

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, ex rel.	:	
ANGELA M. FORD, ESQ.	:	Case No. 2015-1470
	:	
<i>Relator,</i>	:	
	:	
v.	:	
	:	
HONORABLE ROBERT P. RUEHLMAN	:	
	:	In Prohibition And Mandamus
<i>Respondent.</i>	:	

**RESPONDENT HONORABLE JUDGE ROBERT P. RUEHLMAN'S ANSWER TO
RELATOR'S COMPLAINT FOR WRITS OF PROHIBITION AND MANDAMUS AND
ALTERNATIVE WRIT**

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<i>Respondent.</i>	:	

Comes now the Respondent, Honorable Robert P. Ruehlman, Judge, Hamilton County Court of Common Pleas, by and through counsel and for his Answer to the Complaint for Writs of Prohibition, Mandamus and Alternative Writ states as follows:

RESPONDENT’S FIRST DEFENSE

1. Respondent admits that the Ohio Supreme Court has jurisdiction over actions in prohibition and mandamus but denies the remaining allegations of paragraph 1 of the Complaint.
2. Respondent denies the allegations in paragraph 2 of the Complaint.
3. Respondent denies the allegations in paragraph 3 of the Complaint.
4. Respondent denies for want of knowledge the allegations in paragraph 4 of the Complaint.
5. Respondent admits the allegations in paragraph 5 of the Complaint.
6. Respondent denies for want of knowledge the allegations in paragraph 6 of the Complaint.
7. Respondent denies for want of knowledge the allegations in paragraph 7 of the Complaint.

8. Respondent denies for want of knowledge the allegations in paragraph 8 of the Complaint.
9. Respondent denies for want of knowledge the allegations in paragraph 9 of the Complaint.
10. Respondent denies for want of knowledge the allegations in paragraph 10 of the Complaint.
11. Respondent denies for want of knowledge the allegations in paragraph 11 of the Complaint.
12. Respondent denies for want of knowledge the allegations in paragraph 12 of the Complaint.
13. Respondent denies for want of knowledge the allegations in paragraph 13 of the Complaint.
14. Respondent denies for want of knowledge the allegations in paragraph 14 of the Complaint.
15. Respondent denies for want of knowledge the allegations in paragraph 15 of the Complaint.
16. Respondent admits the allegations in paragraph 16 of the Complaint.
17. Respondent denies for want of knowledge whether or not Relator Ford is able to domesticate a foreign judgment as an Ohio lawyer, and denies the remaining allegations in paragraph 17 of the Complaint.
18. Respondent admits that the allegations in paragraph 18 are part of the initial Complaint filed in Case No. A1500067.

19. Respondent denies for want of knowledge the allegations in paragraph 19 of the Complaint.

20. Respondent denies the Relator's interpretation of Ohio law as expressed in the allegations in paragraph 20 of the Complaint.

21. Respondent admits that Ohio Revised Code Section 2329.022 is valid Ohio law, and to the extent that it is accurate admits the Relator's paraphrasing of the law. To the extent that the Relator's paraphrasing is inaccurate the Respondent denies the allegations in paragraph 21.

22. Respondent admits that Ohio Revised Code Section 2329.023 is valid Ohio law, and to the extent that it is accurate admits the Relator's paraphrasing of the law. To the extent that the Relator's paraphrasing is inaccurate the Respondent denies the allegations in paragraph 22.

23. It appears as if the Relator is simply making arguments of law. To the extent that these arguments accurately reflect current and valid Ohio law Respondent admits the allegations, to the extent that the arguments do not accurately reflect current and valid Ohio law Respondent denies the allegations in paragraph 23.

24. It appears as if the Relator is simply making arguments of law. To the extent that these arguments accurately reflect current and valid Ohio law Respondent admits the allegations, to the extent that the arguments do not accurately reflect current and valid Ohio law Respondent denies the allegations in paragraph 24.

25. It appears as if the Relator is simply making arguments of law. To the extent that these arguments accurately reflect current and valid Ohio law Respondent admits the allegations, to the extent that the arguments do not accurately reflect current and valid Ohio law Respondent denies the allegations in paragraph 25.

26. It appears as if the Relator is simply making arguments of law. To the extent that these arguments accurately reflect current and valid Ohio law Respondent admits the allegations, to the extent that the arguments do not accurately reflect current and valid Ohio law Respondent denies the allegations in paragraph 26.

27. It appears as if the Relator is simply making arguments of law. To the extent that these arguments accurately reflect current and valid Ohio law Respondent admits the allegations, to the extent that the arguments do not accurately reflect current and valid Ohio law Respondent denies the allegations in paragraph 27.

28. Respondent admits that Ohio Revised Code Section 2329.024 is valid Ohio law, and admits that the quoted language is accurately taken from the text of Section 2329.024, but denies the balance of paragraph 28 to the extent that it is not an accurate reflection of Ohio law.

29. Respondent admits that the quoted text in paragraph 29 of the Complaint appears to be accurately transcribed from the text of Ohio Revised Code Section 2329.024.

30. Paragraph 30 appears to be a combination of stated facts and arguments against Mr. Chesley. To the extent that there is an implied allegation against the actions of the Respondent, the Respondent denies the allegations in paragraph 30 of the Complaint.

31. Respondent admits that, on January 7, 2015, Respondent entered an Ex Parte TRO against Relator Ford, but denies any remaining allegations in paragraph 31 of the Complaint.

32. Respondent admits that the quoted language in paragraph 32 of the Complaint did appear in the Temporary Restraining Order issued on January 7, 2015, but denies that this represents the entire Order and denies any allegations in paragraph 35 of the Complaint that may suggest that the quoted language represents the entire Order.

33. Respondent admits that Relator Ford was subjected to the Temporary Restraining Order issued on January 7, 2015, but denies for want of knowledge the remaining allegations in paragraph 33 of the Complaint.

34. Respondent denies the allegations in paragraph 34 of the Complaint.

35. Respondent admits that Relator Ford was subjected to the Temporary Restraining Order issued on January 7, 2015, but denies the remaining allegations in paragraph 35 of the Complaint.

36. Respondent admits that Relator Ford failed to provide any evidence on or before January 14, 2015 to counter the Court's Preliminary Findings of Fact and Conclusions of Law and that the Respondent decided to set the matter for a preliminary injunction hearing on March 4, 2015. The Respondent denies any remaining allegations in paragraph 36 of the Complaint.

37. Respondent admits that the January 14th Order continued the restrictions of the January 7th TRO "until further Court order to the contrary or agreement of the Parties approved by the Court" and that the Respondent set the matter for a preliminary injunction hearing to be held on March 4, 2015, but the Respondent denies the remaining allegations in paragraph 37 of the Complaint.

38. Respondent admits that the record indicates that summons was sent to Relator Ford through certified mail on January 8, 2105, that a signed affidavit from Vincent Mauer dated January 12, 2015, indicates that Relator Ford had been sent copies of all complaints and orders to which Relator Ford replied through email, and the January 14th Order from the Respondent indicates that Relator Ford was given actual notice of the hearing on January 14, 2015.

39. Respondent admits that Mr. Chesley was not ordered to post any security in the January 14, 2015 Order. Respondent denies for want of knowledge the remaining allegations in paragraph 39 of the Complaint.

40. Respondent admits that on February 5, 2015, Relator filed a Notice of Removal in case A1500067. Respondent denies for want of knowledge the remaining allegations in paragraph 40 of the Complaint.

41. Respondent denies for want of knowledge the allegations in paragraph 41 of the Complaint.

42. Respondent admits that Chesley moved to amend his complaint to add new defendants, but denies for want of knowledge the remaining allegations in paragraph 42 of the Complaint.

43. Respondent admits that the federal court allowed Chesley to amend his complaint and remanded the matter, but denies for want of knowledge the remaining allegations in paragraph 43 of the Complaint.

44. Respondent admits the allegations in paragraph 44 of the Complaint.

45. Respondent admits that Relator Ford was still enjoined on April 6, 2015, but Respondent denies the remaining allegations in paragraph 45 of the Complaint.

46. Respondent admits the allegations in paragraph 46 of the Complaint.

47. Respondent admits that on May 14, 2015, Respondent found that he had jurisdiction over Relator Ford and denied Realtor Ford's motion to dismiss. Respondent also admits that the quotations from the transcript are accurate. Respondent denies the remaining allegations in paragraph 47 of the Complaint.

48. Respondent denies for want of knowledge the allegations in paragraph 48 of the Complaint.

49. Respondent admits the allegations in paragraph 49 of the Complaint.
50. Respondent admits that during the hearing on May 14, 2015, the Respondent did inquire as to how much bond would have been required in Kentucky and did eventually decide not to require Chesley to post any security, but denies the remaining allegations in paragraph 50 of the Complaint.
51. Respondent admits the allegations in paragraph 51 of the Complaint.
52. Respondent admits that he said “Well, that kind of cruel” and that Respondent did not require Chesley to put up any money, but Respondent denies the remaining allegations in paragraph 52 of the Complaint.
53. Respondent admits the allegations in paragraph 53 of the Complaint.
54. Respondent admits the allegations in paragraph 54 of the Complaint.
55. Respondent denies for want of knowledge the allegations in paragraph 55 of the Complaint.
56. Respondent denies for want of knowledge the allegations in paragraph 56 of the Complaint.
57. Respondent denies for want of knowledge the allegations in paragraph 57 of the Complaint.
58. Respondent denies for want of knowledge the allegations in paragraph 58 of the Complaint.
59. Respondent denies for want of knowledge the allegations in paragraph 59 of the Complaint.
60. Respondent denies for want of knowledge the allegations in paragraph 60 of the Complaint.

61. Respondent denies for want of knowledge the allegations in paragraph 61 of the Complaint.
62. Respondent denies for want of knowledge the allegations in paragraph 62 of the Complaint.
63. Respondent denies for want of knowledge the allegations in paragraph 63 of the Complaint.
64. Respondent denies for want of knowledge the allegations in paragraph 64 of the Complaint.
65. Respondent denies for want of knowledge the allegations in paragraph 65 of the Complaint.
66. Respondent admits the allegations in paragraph 66 of the Complaint.
67. Respondent admits that Relator Ford informed the Court of the Kentucky court's orders, but denies the remaining allegations in paragraph 67 of the Complaint.
68. Respondent admits that he questioned the Kentucky court's jurisdiction but denies for want of knowledge the remaining allegations in paragraph 68 of the Complaint.
69. Respondent admits that during the July 8th hearing he stated "[i]t's a battle of the courts" but denies the remaining allegations in paragraph 69 of the Complaint.
70. Respondent admits the allegations in paragraph 70 of the Complaint.
71. Respondent admits that the Relator argued for her right to cross-examine Chesley and that there was urgency to the matter, but denies the remaining allegations in paragraph 71 of the Complaint.
72. Respondent admits the allegations in paragraph 72 of the Complaint.
73. Respondent admits the allegations in paragraph 73 of the Complaint.

74. Respondent admits that on July 8, 2015, Relator Ford was enjoined due to the Respondent's orders but denies the remaining allegations in paragraph 74 of the Complaint.
75. Respondent admits the allegations in paragraph 75 of the Complaint.
76. Respondent admits the allegations in paragraph 76 of the Complaint.
77. Respondent admits the allegations in paragraph 77 of the Complaint.
78. Respondent admits the allegations in paragraph 78 of the Complaint.
79. Respondent admits the allegations in paragraph 79 of the Complaint.
80. Respondent admits that the court accepted the order, but denies the remaining allegations in paragraph 80 of the Complaint.
81. Respondent admits the allegations in paragraph 81 of the Complaint.
82. Respondent admits that Respondent found that his court had exclusive jurisdiction over the matters involved in Case No. A1500067, and that "the orders of the Kentucky Court in relation to the Transfer Motion and the Chesley Compel Motion, including but not limited to the Transfer Order (the "Kentucky Orders"), are unenforceable[.]" (footnote citation omitted). Respondent denies all remaining allegations in paragraph 82 of the Complaint.
83. Respondent admits the allegations in paragraph 83 of the Complaint.
84. Respondent admits that Case No. A1500067 was initiated in Hamilton County Common Pleas Court in January 2015, but denies for want of knowledge the remaining allegations in paragraph 84 of the Complaint.
85. Respondent admits that no authority was presented by the Respondent to rebut the litigation fact pattern that is presented by the Relator in paragraph 85, as the Respondent denies the interpretation of the Respondent's jurisdiction that the Relator has presented. Respondent denies for want of knowledge the remaining allegations in paragraph 85 of the Complaint.

86. Respondent admits the allegations in paragraph 86 of the Complaint.
87. Respondent admits the allegations in paragraph 87 of the Complaint.
88. Respondent admits the allegations in paragraph 88 of the Complaint.
89. Respondent admits the allegations in paragraph 89 of the Complaint.
90. Respondent admits the allegations in paragraph 90 of the Complaint.
91. Respondent denies that he interfered with any enforceable orders of the Kentucky court, and denies for want of knowledge the remaining allegations in paragraph 91 of the Complaint.
92. Respondent admits the allegations in paragraph 92 of the Complaint.
93. Respondent admits that as of August 19, 2015, Relator Ford is still enjoined by the Respondent's orders, but denies the remaining allegations in paragraph 93 of the Complaint.
94. Respondent admits the allegations in paragraph 94 of the Complaint.
95. Respondent admits that the docket in Case No. A1500067 indicates which Defendants have been served, and denies for want of knowledge the remaining allegations in paragraph 95 of the Complaint.
96. Respondent admits the allegations in paragraph 96 of the Complaint.
97. Respondent admits the allegations in paragraph 97 of the Complaint.
98. Respondent admits the allegations in paragraph 98 of the Complaint.
99. To the extent that the paragraph 99 accurately paraphrases the record the Respondent admits the allegations, to the extent that paragraph 99 does not accurately paraphrase the record the Respondent denies the allegations.
100. To the extent that the paragraph 100 accurately paraphrases the record the Respondent admits the allegations, to the extent that paragraph 100 does not accurately paraphrase the record the Respondent denies the allegations.

101. To the extent that the paragraph 101 accurately paraphrases the record the Respondent admits the allegations, to the extent that paragraph 101 does not accurately paraphrase the record the Respondent denies the allegations. The remaining portion of paragraph 101 appears to be the Relator's interpretation of law and not an actual allegation, no response to this interpretation of law is required.

102. Assuming there are some type of implied allegations in paragraph 102, Respondent denies for want of knowledge the allegations in paragraph 102 of the Complaint.

103. Assuming there are some form of implied allegations in paragraph 103, Respondent denies the allegations in paragraph 103 of the Complaint.

104. Respondent admits the allegations in paragraph 104 of the Complaint.

105. Respondent admits the allegations in paragraph 105 of the Complaint.

106. Respondent admits the allegations in paragraph 106 of the Complaint.

107. Respondent admits that Relator Ford was given the opportunity to be heard on at a permanent injunction hearing on September 30, 2015. Respondent admits that until a final resolution, Relator Ford is subject to the court's orders. Respondent admits that he left it up to the parties to decide how Mr. Chesley's testimony would be given. Respondent denies the remaining allegations in paragraph 107 of the Complaint.

108. Respondent denies for want of knowledge the allegations in paragraph 108 of the Complaint.

109. Respondent denies for want of knowledge the allegations in paragraph 109 of the Complaint.

110. Respondent denies for want of knowledge the allegations in paragraph 110 of the Complaint.

111. Respondent denies for want of knowledge the allegations in paragraph 111 of the Complaint.

112. Respondent denies for want of knowledge the allegations in paragraph 112 of the Complaint.

113. No response to paragraph 113 is required.

114. Respondent admits that he has exercised judicial power in Case No. A1500067, that he has allowed Chesley's Complaint to proceed to the permanent injunction hearing scheduled for September 30, 2015, and that he has enjoined Relator Ford from taking certain actions in Ohio; Respondent denies the remaining allegations in paragraph 114 of the Complaint.

115. Respondent denies the allegations in paragraph 115 of the Complaint.

116. Respondent admits that he is controlled by the Ohio Constitution and valid and controlling case law in Ohio, but denies the remaining allegations in paragraph 116 of the Complaint.

117. Respondent admits that he is controlled by valid and controlling case law in Ohio, and admits that his orders in Case No. A1500067 have enjoined Relator Ford from engaging in certain activities in Ohio, but denies the remaining allegations in paragraph 117 of the Complaint.

118. Respondent admits that he is controlled by valid and controlling United States Supreme Court case law, but denies that his actions have violated any law and denies the remaining allegations in paragraph 118 of the Complaint.

119. Respondent admits that he is controlled by the Full Faith and Credit Clause, but denies that he has violated that law and denies the remaining allegations in paragraph 119 of the Complaint.

120. Respondent admits that he is controlled by valid and controlling United States Supreme Court case law, but denies that his actions have violated any law and denies the remaining allegations in paragraph 120 of the Complaint.
121. Respondent admits that he is controlled by valid and controlling Ohio case law, but denies the remaining allegations in paragraph 121 of the Complaint.
122. Respondent admits that he has exercised judicial authority in Case No. A1500067, but denies the remaining allegations in paragraph 122 of the Complaint.
123. Respondent denies he has or will exceed his authority, and denies for want of knowledge the remaining allegations in paragraph 123 of the Complaint.
124. Respondent denies the allegations in paragraph 124 of the Complaint.
125. Respondent denies that he is patently and unambiguously without jurisdiction and denies the remaining allegations in paragraph 125 of the Complaint.
126. Respondent denies the allegations in paragraph 126 of the Complaint.
127. Respondent denies the allegations in paragraph 127 of the Complaint.
128. Respondent denies the allegations in paragraph 128 of the Complaint.
129. No response to paragraph 129 is required.
130. Respondent denies the allegations in paragraph 130 of the Complaint.
131. Respondent denies the allegations in paragraph 131 of the Complaint.
132. Respondent denies the allegations in paragraph 132 of the Complaint.
133. Respondent denies the allegations in paragraph 133 of the Complaint.
134. Respondent admits that he is bound by the laws of jurisdiction.
135. Respondent admits that his orders must be lawful, but denies the remaining allegations in paragraph 135 of the Complaint.

136. Respondent denies the allegations in paragraph 136 of the Complaint.
137. Respondent denies the allegations in paragraph 137 of the Complaint.
138. Respondent denies the allegations in paragraph 138 of the Complaint.
139. No response to paragraph 139 is required.
140. Respondent denies the allegations in paragraph 140 of the Complaint.
141. Respondent denies the allegations in paragraph 141 of the Complaint.

SECOND DEFENSE

142. Respondent denies all allegations of the Complaint not specifically admitted to be true.

THIRD DEFENSE

143. Respondent has jurisdiction to determine whether or not a foreign judgment is to be enforced in Ohio.

FOURTH DEFENSE

144. Respondent is not patently and unambiguously lacking jurisdiction, therefore the Relator is not entitled to a Writ of Prohibition.

145. There is a justiciable case or controversy involved with this particular matter. Relator Ford and Mr. Chesley have a dispute over how a foreign judgment is to be enforced in Ohio. The parties have differing views of how the domestication statute is to be interpreted and applied. Mr. Chesley brought suit to have the Respondent settle this dispute and prevent the Relator from acting until the dispute is resolved. This dispute is sufficient to pass the very low standard required to have a justiciable controversy.

FIFTH DEFENSE

146. The Relator has an adequate remedy at law: the Relator may win her case at the permanent injunction hearing or appeal any adverse decision.

147. Since the Relator has an adequate remedy at law, Relator is not entitled to a Writ of Prohibition or Mandamus.

SIXTH DEFENSE

148. The Relator has stated no reasoning or pending emergency to properly demonstrate why she is entitled to an Alternative Writ.

149. The Relator states she has no adequate remedy at law, yet in the next paragraph references the September 30, 2015 hearing that was scheduled. A hearing at which the Relator was entitled to make her case, and had every opportunity to win her case.

150. The Relator's pessimistic view of the outcome of the permanent injunction hearing is not sufficient reason to entitle the Relator to an Alternative Writ.

WHEREFORE, Respondent having fully answered the Complaint for Writ of Prohibition, Mandamus, and Alternative Writ, respectfully prays that Relators' Complaint against Respondent be denied, at Relators' cost and expense, and that the Court grant Respondent such further relief as it deems just and proper under the circumstances of the cause.

Respectfully,

JOSEPH T. DETERS
PROSECUTING ATTORNEY
HAMILTON COUNTY, OHIO

/s/ James W. Harper

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was served upon each party of record in this case by U.S. mail on the 2nd day of October, 2015 addressed to:

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