

IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

NORTHEAST OHIO NEIGHBORHOOD  
HEALTH SERVICES, INC., et al.

Plaintiffs

vs

PRASAD BIKKANI, et al.

Defendants

JUDGE JOHN D. SUTULA

CASE NO. CV-07-628928

JOURNAL ENTRY

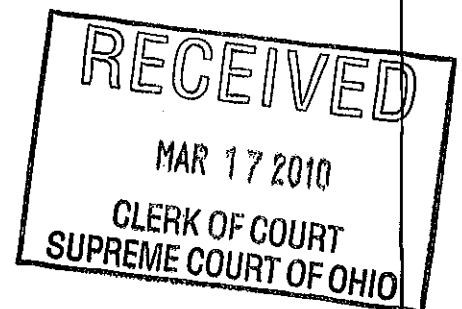


John D. Sutula, J.

The Court finds the Defendants, Prasad Bikkani and Vijaya Bikkani, have both participated in conduct that to a reasonable person:

- 1) obviously served to merely harass or maliciously injure another party to a civil action; and,
- 2) was not warranted under existing law and was not supported by a good faith argument for an extension, modification or reversal of existing law; and,
- 3) was posed solely for delay.

This conduct has been exhibited in at least two civil actions as well as appellate off-shoots of those actions. This Court affirms the language of Judge David Matia in Case No. 566249, 5-29-09 entry, in describing the conduct of the defendants: Where the defendants went in the litigation process they left a wide path of destruction and have sown so much salt upon the land it would be barren for generations. The evidence adduced at trial indicates that there is no rational reason for the actions, conduct and allegations of the Defendants Bikkani.



O.R.C. 2323.52(A)(3) reads in part:

"Vexatious litigator" means any person who has habitually, persistently and without reasonable grounds engaged in vexatious conduct in a civil action or actions . . . whether the person or another person instituted the civil action or actions; and whether the vexatious conduct was against the same party or against different parties in the civil action or actions. (emphasis added)

Regardless of whether the Defendants Bikkani instituted an action or they were the named defendants, they behaved similarly in filing baseless actions and motions, refusing to participate in discovery, and making allegations so vile that common decency prevents the Court from repeating them here. Such conduct in only one action is sufficient to render the Defendants Bikkani vexatious litigators. Prasad Bikkani prepared the documents containing the vexatious allegations and Vijaya Bikkani freely signed those pleading, thus making the allegations her allegations.

Prasad Bikkani is obviously a bright and intelligent individual, but he has lost his way with all of this litigation. It has completely sidetracked his life and mired him in what can only be considered mean and vengeful conduct. The Court can only hope that he can return to productive work, but his conduct in these cases falls into the vexatious category and he has dragged his wife with him.

The Court, therefore, orders, adjudges, and decrees that:

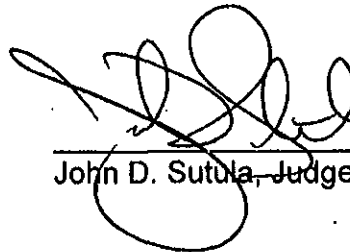
- 1) Defendants Prasad Bikkani and Vijaya Bikkani are declared to be vexatious litigators and are prohibited from doing any and all of the following, without first obtaining leave of the applicable court:
  - (A) Instituting legal proceeding in the court of claims, or in a court of common pleas, municipal court, or county court;
  - (B) Continuing any legal proceedings the Defendants Bikkani had instituted in any of the courts specified above prior to the entry of this order;

- (C) Making any application, other than an application for leave to proceed allowed under Division (F)(1) of O.R.C. 2323.52 in any legal proceedings instituted by the Defendants Bikkani or another person in any of the courts specified in (A) above;
- (D) Instituting legal proceedings in a court of appeals, continuing any legal proceedings that the Defendants Bikkani had instituted in a court of appeal prior to entry of this order, or make any application, other than the application for leave to proceed allowed by Division (F)(2) of O.R.C. 2323.52, in any legal proceeding instituted by Defendants Bikkani or another person in a court of appeals without first obtaining leave of the court of appeals to proceed pursuant to Division (F)(2) of O.R.C. 2323.52.

2) This order shall remain in force indefinitely against Defendants Bikkani.

IT IS SO ORDERED.

Date: 9.25.09

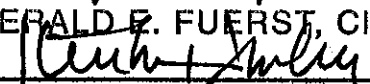


John D. Sutula, Judge

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GERALD E. FUERST, CLERK  
By  Deputy


THE STATE OF OHIO Cuyahoga County	} SS. I. GERALD E. FUERST, CLERK OF THE COURT OF COMMON PLEAS WITHIN AND FOR SAID COUNTY.
HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS TRULY TAKEN AND COPIED FROM THE ORIGINAL <u>Journal</u>	
<u>Entry Received for filing 9/28/09</u>	
NOW ON FILE IN MY OFFICE	
WITNESS MY HAND AND SEAL OF SAID COURT THIS <u>15th</u> DAY OF <u>March</u> A.D. 20 <u>10</u>	
GERALD E. FUERST, Clerk	
By 	Deputy

CERTIFICATE OF SERVICE

A copy of the foregoing Journal Entry was sent by regular U.S. Mail this 25 day  
of September, 2009, to:

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John D. Sutula, Judge

