

IN THE SUPREME COURT OF OHIO

STATE EX REL. ANGELA M. FORD, :  
ESQ., : Case No.: 2015-1470  
Relator, :  
v. : ORIGINAL ACTION IN PROHIBITION AND  
HONORABLE ROBERT P. : MANDAMUS  
RUEHLMAN, :  
Respondent. :

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RELATOR ANGELA FORD, ESQ.'S OPPOSITION TO PROPOSED INTERVENORS'  
MOTION FOR LEAVE INSTANTER TO FILE A MEMORANDUM IN OPPOSITION  
TO RELATOR'S NOTICE OF RESPONDENT'S LATEST ORDER

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**RELATOR ANGELA FORD, ESQ.'S OPPOSITION TO PROPOSED  
INTERVENORS' MOTION FOR LEAVE INSTANTER TO FILE A MEMORANDUM  
IN OPPOSITION TO RELATOR'S NOTICE OF RESPONDENT'S LATEST ORDER**

Proposed Intervenor Stanley M. Chesley ("Chesley") and Waite Schneider, Bayless & Chesley Co., L.P.A. ("WSBC") (collectively, "Proposed Intervenor") have no standing to continue to file memoranda in this Court. Even if they did, they offer not a single explanation how it is they filed a case against the Hamilton County Sheriff, intentionally excluded Relator, Proposed Co-Relator or any other judgment creditor, and did nothing but convince Respondent that somehow the Kentucky court's orders and the Kentucky judgment should not be enforced in Ohio. And, unfortunately, Respondent entered another order affecting the Kentucky court's orders. Respondent's order against the Hamilton County Sheriff is again premised on Respondent and Proposed Intervenor's collateral attacks on the Kentucky judgment against Chesley, which should not be condoned.

Proposed Intervenor argued that Relator and Proposed Co-Relator mischaracterized Respondent's order. But the transcript of the hearing was attached to Relator's Notice, and this Court can draw its own conclusions from the transcript, rather than have counsel argue as to what actually occurred.

Moreover, for the first time before this Court, Proposed Intervenor suggest Relator or her clients should have domesticated the Kentucky judgment. (*See* Motion for Leave, Exhibit A, at 2, n.1). Yet, Proposed Intervenor fail to inform this Court that they have sought and obtained a stay of any attempt to take discovery in Ohio regarding the Kentucky judgment. Not long after this Court granted Relator's Motion for Emergency Stay on September 17, 2015, Chesley's judgment creditors opened a miscellaneous case number in Hamilton County so that discovery subpoenas could be issued to learn where some assets might be located that could be used to

satisfy the judgment. Chesley filed and obtained a stay of enforcement. He fails to inform this Court that he did that or that he argued that any actions by Relator to obtain discovery or otherwise “accelerat[e] [] collection activities” constituted an exploitation of this Court’s stay order. (See Chesley’s Motion for Stay in the Miscellaneous Action, attached hereto as Exhibit A, at pg. 4-5). Hamilton County Judge Steven Martin issued the stay on October 19, 2015, over the judgment creditor’s objection. (See Judge Martin’s Order, attached hereto as Exhibit B).

Judge Martin by oral order continued that stay past the date reflected in the Order, and it was heard again on December 14, 2015. The judgment creditors suggested again that they can serve subpoenas and again Chesley, through his counsel, argued that the stay should remain in effect. Chesley’s failure to inform this Court of these events, so that he leaves the impression that he does not stand in the way of either domestication or discovery, is simply not accurate.

This Court should deny Proposed Intervenors’ motion, should decide the Petition on its merits, and conclude that Respondent is without jurisdiction to hear the underlying case or to issue the orders he has.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was served on the following individuals via U.S. regular mail on this 17th day of December, 2015:

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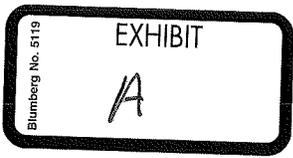
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HAMILTON COUNTY, OHIO

OCT 13 2015

MILDRED ABBOTT, et al.	:	Case No. M1501179	TRACY WINKLER
	:		COMMON PLEAS COURTS
Plaintiffs,	:	Judge Martin	
v.	:		
	:	A memorandum in support	
STANLEY M. CHESLEY, et al.	:	of the motion is attached	
	:		
Defendants.	:	A proposed order is attached	

**MOTION OF DEFENDANT STANLEY M. CHESLEY FOR AN ORDER  
STAYING ISSUANCE OR ENFORCEMENT OF SUBPOENAS  
AND STAYING THIS PROCEEDING**

Defendant Stanley M. Chesley ("Chesley") moves for an order staying the issuance, enforcement, execution, and performance of the Kentucky subpoenas and otherwise staying this miscellaneous action pending further Court order. Grounds for granting a stay are set forth in the attached Memorandum in Support.

A proposed form of order is attached.

Respectfully submitted,  
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## MEMORANDUM IN SUPPORT

### A. **The First Hamilton County Action And Judge Ruchlman's Order For Temporary Injunctive Relief.**

Plaintiffs' Motion for Miscellaneous Case Number to Serve Subpoena (the "Motion") failed to fully and adequately inform the Court. The instant action is part of a gambit by Plaintiffs to do an end run around another judge in the Hamilton County Court of Common Pleas who previously acquired jurisdiction over the subject matter, parties and issues presented by the Kentucky subpoenas that Plaintiffs ask this Court to authorize in Ohio.

The prior open case is styled as *Stanley M. Chesley, et al. v. Angela M. Ford, Esq., et al.*, Case No. A1500067 (the "First Hamilton County Action"). It has been pending in the Hamilton County Court of Common Pleas before Judge Robert P. Ruehlman for over nine months. Chesley initiated the First Hamilton County Action on January 6, 2015, with the filing of a petition seeking declaratory and injunctive relief and a motion for temporary injunctive relief. The named respondents in Chesley's Petition are Angela M. Ford ("Ford") and that portion of Ford's clients who are the Plaintiffs herein. Chesley sought injunctive relief to protect his procedural and substantive rights under Ohio law with respect to attempts to collect on a judgment against Chesley obtained in *Mildred Abbott, et al. v. Stanley M. Chesley, et al.* (Boone County, Ky., Circuit Court Case No. 05-CI-00436) (the "Abbott Case"); that judgment is currently on appeal to the Kentucky Court of Appeals. Chesley is a judgment debtor, but he has not been divested of the procedural rights and exemptions available under Ohio law.

Judge Ruehlman ultimately issued temporary injunctive relief barring exactly the type of activities that Plaintiffs seek to conduct through this miscellaneous case. After finding that irreparable harm would result, Judge Ruehlman issued two injunctions maintaining the status quo and requiring compliance with Ohio law before invoking the powers of Ohio courts to

enforce the judgment in the Abbott Case. Specifically, on January 7, 2015, Judge Ruehlman issued an *ex parte* temporary restraining order, a copy of which is attached as Exhibit A. After notice to Ford, on January 14, 2015, Judge Ruehlman issued a Restraining Order Against Certain Actions by Respondent and Setting Hearing. A copy is attached as Exhibit B. With regard to restrained activities, it directs as follows:

1. Respondent Ford, any co-counsel acting with her and any other Ohio lawyer representing any of the Unknown Respondents [Plaintiffs herein] are enjoined from . . . (ii) servicing any Chesley asset related discovery on any Ohio resident, citizen or domiciliary, except that discovery may be served on Chesley . . . ;

4. Ford, the Unknown Respondents and any other person acting on behalf of Ford and the Unknown Respondents are enjoined from issuing any subpoena seeking documents or testimony to any Ohio resident, Ohio citizen or Ohio domiciled entity (other than Chesley) . . . ; (emphasis added)<sup>1</sup>

Judge Ruehlman *did not* prohibit Ms. Ford from bringing the judgment from the Abbott Case to Ohio and enforcing it as permitted by Ohio law using Ohio courts, sheriffs, and property seizure statutes. Judge Ruehlman's orders merely require that those who would use the Abbott Case judgment in Ohio obey Ohio law.

**B. Circumventing Judge Ruehlman's Orders By Filing The Writ Action.**

Ford lost (i) an effort to transfer the First Hamilton County Action to federal district court, (ii) a motion to dismiss the First Hamilton County Action, and (iii) a motion to dissolve the temporary injunctive relief granted by Judge Ruehlman. So, Ford tried a different strategy: less than 30 days before a scheduled evidentiary hearing on the issue of permanent injunctive relief, Ford, as Relator, filed an action in the Ohio Supreme Court seeking a writ of mandamus and/or a writ of prohibition in an improper attempt to strip Judge Ruehlman of authority to

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<sup>1</sup> Plaintiffs used Kentucky discovery to serve subpoenas on at least 9 third parties and obtain several thousand pages of documents concerning Chesley's finances.

proceed in the First Hamilton County Action. Ford's action, *State ex rel. Angela M. Ford, Esq. v. Honorable Robert P. Ruehlman*, Ohio Supreme Court Case No. 2015-1470 (the "Writ Action"), was filed on September 4, 2015. Ford sought and obtained an order from the Ohio Supreme Court staying the First Hamilton County Action. [Ex. C.]

On October 2, 2015, Judge Ruehlman, the Respondent in the Writ Action, filed an answer and motions for judgment on the pleadings, asserting that the Writ Action should be dismissed as a matter of law because the First Hamilton County Action properly lies within the subject-matter jurisdiction of the Hamilton County Court of Common Pleas.

Chesley and the law firm of Waite, Schneider, Bayless & Chesley Co., L.P.A. ("WSBC"), an intervening petitioner in the First Hamilton County Action, have filed a motion to intervene as respondents in the Writ Action and proffered an answer and a motion for judgment on the pleadings. Chesley and WSBC have also filed a motion requesting that the Ohio Supreme Court expedite its consideration of the motion for judgment on the pleadings.

Unlike Ford, Chesley is not attempting to stall resolution of the disputes detailed in the First Hamilton County Action. Ford, conversely, encourages delay so she can proceed with the Motion and other improper activities, all as previously detailed to Judge Ruehlman in the First Hamilton County Action.

**C. Exploitation Of The Stay Imposed By The Supreme Court.**

The premise of any stay is to maintain the status quo. Plaintiffs, however, have done everything to disrupt the status quo after filing the Writ Action. After the Supreme Court issued its stay order, Ford and the Plaintiffs embarked on an acceleration of collection activities targeting Ohio residents, property and entities; those actions include the filing of the Motion and

certain other acts in Kentucky and Nevada adverse to non-judgment creditors including WSBC and other Ohioans.

Ford's strategy is to prevent Judge Ruehlman from issuing a final order regarding injunctive relief by starting a proceeding in the Supreme Court, and then, pursue activities that otherwise violate the temporary injunctive order granted in the First Hamilton County Action, specifically including the Ohio subpoenas at issue in this matter.

If Plaintiffs are permitted to proceed, the status quo will be destroyed and innocent third-party Ohioans will be burdened while the Plaintiffs escape complying with Ohio law.

**D. Interference With The Wind-Up Of WSBC And Ohio Lawyers.**

Through the Motion other activities, Plaintiffs seek to interfere with wind-up of WSBC. WSBC's business affairs are being wound up under terms of a "Wind-Up Agreement." Plaintiffs seek to command, control and require that an Ohioan, Mr. Thomas Rehme, Esq. ("Rehme")<sup>2</sup>, appear at an oral deposition on October 20, 2015 and produce on October 15, 2015<sup>3</sup> a large volume of documents, pertaining to the WSBC's business and the wind-up of that business, including "all communications" with Mr. Chesley from January 1, 2013, to the present, almost a three-year period. All this is to be done on less than 2 weeks notice.<sup>4</sup>

Via the Motion, Plaintiffs also seeks to control another Cincinnati law firm, Markovits, Stock & DeMarco (the "Markovits Firm"), and an individual lawyer associated with that firm, Louise Roselle, Esq. On very short notice, Plaintiffs demand that both the Markovits Firm and Ms. Roselle produce a large volume of documents and sit for deposition. Like Rehme and WSBC, neither the Markovits Firm nor Ms. Roselle is a party to the Abbott Case or this action.

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<sup>2</sup> Rehme holds all the shares in WSBC in trust under terms of the Wind-Up Agreement.

<sup>3</sup> All three subpoenas at issue herein require the production of documents on October 15, 2015 which, in every case, is less than 10 business days after service of the subpoenas.

<sup>4</sup> To the undersigned's knowledge, Rehme was not served with Plaintiff's subpoena as of October 8, 2015.

A review of the subpoenas Plaintiffs seek to enforce through this proceeding clearly reveals that WSBC is a prominent target of Plaintiffs' actions. Plaintiffs, however, never provided any notice of the Motion to WSBC.

**E. Refusal to Coordinate.**

Plaintiffs' counsel herein represents Ford in the First Hamilton County Action and in the Writ Action. As a result, Plaintiffs' counsel knows that the undersigned represents Chesley in Ohio and that Donald J. Rafferty, Esq. represents WSBC with respect to issues related to the Abbott Case.

Despite that knowledge, Plaintiffs' counsel did not make any effort to coordinate the commanded deposition dates with counsel for Chesley or WSBC. Rather, Plaintiffs' counsel used regular United States mail sent to Louisville, Kentucky on October 5, 2015<sup>5</sup> to provide to Chesley's counsel subpoenas that were filed with this Court on October 2, 2015.

**F. Conclusion.**

The irreparable harm identified by Judge Ruehlman still exists. To mitigate this harm and maintain the *status quo*, Chesley prays for an order staying the enforcement, and execution of the subpoenas that are the subject of the Motion and to stay any discovery related to the same.

Chesley requests that this order remain in place until the Ohio Supreme Court resolves the issue of Judge Ruehlman's jurisdiction to issue and enforce the previously granted injunctive relief.

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<sup>5</sup> See Exhibit D.

Respectfully submitted,

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The undersigned certifies that on this 12th day of October, 2015, a copy of the foregoing was served via U.S. Mail and electronic mail on:

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COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

MILDRED ABBOTT, et al.	:	Case No. M1501179
	:	
Plaintiffs,	:	Judge Martin
v.	:	
	:	
STANLEY M. CHESLEY, et al.	:	
	:	
Defendants.	:	

**ORDER**

This matter is before the Court to consider Defendant Stanley M. Chesley's Motion for an Order Staying Issuance of Subpoenas and Staying This Proceeding. Upon consideration, the Court finds that said Motion is meritorious and well taken, and it is ordered that said Motion is hereby **GRANTED**. It is hereby ordered that Plaintiffs are precluded from issuing, enforcing, executing, or otherwise performing the Kentucky subpoenas attached as exhibits to their Motion for Miscellaneous Case Number to Serve Subpoena, and this action is otherwise stayed pending a further Order of this Court.

**IT IS SO ORDERED.**

\_\_\_\_\_  
JUDGE

COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

JUDGE RUELHMAN  
COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

Stanley M. Chesley,

Case No. A1500067

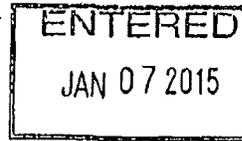
Petitioner

Judge Ruehlman

v.

Angela M. Ford, Esq. *et al.*

Respondents.



**EX PARTE TEMPORARY RESTRAINING ORDER AGAINST CERTAIN ACTIONS BY  
RESPONDENTS AND ORDER SETTING HEARING**

This matter came before the Court on January 7, 2015 at an *ex parte* conference. The Court's record includes the Verified Petition For Declaratory Judgment And Injunctive Relief (the "Petition") and Petitioner's Motion Order Restraining Registration and Enforcement of Kentucky Judgment and Document Destruction (the "Motion"). The Motion was supported by Petitioner's Verified Memorandum in Support of Motion for Injunctive Relief (the "Supporting Memo"). Both the Petition and the Supporting Memorandum are verified and thus are treated as affidavit evidence at this early stage in the proceeding. Also verified as accurate are copies of certain Kentucky filings attached to the Supporting Memo.

Capitalized terms in this *EX PARTE* TEMPORARY RESTRAINING ORDER AGAINST CERTAIN ACTIONS BY RESPONDENTS AND ORDER SETTING HEARING (the "Temporary Restraining Order") that are not defined herein have the meaning set forth in the Petition, Motion and Supporting Memo.

The Court must consider the following when ruling on a motion for a temporary restraining order on an *ex parte* basis: "whether (1) the movant [Chesley] has shown a strong or substantial likelihood or probability of success on the merits, (2) the movant [Chesley] has shown irreparable injury, (3) the preliminary injunction could harm third parties, and (4) the



public interest would be served by issuing the preliminary injunction.” *Johnson v. Morris* (1995), 108 Ohio App.3d 343, 352, 670 N.E.2d 1023. Moreover, relief is appropriate if Chesley shows serious questions going to the merits and irreparable harm which decidedly outweighs any potential harm to the [nonmoving party] if relief is granted. *Id.*, citing *In re DeLorean Motor Co.* (C.A.6, 1985), 755 F.2d 1223.

An *ex parte* order is appropriate if the danger is imminent and notice to the known Respondent, Ford, is impossible, impracticable or might prompt Ford to quickly take action to cause the very harms that are the subject of the Petition. Chesley makes exactly this last argument – if Ford receives notice of the Petition and Motion without prior entry of *ex parte* temporary protection, Ford might as a clerical matter cause the registration or domestication of the Chesley Judgment and issue discovery to Ohio citizens, residents and domiciles before this Court’s hearing on the Motion. This threat is real and imminent given Ford’s December 14, 2014 e-mail to Chesley’s counsel and given the easy and clerical nature of the efforts Ford might undertake. See Ohio R. Civ. Procedure 65(A).

The Court notes the appearance of counsel for an interested non-party, Waite Schneider Bayless and Chesley (“WSBC”). WSBC is an Ohio entity that is a logical target of Ford’s possible discovery and collection action. Chesley, Chesley’s wife, and WSBC are Ohio entities resident in Hamilton County, Ohio.

After a hearing the arguments of Chesley’s counsel, the Court makes the following preliminary Findings of Fact and Conclusions of Law concerning the relief sought in the Petition and the Motion. All of the following preliminary findings of fact and conclusions of law are subject to further review by the Court during this proceeding, particularly since this Court may

later direct addition of certain parties to this case who may revisit any of the following preliminary findings of fact and conclusions of law.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

A. Chesley has shown a strong or substantial likelihood of success on the merits in this matter. It seems likely that Ford or other counsel for the Unknown Respondents will seek to register or domesticate the Chesley Judgment in Ohio in part because Ford has stated that she intends to demand depositions of Ohio residents who will not voluntarily submit to those depositions. It further seems probable that the registration or domestication filing will occur in Hamilton County, Ohio due to the residence of Chesley and certain of Ford's stated targets; in that event the Chesley Judgment will be treated by this Ohio court as an Ohio judgment. The Court believes that it will ultimately conclude (i) as a matter of Ohio law that as a judgment debtor, Chesley is entitled to know the total amount he owes on the Chesley Judgment and (ii) as a matter of fact that Chesley has been denied access to this information.

B. Chesley has made the necessary preliminary showing of irreparable injury to himself and third parties to be suffered if the Chesley Judgment is used as an Ohio judgment without first being provided the information sought in the Petition. The loss of any reasoned opportunity to stay proceedings (i) in Kentucky by obtaining a stay pending appeal, (ii) by the filing of a voluntary petition under the United States Bankruptcy Code, or (iii) by settlement with some or all of the Unknown Respondents damages Chesley and has the potential to damage any third party from whom Ford seeks information or attempts to seize assets, all of which might be delayed or avoided permanently.

C. The requested relief will benefit third parties including the targets of Ford's discovery and asset seizure efforts other than Chesley. Importantly, the relief sought in the

Petition and Motion has a strong likelihood of benefitting the Court and courts in Kentucky because the actual total amount owed on the Chesley Judgment will be relevant to issues that courts will consider going forward. The requested relief will not significantly harm any third parties and represents only a minor harm to the Respondents because Ford should have ready access to most of the information sought by Chesley thus minimizing any delay in her efforts to use the Chesley Judgment in Ohio; and

D. The public interest would be served by issuing the requested relief. The process of administering justice fairly in Ohio and Kentucky will be enhanced if relief is granted. Civil litigation is conducted with the full disclosure of relevant information and the information sought by Chesley is relevant. This Court could have ordered pre-judgment disclosure of the alleged damages suffered by particular the Abbott Case plaintiffs if that case had been pending in this Court and the need for that disclosure (including the enhanced possibility of settlement) is just as present and important in the current posture of this proceeding – the probable use and enforcement of the Chesley Judgment in Ohio.

UNLESS SUPERSEDED BY A SUBSEQUENT COURT ORDER, THE COURT  
ORDERS AS FOLLOWS:

1. For the next 14 days, Respondent Ford, any co-counsel acting with her and any other Ohio lawyer representing any of the Unknown Respondents are enjoined from (i) taking any action in the State of Ohio to enforce the Chesley Judgment or (ii) serve any Chesley asset related discovery on any Ohio resident, citizen or domiciliary, except Chesley;
2. For the next 14 days, Respondent Ford, any co-counsel acting with her and any other Ohio lawyer representing any of the Unknown Respondents are enjoined from making any

filing in any Ohio court that would be or could be part of an effort to domesticate or register the Chesley Judgment in Ohio;

4. For the next 14 days, Ford, the Unknown Respondents and any other person acting on behalf of the Unknown Respondents are preliminarily enjoined from taking any action to collect the Chesley Judgment in the State of Ohio from any Ohio resident, Ohio citizen or Ohio domiciled entity, other than Chesley;

5. For the next 14 days, Ford, the Unknown Respondents and any other person acting on behalf of Ford and the Unknown Respondents are preliminarily enjoined from issuing any subpoena seeking documents or testimony to any Ohio resident, Ohio citizen or Ohio domiciled entity (other than Chesley) if the purpose of the requested documents or testimony would be to obtain information related to any effort to enforce the Chesley Judgment;

6. For the next 14 days, Ford, the Unknown Respondents and any other person acting on behalf of Ford or the Unknown Respondents are preliminarily enjoined and prohibited from destroying, damaging or secreting any documents or electronically stored information relevant to any of the issues described in this Petition, the Motion or the Supporting Memo including but not limited to any document or electronic information that reflects any (i) collection of funds collected and/or credited against the Criminal Defendants Judgment, (ii) restitution obligations of the Criminals, (iii) forfeiture of any assets in the Criminal Case, (iv) funds Ford or any affiliated entity transferred to or from Johnston, (v) funds transferred to or for the benefit of any Criminal Case victims who are not Abbott Case plaintiffs; (vi) amounts distributed to the Abbott Case plaintiffs; (vi) operation of the Tandy LLC receivership; (vii) funds transferred to or subsequently by the United States Marshall's Service related to the

Criminal Case or the Abbott Case, and (viii) the legal fees and expenses of Ford and her co-counsel in the Abbott Case; and

7. If Ford or any other Respondent believes this Temporary Restraining Order improperly or irreparably damages their position and relief cannot wait more than 14 days, Ford is invited to contact the Court and set this matter for a hearing prior to the hearing set below.

THE FIRST SUBSTANTIVE ISSUE TO BE CONSIDERED BY THE COURT AFTER NOTICE TO FORD will be the status of the Unknown Respondents. It is clear from Exhibit A attached to the Supporting Memo that the Abbott Case "Plaintiffs", or some of them as apparently asserted by Ford, are Chesley's judgment creditors and real parties in interest in this proceeding. Therefore, this Court will first consider if steps must be taken to make those persons or entities parties to this proceeding with proper notice of the filings by Chesley.

The Court is considering the following plan and the parties should be prepared to address it at the next hearing in this matter:

Should respondent Ford be offered the option to either (a) provide to the Hamilton County, Ohio Clerk of Court the names and addresses of all of the current Unknown Respondents so that a copy of the Petition, Motion and Supporting Memo can be served on the Unknown Respondents by the Hamilton County Clerk of Court,<sup>1</sup> or (b) facilitate the filing of a Notice of Appearance with the Hamilton County, Ohio Clerk of Court for each and every one of the current Unknown Respondents by one or more Ohio counsel. If option "b" is selected, the appearing Ohio counsel will certify to the Court that said Ohio counsel provided a copy of the Petition, Motion and Supporting Memo to each of the Unknown Respondents for whom that Ohio counsel appears in this Court.

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<sup>1</sup> If option "a" is chosen, Ford shall notify Chesley's counsel who will provide to the Hamilton County Clerk of Court adequate copies of the Petition, Motion and Supporting Memo for service by the Clerk on the entities listed by Ford.

If Respondent Ford wants to agree with either the "a" or "b" option described in this paragraph, the Court invites her to so indicate and the Court will conduct a telephone conference at which the Court will extend the prohibitions in this Temporary Restraining Order for a period of time sufficient to cause the Unknown Respondents to receive service of Chesley's filings and possibly become parties and then set a briefing schedule as discussed below.

AFTER THE COURT RESOLVES THE ISSUE CONCERNING THE UNKNOWN RESPONDENTS AND AFTER THE APPEARANCE OF THE UNKNOWN RESPONDENTS – SHOULD THE COURT ORDER SAME, the Court will direct complete briefing of the issues and then the Court will make final determinations of the issues in this case, including but not limited to:

Whether Chesley is entitled to know and Respondent Ford must disclose to this Court and Chesley (i) the name, address and amount owed to each of the current Unknown Respondents and (ii) the exact current amount owed on the Chesley Judgment including a specific calculation of prejudgment and post-judgment interest that recognizes possible changes in the daily accrual as credits against the Chesley Judgment occurred before Respondents (i) take any action in the State of Ohio to enforce the Chesley Judgment or (ii) serve any Chesley asset related discovery on any Ohio entity, except Chesley;

Whether Chesley is entitled to know and that Respondent Ford must disclose to Chesley (i) how much money and the value of non-monetary assets seized under the authority of the Criminal Defendants Judgment, (ii) if any assets were forfeited in the Criminal Case and if any restitution was paid in the Criminal Case, (iii) when any assets were seized or forfeited and any restitution payments were made so that Chesley can check the accuracy of Ford's pre-judgment

and post-judgment interest calculations, (iv) the amount collected by Ford using the Criminal Defendants Judgment and not distributed to her clients, and (v) the total amount distributed to each of Chesley's Judgment Creditors in both the Settled Case and the Abbott Case before Respondents (i) take any action in the State of Ohio to enforce the Chesley Judgment or (ii) serve any Chesley asset related discovery on any Ohio entity, except Chesley;

Whether Ford, the Unknown Respondents and any other person acting on behalf of the Unknown Respondents should be permanently enjoined from taking any action to collect the Chesley Judgment in the State of Ohio from any Ohio resident, Ohio citizen or Ohio domiciled entity ( other than Chesley), until 90 days after Chesley has received all of the information that this Court declares Chesley is entitled to receive;

Whether Ford, the Unknown Respondents and any other person acting on behalf of the Unknown Respondents should be permanently enjoined from registering or domesticating the Chesley Judgment in Ohio until 90 days after Chesley has received all of the information that this Court declares Chesley is entitled to receive; and

Whether Ford, the Unknown Respondents and any other person acting on behalf of the Unknown Respondents, should be permanently enjoined and prohibited from destroying, damaging or secreting any documents relevant to any of the issues described in this Petition, the Motion or the Supporting Memo including but not limited to any document or electronic information that reflects any (i) collection of funds collected and/or credited against the Criminal Defendants Judgment, (ii) restitution obligations of the Criminals, (iii) forfeiture of any assets in the Criminal Case, (iv) funds Ford or any affiliated entity transferred to or from Johnston, (v) funds transferred to or for the benefit of any Criminal Case victims who are not Abbott Case plaintiffs; (vi) amounts distributed to the Abbott Case plaintiffs; (vi) operation of the Tandy LLC

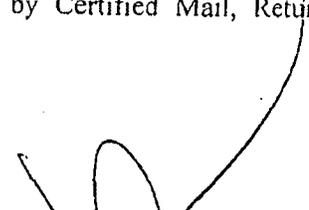
receivership; and (vii) funds transferred to or subsequently by the United States Marshall's Service related to the Criminal Case or the Abbott Case.

At this time, the Court determines that Chesley is not required to post any security for this Temporary Restraining Order to become effective due to the short term nature of this Temporary Restraining Order and the protections for the Respondents included herein.

The *ex parte* relief lasts for no more than 14 days, unless extended by the Court or by agreement of the parties. This matter will come on for a hearing on the Motion's request for a preliminary injunction and consideration of the status of the Unknown Respondents on January 14, 2015 at 9 AM o'clock. Petitioner did not request and the Court does not currently intend to combine this hearing with the hearing on the merits of the Motion as permitted by Ohio Civ. R. 65(C).

Chesley's counsel will electronically transmit a courtesy copy of the Temporary Restraining Order on Respondent Ford. The Hamilton County, Ohio Clerk of Court shall serve this Temporary Restraining Order on Respondent Ford by Certified Mail, Return Receipt Requested. See Ohio R. Civ. Procedure 65(E).

Entered this 7<sup>th</sup> day of January 2015

  
Robert P. Ruehlman, Judge  
Hamilton County Court of Common Pleas

JUDGE ROBERT P. RUEHLMAN  
Court of Common Pleas  
Hamilton County, Ohio

Copies to:

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Suite 311  
Lexington, KY 40502



D109213798

COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

JUDGE ROBERT P. RUEHLMAN  
Court of Common Pleas  
Hamilton County, Ohio

Stanley M. Chesley,

Case No. A1500067

Petitioner

Judge Ruehlman

v.

Angela M. Ford, Esq. *et al.*

ENTERED  
JAN 14 2015

RESTRAINING ORDER AGAINST  
CERTAIN ACTIONS BY  
RESPONDENTS AND  
SETTING HEARING

Respondents.

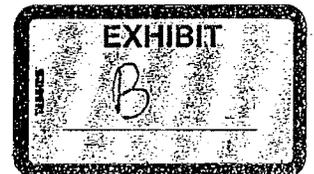
This matter first came before the Court on January 7, 2015 at an *ex parte* conference. Thereafter, the Court entered its *EX PARTE* TEMPORARY RESTRAINING ORDER AGAINST CERTAIN ACTIONS BY RESPONDENTS AND ORDER SETTING HEARING (the "Temporary Restraining Order"). The Temporary Restraining Order set a January 14, 2015 hearing on the pending Petitioner's Motion for Order Restraining Registration and Enforcement of Kentucky Judgment and Document Destruction (the "Motion").<sup>1</sup>

Respondent Angela M. Ford was given actual notice of the hearing on January 14, 2015, see Affidavit of Vincent E. Mauer filed in this matter. Respondent Angela M. Ford ("Ford") did not present any evidence on or before January 14, 2015. The Court's preliminary Findings of Fact and Conclusions of Law set forth in the Temporary Restraining Order continue to be the Court's preliminary findings and conclusions and are incorporated herein by reference.

Until further Court order to the contrary or agreement of the Parties approved by the Court:

1. Respondent Ford, any co-counsel acting with her and any other Ohio lawyer representing any of the Unknown Respondents are enjoined from (i) taking any action in the

<sup>1</sup> Capitalized terms in this Order that are not defined herein have the meaning set forth in the Verified Petition For Declaratory Judgment And Injunctive Relief (the "Petition") and Petitioner's Motion For Order Restraining Registration and Enforcement of Kentucky Judgment and Document Destruction (the "Motion"). The Motion was supported by Petitioner's Verified Memorandum in Support of Motion for Injunctive Relief (the "Supporting Memo").



State of Ohio to enforce the Chesley Judgment or (ii) serving any Chesley asset related discovery on any Ohio resident, citizen or domiciliary, except that discovery may be served on Chesley in any non-Ohio jurisdiction if permitted by the rules applicable to that jurisdiction;

2. Respondent Ford, any co-counsel acting with her and any other Ohio lawyer representing any of the Unknown Respondents are enjoined from making any filing in any Ohio court that would be or could be part of an effort to domesticate or register the Chesley Judgment in Ohio;

3. Ford, the Unknown Respondents and any other person acting on behalf of the Unknown Respondents are enjoined from taking any action to collect the Chesley Judgment in the State of Ohio from any Ohio resident, Ohio citizen or Ohio domiciled entity;

4. Ford, the Unknown Respondents and any other person acting on behalf of Ford and the Unknown Respondents are enjoined from issuing any subpoena seeking documents or testimony to any Ohio resident, Ohio citizen or Ohio domiciled entity (other than Chesley) if the purpose of the requested documents or testimony would be to obtain information related to any effort to enforce the Chesley Judgment; and

5. Ford, the Unknown Respondents and any other person acting on behalf of Ford or the Unknown Respondents are enjoined and prohibited from destroying, damaging or secreting any documents or electronically stored information relevant to any of the issues described in this Petition, the Motion or the Supporting Memo including but not limited to any document or electronic information that reflects any (i) collection of funds collected and/or credited against the Criminal Defendants Judgment, (ii) restitution obligations of the Criminals, (iii) forfeiture of any assets in the Criminal Case, (iv) funds Ford or any affiliated entity transferred to or from Johnston, (v) funds transferred to or for the benefit of any Criminal Case victims who are not

Abbott Case plaintiffs; (vi) amounts distributed to the Abbott Case plaintiffs; (vi) operation of the Tandy LLC receivership; (vii) funds transferred to or subsequently by the United States Marshall's Service related to the Criminal Case or the Abbott Case, and (viii) the legal fees and expenses of Ford and her co-counsel in the Abbott Case.

This matter will come on for a hearing on the Motion's request for a preliminary injunction on ~~February~~ <sup>March 4</sup> \_\_\_\_, 2015 at 9:00 AM o'clock. At that hearing, the Court may consider, any or all of the issues discussed in the Petition, the Temporary Restraining Order or this Order including, but not limited to:

- (a) All evidence, testimony, and exhibits to be offered by Petitioner and Respondents at this preliminary stage of this matter relevant to any continuation of the prohibitions set forth in the Temporary Restraining Order or this Order;
- (b) Whether to convert the existing Temporary Restraining Order and this Order into a Preliminary Injunction;
- (c) At the next hearing, the Court expects specifically to address whether the Court should grant the relief outlined on pages 7-9 of its Temporary Restraining Order, including without limitation, whether the Unknown Respondents should be made parties to this proceeding and whether or not the Court should order Respondent Ford to identify by name and address each of the current Unknown Respondents; and
- (d) Ordering Respondent to disclose the amount alleged to be owed to each of the Unknown Respondents, and directing Respondent to provide a complete accounting of all funds received by the Unknown Respondents in the Abbott Case, all funds received by the Unknown Respondents from Respondent Ford, all fees and expenses received by Respondent Ford or paid by Respondent Ford to third parties on account

of the Abbott Case matter, and all accounting records Respondent Ford has prepared for the Unknown Respondents all as may be needed to permit Chesley to confirm any calculation of the current total amount of the Chesley Judgment that the Court may order be provided to Chesley.

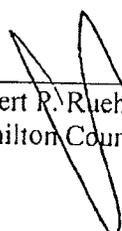
Petitioner did not request and the Court does not currently intend to combine this hearing with the hearing on the merits of the Motion as permitted by Ohio Civ. R. 65(C).

After considering Petitioner's request for continuation of the relief granted in the Temporary Restraining Order and this Order, the Court will address the status of the Unknown Respondents as that issue is described in the Temporary Restraining Order.

Chesley is not required to post any security for this Order to be effective.

Chesley's counsel will transmit a courtesy copy of this Order to Respondent Ford both electronically and by first class United States mail, postage prepaid.

Entered this 14<sup>th</sup> day of January, 2015

  
JUDGE ROBERT P. RUEHLMAN  
Court of Common Pleas  
Hamilton County, Ohio  
Robert P. Ruehlman, Judge  
Hamilton County Court of Common Pleas

**Copies to:**

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FILED

The Supreme Court of Ohio

SEP 17 2015

CLERK OF COURT  
SUPREME COURT OF OHIO

State ex rel. Angela M. Ford, Esq.

v.

Honorable Robert P. Ruhlman

Case No. 2015-1470

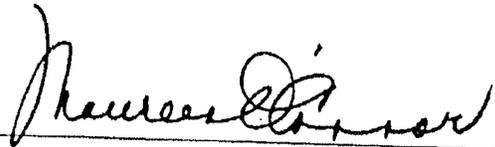
IN MANDAMUS AND PROHIBITION

ENTRY

This cause originated in this court on the filing of a complaint for writs of mandamus and prohibition.

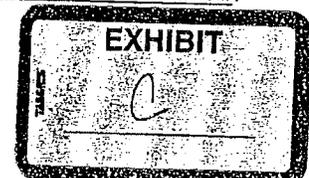
Upon consideration of relator's motion for emergency stay, it is ordered by the court that the motion for an emergency stay is granted, and Hamilton County Common Pleas Court Case No. A1500067 and the enforcement of respondent's orders are hereby stayed pending this court's resolution of this case.

It is further ordered that respondent may file a revised response to the complaint in accordance with the time permitted in S.Ct.Prac.R. 12.04.



Maureen O'Connor  
Chief Justice

The Official Case Announcement can be found at <http://www.supremecourt.ohio.gov/ROD/docs/>.



# Dinsmore

## Legal Counsel.

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October 5, 2015

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P.O. Box 1689  
Ashland, KY 41105-1689

**Re: *Mildred Abbott, et al. v. Stanley M. Chesley, et al.***  
**Hamilton County Common Pleas Court**  
**Case No. M151179**

Dear Counsel:

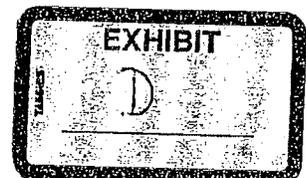
Enclosed and served upon you please find the following, which were served via process server today with regard to the above-captioned matter:

1. Plaintiffs' Subpoena for Deposition and Production of Documents to Markovits, Stock & Demarco
2. Plaintiffs' Subpoena for Deposition and Production of Documents to Louise Roselle
3. Plaintiffs' Subpoena for Deposition and Production of Documents to Thomas Rehme

Very truly yours,

  
Christen M. Steimle

CMS/trf  
Enclosures  
9939181v1  
71684-2



Blumberg No. 5119  
EXHIBIT  
B

ENTERED  
OCT 19 2015

COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

MILDRED ABBOTT, *et al.*,  
Plaintiffs,

: CASE NO. M151179



D112331006

v.

STANLEY M. CHESLEY, *et al.*,  
Defendants.

: JUDGE STEVEN E. MARTIN

: **ORDER STAYING ENFORCEMENT  
OF SUBPOENAS**

This matter is before the Court on the motion of Stanley M. Chesley to stay the issuance, enforcement, execution, and performance of subpoenas issued to Markovits, Stock & Demarco, Louise Roselle, and Thomas Rehme (the "Kentucky Subpoenas"). Having considered the motion of Mr. Chesley, argument of counsel, and being otherwise sufficiently advised, the Court finds the motion to be well-taken. Accordingly,

**IT IS ORDERED** that Mr. Chesley's Motion is hereby **GRANTED**. Enforcement, execution, and performance of the Kentucky Subpoenas are hereby **STAYED** for thirty (30) days, until **November 13, 2015**, or until the Ohio Supreme Court acts sooner in Case No. 2015-1470, whichever occurs first. This matter is hereby **SET** for report to the Court on **November 13, 2015** at 8:30 a.m.

**IT IS FURTHER ORDERED** that, during this period, Mr. Chesley **SHALL NOT** transfer any of his assets outside the ordinary course, except to Angela M. Ford, Esq. as counsel to his judgment creditors in compliance with the Kentucky court's orders.

**SO ORDERED.**

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge Steven E. Martin

Having seen and agreed:

s/ Brian S. Sullivan

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Christen M. Steimle, Esq. (0086592)  
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***Attorneys for Plaintiffs***

s/ Vincent E. Mauer (per authorization)

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***Attorney for Defendant Stanley M.  
Chesley***