

~~EX-19~~

FILED
COMMON PLEAS COURT
FRANKLIN CO. OHIO
2009 MAY -8 PM 2:
CLERK OF COURT

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

CHARLES R. EVANS,

Plaintiff,

v.

CAROL M. DAVIS,

Defendant.

FINAL APPEALABLE ORDER

Case No. 07 CVH 10 14634

Judge Richard S. Sheward

TERMINATION NO. 18
BY: PK 5/8/09

DECISION AND ENTRY GRANTING
 DEFENDANT CAROL M. DAVIS'
 MOTION FOR PARTIAL SUMMARY JUDGMENT, FILED FEBRUARY 4, 2009
 AND
 INTERVENOR SANDY SULLIVAN'S MOTION FOR SUMMARY JUDGMENT,
 FILED MARCH 9, 2009;
 ADDITIONALLY,
 GRANTING DEFENDANT DAVIS' MOTION TO EXTEND TIME TO FILE MOTION
 FOR SUMMARY JUDGMENT, FILED FEBRUARY 4, 2009,
 AND
 INTERVENOR SULLIVAN'S MOTION FOR LEAVE TO FILE MOTION FOR
 SUMMARY JUDGMENT, FILED FEBRUARY 11, 2009

RENDERED THIS ___ DAY OF MAY 2009. (SHEWARD, J.)

This matter is before the Court upon the Motions for Summary Judgment filed by Defendant Davis on February 4, 2009, and Intervenor Sullivan on March 9, 2009. Additionally, Defendant Davis filed Motion to Extend time to file Motion for Summary Judgment on February 4, 2009, and Intervenor Sullivan filed a Motion for Leave to file Motion for Summary Judgment on February 11, 2009. The Court granted the Motion for Leave on March 2, 2009. However, the Plaintiff opposed the Intervenor's Motions in a brief filed March 13, 2009. The Intervenor filed a Reply on March 23, 2009. Likewise, the

In terms of additional facts, the Defendant offers four civil cases brought by the Plaintiff in this action, Charles R. Evans, against parties and witnesses in this case. First, Plaintiff Evans filed Case No. 08-CV-14340 against Defendant Sandy Sullivan, the Intervenor in this action. Defendant's Exh. C. In it, Plaintiff Evans alleges that Sandy Sullivan breached her confidence by testifying in the domestic case that involves Plaintiff Evans and Defendant Davis' son, Collin. Judge Cain has stayed the "confidence" case pending a determination in this case on the vexatious litigator claim. See J. Cain's Decision and Entry filed January 23, 2009. Second, Plaintiff Evans filed Case No. 08-CV-15756, on November 3, 2008 against Defendants Carol Davis and the State of Ohio. It was assigned Judge Lynch and dismissed upon the State's motion, on the grounds of the jurisdictional priority rule. Defendant's Exhs. A & B. Next, on November 19, 2009, Plaintiff Evans filed suit against Defendant Charles Riley, in Case No. 08-CV-16563, and alleged that Defendant Riley had an affair with Defendant Davis, amongst other allegations. Defendant's Exh. D. It was assigned to Judge Sheeran, but he recused himself based on his prior knowledge of the underlying events that he gained while he served as a prosecutor in the civil division where he represented various court personnel that Plaintiff had sued. See Entry of Recusal filed January 8, 2009. Lastly, Plaintiff Evans filed a Writ of Prohibition in the Tenth District Court of Appeals on April 17, 2009, 09-AP-390, against Judge Loudon of the Franklin County Common Pleas Court, Domestic Relations Division, who presided over the divorce proceeding involving Plaintiff Evans and Defendant Davis. See Entry of Recusal, 09-AP-390 Memo.

Defendant actually brought this case to the Court's attention.

In addition to the most recent case filings by Plaintiff Evans, Defendant Davis