COMMISSION - MAIL		0.00	0.00
79	12/31/14	JOURNAL ENTRY - OATH RUTH PHILBRICK. CC: 12/31/14 R PHILBRICK - COUNTERSERVE;CHESTER TWP PARK COMMISSION - MAIL		0.00	0.00
80	01/28/15	REGULAR MAIL RETURNED ON AL PARKER - WRONG ADDRESS. REISSUED TO 13043 CAVES RD ADDRESS 1/28/15.		0.00	0.00
81	02/20/15	TRANSCRIPT FILED BY FRANK SCAILDONE, ATTY FOR CHESTER TWP BOARD OF TRUSTEES OF 8/25/14 HEARING PREPARED BY ANITA COMELLA, RPR, OFFICIAL COURT REPORTER. KNM		0.00	0.00
82	02/20/15	TRANSCRIPT FILED BY FRANK SCAILDONE, ATTY FOR CHESTER TWP BOARD OF TRUSTEES OF 8/26/14 HEARING PREPARED BY ANITA COMELLA, RPR, OFFICIAL COURT REPORTER. KNM		0.00	0.00
83	02/20/15	JUDGMENT ENTRY FILED RE: FILING OF TRANSCRIPT FOR APPEAL - ISSUED REGULAR MAIL TO:CHESTER PARK BOARD/CHESTER TWP TRUSTEES/F SCAILONE - MAIL; J GILLETTE - MAIL & EMAIL KNM		1.00	1.00

CRTR5925

Detail

84 PC 139 CHESTER TOWNSHIP PARK BOARD DEFENDANT: NONE

No.	Date of	Pleadings Filed, Orders and Decrees Journal Book-Page-Nbr	Ref Nbr	Amount Owed/ Amount Dismissed	Balance Due
84	02/20/15	CASE FILED IN COURT OF APPEALS - ORIGINALS, 2 TRANSCRIPTS.		0.00	0.00
85	03/31/15	NOTICE OF HEARING -STATUS HEARING SET 4/28/15 @ 2:00 PM. Sent on: 03/31/2015 08:24:46.98 CHESTER TOWNSHIP PARK BOARD (PLAINTIFF); MARY J TRAPP (Other); CHESTER TWP TRUSTEES; CHESTER TWP CLERK; JAMES GILLETTE; FRANK SCAILDONE - MAIL; PROS-BOX		0.00	0.00
86	03/31/15	HEARING SCHEDULED: Event: STATUS HEARING Date: 04/28/2015 Time: 2:00 pm Judge: GRENDALL, JUDGE TIMOTHY J Location: COURTROOM A Result: HEARING HELD		0.00	0.00
87	04/01/15	OPINION FROM COURT OF APPEALS - DISMISSED		0.00	0.00
88	04/01/15	CERTIFICATE TO COPY OF JOURNAL ENTRY		0.00	0.00
89	04/01/15	TRANSCRIPTS AND ORIGINALS RETURNED FROM COURT OF APPEALS		0.00	0.00
90	04/01/15	OPINION FROM COURT OF APPEALS - DISMISSED		0.00	0.00
91	04/28/15	NOTICE OF APPEARANCE FILED BY: TODD RASKIN & FRANK SCIALDONE ON BEHALF OF CHESTER TOWNSHIP BOARD OF TRUSTEES/CHESTER TOWNSHIP SOLEY TO CONTEST COURT'S JURISDICTION.		0.00	0.00
92	04/29/15	JUDGMENT ENTRY FILED - STATUS CONFERENCE HELD- ISSUED REGULAR MAIL TO: CHESTER TOWNSHIP PARK BOARD (PLAINTIFF); MARY J TRAPP (Other); CHESTER TOWNSHIP TRUSTEES		1.00	1.00
93	04/29/15	JUDGMENT ENTRY FILED - INSTRUCTIONS TO MASTER COMMISSIONER - ISSUED REGULAR MAIL TO: CHESTER TOWNSHIP PARK BOARD (PLAINTIFF); MARY J TRAPP (Other);		1.00	1.00
94	05/08/15	MEMORANDUM OBJECTING TO JURISDICTION IN RSPONSE TO THE PROBATE COURT'S HEARING ORDER FILED BY TODD RESKIN, ATTY FOR CHESTER TWP BOARD OF TRUSTEES		0.00	0.00

CRTR5925

Detail

84 PC 139 CHESTER TOWNSHIP PARK BOARD DEFENDANT: NONE

No.	Date of	Pleadings Filed, Orders and Decrees Journal Book-Page-Nbr	Ref Nbr	Amount Owed/ Amount Dismissed	Balance Due
95	05/08/15	MEMORANDUM OF THE CHESTER TWONSHIP PARK DISTRICT BOARD OF COMMISSIONERS FILED BY JAMES GILLETTE, ATTY.		0.00	0.00
96	05/12/15	REPORT OF THE MASTER COMMISSIONER PURSUANT TO 4/29/15 INSTRUCTIONS.		0.00	0.00

Totals By: COST	55.00	55.00
INFORMATION	0.00	0.00
*** End of Report ***		

EXHIBIT B

THE SUPREME COURT *of* OHIO

RULES OF SUPERINTENDENCE

Instructions for the Preparation of Statistical Report Forms

COURTS OF COMMON PLEAS

2009



THOMAS J. MOYER

CHIEF JUSTICE

PAUL E. PFEIFER

EVELYN LUNDBERG STRATTON

MAUREEN O'CONNOR

TERRENCE O'DONNELL

JUDITH ANN LANZINGER

ROBERT R. CUPP

JUSTICES

STEVEN C. HOLLON

ADMINISTRATIVE DIRECTOR

THE SUPREME COURT OF OHIO

FORM C

(page 1 of 2)

PROBATE DIVISION
COURT OF COMMON PLEAS

Date of completion of most recent physical case inventory _____
--

County: _____ Judge: _____

Report for the quarter ending: _____

Visiting
Judge

Decedents' Estates

Pending at end of preceding quarter -----	1 _____	1 _____
Filed during quarter -----	2 _____	2 _____
Closed during quarter -----	3 _____	3 _____
Pending at end of quarter -----	4 _____	4 _____
Number in which accounts are past due -----	5 _____	5 _____
Number of notices to file accounts, or citations issued -----	6 _____	6 _____

Guardianships

Guardianships of Minors

Pending at end of preceding quarter -----	7 _____	7 _____
Filed during quarter -----	8 _____	8 _____
Closed during quarter -----	9 _____	9 _____
Pending at end of quarter -----	10 _____	10 _____

Guardianships of Incompetents

Pending at end of preceding quarter -----	11 _____	11 _____
Filed during quarter -----	12 _____	12 _____
Closed during quarter -----	13 _____	13 _____
Pending at end of quarter -----	14 _____	14 _____

Number of Emergency, Limited, and Interim Guardians

Appointed during Quarter -----	15 _____	15 _____
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Conservatorships

Pending at end of preceding quarter -----	16 _____	16 _____
Filed during quarter -----	17 _____	17 _____
Closed during quarter -----	18 _____	18 _____
Pending at end of quarter -----	19 _____	19 _____

Testamentary Trusts

Pending at end of preceding quarter -----	20 _____	20 _____
Filed during quarter -----	21 _____	21 _____
Closed during quarter -----	22 _____	22 _____
Pending at end of quarter -----	23 _____	23 _____

Guardianships, Conservatorships, and

Testamentary Trusts

Number in which accounts are past due -----	24 _____	24 _____
Number of notices to file accounts, or citations issued -----	25 _____	25 _____

Civil Actions (Include Appropriation Cases, Land Sales, Declaratory Judgments, Will Contests, Determination of Heirs, Concealment of Assets and all other contested civil actions)

Pending at end of preceding quarter -----	26 _____	26 _____
Filed during quarter -----	27 _____	27 _____
Closed during quarter -----	28 _____	28 _____
Pending at end of quarter -----	29 _____	29 _____

THE SUPREME COURT OF OHIO
FORM C
 (page 2 of 2)
 PROBATE DIVISION
 COURT OF COMMON PLEAS

Visiting
Judge

Adoptions

Pending at end of preceding quarter -----	30	_____	30	_____
Filed during quarter -----	31	_____	31	_____
Closed during quarter -----	32	_____	32	_____
Pending at end of quarter -----	33	_____	33	_____

Mental Illness and Mental Retardation

Pending at end of preceding quarter -----	34	_____	34	_____
Filed during quarter -----	35	_____	35	_____
Closed during quarter -----	36	_____	36	_____
Pending at end of quarter -----	37	_____	37	_____

Minors' Settlements

Pending at end of preceding quarter -----	38	_____	38	_____
Filed during quarter -----	39	_____	39	_____
Closed during quarter -----	40	_____	40	_____
Pending at end of quarter -----	41	_____	41	_____

Wrongful Death (if not included with decedents' estate)

Pending at end of preceding quarter -----	42	_____	42	_____
Filed during quarter -----	43	_____	43	_____
Closed during quarter -----	44	_____	44	_____
Pending at end of quarter -----	45	_____	45	_____

Delayed Registration of Birth and Correction of Birth

Filed during quarter -----	46	_____	46	_____
Heard and terminated during quarter -----	47	_____	47	_____

Change of Name

Filed during quarter -----	48	_____	48	_____
Heard and terminated during quarter -----	49	_____	49	_____

Marriage Applications

Granted during quarter -----	50	_____	50	_____
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Fax to:
 (614)387-9419
 -or-
Mail to:
 Court Statistical Reporting Section
 Supreme Court of Ohio
 65 S. Front Street, 6th Floor
 Columbus, Ohio 43215-3431

Judge	Date
Preparer's name and telephone number if other than judge	Date
Administrative Judge	Date

VI. Court of Common Pleas — Probate Division — Form C

A. Each judge of the court of common pleas responsible for the disposition of probate cases is required to complete Form C.

B. Form C shall be completed quarterly and submitted to the administrative judge of a multi-judge division, who signs the form and sends it to the Court Statistical Reporting Section of the Supreme Court of Ohio. The form must be received by the Court Statistical Reporting Section by the fifteenth day following the end of the quarter. The reports will cover the following periods:

January, February, MarchFirst Quarter
April, May, JuneSecond Quarter
July, August, SeptemberThird Quarter
October, November, December....Fourth Quarter

C. Report Columns — Definitions

Sup. R. 2 and Sup. R. 50 offer specific definitions for individual probate case types.

The first column of numbered lines is to be used to record the activity of the reporting judge. The second column is used to record the activity of a visiting judge, retired assigned judge, or judge assigned from another division of the court, or from another court, who has presided during the reporting period in cases originally assigned to the reporting judge. Generally, in probate courts, the activity of a visiting judge does not terminate a case and, therefore, will not be reported.

During the reporting period, the visiting judge should use a copy of Form C as a worksheet to record his or her activity. These worksheets should then be given to the originally assigned judge at the end of the reporting period, who will tabulate the numbers and include the totals in the Visiting Judge column on his or her report. The Form C filed with the Court Statistical Reporting Section would thus include all of the activity of the reporting judge, as well as all activity performed by judges who assisted the reporting judge during the reporting period.

The work performed by visiting judges will also be recorded in the Visiting Judge column of the Form C filed by the originally assigned judge if that work terminates a case or if the first column for the reporting judge, and once in the Visiting Judge column if work was performed on that case by a visiting judge.

In some situations, an entry will appear in the Visiting Judge column only for the lines reflecting cases closed or terminated. Generally, a visiting or retired assigned judge will not have his or her own docket in another court from one reporting period to another, and the other lines concerning cases pending and filed will not be applicable.

However, in other situations, since a visiting or retired assigned judge may be responsible for specific cases in a particular court over a continuous period of time, the information reflected on the lines concerning cases filed and pending would be useful to report.

D. Report Lines — Definitions

Decedents' Estates: This category is used to report all cases generally resulting from a death. Tax only cases, releases from administration, foreign executors and administrators, and authentication of wills are a few examples of cases reported on these lines in addition to standard decedent estate cases. Wrongful death actions may be reported here if not reported in a separate category.

1. **Pending at End of Preceding Quarter - Line 1.** This line is used to report the number of cases pending at the end of the preceding quarter. This line **must** be the same as Line 4 (Pending At End of Quarter) of the Form C filed for the preceding quarter.
2. **Filed During Quarter - Line 2.** This line is used to report the number of new cases filed during the quarter as well as filings for release from administration under section 2113.03 of the Revised Code and other actions resulting from a death.
3. **Closed During Quarter - Line 3.** This line is used to report the number of cases closed during the quarter. Closed is the equivalent of terminated but the normal probate definition of order upon settlement of the final account constitutes the closing of an estate.
4. **Pending at End of Quarter - Line 4.** The number of cases pending at the end of the quarter is reported on this line. The sum of cases pending at the end of the preceding quarter (Line 1), plus new cases filed (Line 2), minus cases closed during the quarter (Line 3), **must** equal the cases pending at the end of the quarter (Line 4).
5. **Number in Which Accounts are Past Due - Line 5.** This line is used to report the number of cases pending at the end of the quarter (Line 4) that have past due interim or final accounts.
6. **Number of Notices to File Accounts or Citations Issued - Line 6.** This line is used to report the number of notices to file accounts or citations issued during the report period. The requirement does not link the number of notices or citations to the number of cases. Thus, if multiple notices or citations are issued in a single case, or to the same person, each notice or citation issued should be counted. The requirement applies to all accounts, not only final accounts. An entry should be made on this line whether the case was closed during the quarter or is still pending at the end of the quarter.

Guardianships: This category is used to report all cases regarding guardianship matters. For reporting purposes, the specifics of the guardianship (i.e. amount of money involved) is not significant.

7-14. Guardianships of Minors (Lines 7 through 10) and Guardianships of Incompetents (Lines 11 through 14) are reported in the same manner as Lines 1 through 4 above.

15. Line 15 is used to record the number of Emergency, Limited, and Interim Guardians appointed during the quarter.

Some guardianship cases may be reported on more than one line. For example, an application for the appointment of a guardian for an incompetent filed during the quarter will be recorded on Line 12. If a Limited Guardian is appointed in the same case that quarter, an entry also would be made on Line 15.

Conservatorships

16-19. Lines 16 through 19 are completed for conservatorships in the same manner as Lines 1 through 4 are completed for decedents' estates.

Testamentary Trusts

20-23. Lines 20 through 23 are completed for testamentary trusts in the same manner as Lines 1 through 4 are completed for decedents' estates.

Guardianships, Conservatorships, and Testamentary Trusts

24. Number in Which Accounts are Past Due - Line 24. This line is used to report the total number of guardianships, conservatorships, and testamentary trusts pending at the end of the quarter (Lines 10, 14, 19, and 23) that have past due interim or final accounts.

25. Number of Notices to File Accounts, or Citations Issued - Line 25. This line is used to report the total number of notices to file accounts or citations issued during the quarter in guardianships, conservatorships, and testamentary trusts. The requirement does not link the number of notices or citations to the number of cases. Thus, if multiple notices or citations are issued in a single case, or to the same person, each notice or citation issued should be counted. The requirement applies to all accounts, not only final accounts. An entry should be made on this line whether the case was closed during the quarter or is still pending at the end of the quarter.

Civil Actions

26-29. Examples of the types of cases to be reported on these lines are listed on the report form and include appropriation cases, land sales, declaratory judgments, will contests, determination of heirs, and concealment of assets. Nonadversarial civil actions are not to be reported in this category or elsewhere on this report form.

Lines 26 through 29 are completed in the same manner as Lines 1 through 4 are completed for decedents' estates.

PROOF OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Affidavit of Karla Murray* was served on June 1, 2015, pursuant to Civ. R. 5(B)(2)(f) by electronic mail to the following counsel of record for Relators:

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and the Chester Township Board of Trustees,
Michael J. Petruziello, Bud Kinney, and Ken Radtke, Jr.*

/s/ *Stephen W. Funk*

Stephen W. Funk