

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

SAMUEL L. BUOSCIO,

2005 DEC - 1 AM 10: 03

CASE NO. 03-CVH-12-13184

00067J02

Plaintiff,

JUDGE BESSEY

v.

JACKSON NATIONAL LIFE
INSURANCE CO., INC.,

Defendant.

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CLEMENS COURTS
NOV 15 PM 4:26
FRANKLIN COUNTY
OHIO

JUDGMENT ENTRY

This matter came before the Court upon:

- Plaintiff's Motion to Dismiss Defendant's Answers and Counterclaim Pursuant to Civil Rule 12(B)(6), filed March 25, 2004;
- Plaintiff's Motion for Leave to File Motion for Summary Judgment and Plaintiff's Motion for Summary Judgment, filed April 28, 2004;
- Defendant's Motion for Summary Judgment, filed May 4, 2004;
- Plaintiff's Motion to Dismiss Pursuant to Civil Rule 41(A); and
- Plaintiff's Motion to Dismiss, filed on September 7, 2004.

The issues upon these Motions having been fully considered, and pursuant to the Court's Decisions and Entries with respect to each Motion entered and filed on October 14, 2004, the Court rules as follows:

1. Plaintiff's Motion to Dismiss Defendant's Answers and Counterclaim Pursuant to Civil Rule 12(B)(6), filed on March 25, 2004, is **denied** as moot;

2. Plaintiff's Motion for Leave to File Motion for Summary Judgment and Plaintiff's Motion for Summary Judgment, filed on April 28, 2004, are **denied** as moot;

3. Defendant's Motion for Summary Judgment, filed on May 4, 2004, is **granted**.

Plaintiff is declared a vexatious litigator pursuant to Ohio Revised Code section 2323.52 *et seq.*,

is barred from continuing or instituting any further legal proceedings against Defendant without prior leave of Court;

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4. Pursuant to R.C. § 2323.52(H), the Clerk of Court of the Franklin County Court of Common Pleas shall send a certified copy of this Entry to the Ohio Supreme Court for publication in a manner that the Ohio Supreme Court determines is appropriate that will facilitate the Clerk of the Court of Claims and a Clerk of a Court of Appeals, Court of Common Pleas, Municipal Court, or County Court in refusing to accept pleadings or other papers submitted for filing by Plaintiff against Defendant;

5. Plaintiff's Motion to Dismiss Pursuant to Civil Rule 41(A), filed May 11, 2004, is **granted**, with prejudice, as to Plaintiff's claims only;

6. Plaintiff's Motion to Dismiss, filed September 7, 2004, is **denied**; and

7. Costs are assessed against Plaintiff, however, the costs are dismissed pursuant to the Court's grant of Plaintiff's Motion to Proceed in Forma Pauperis.

This Judgment Entry disposes of this case in its entirety and is a final appealable order.

IT IS SO ORDERED.

11-15-04
Date


JUDGE JOHN P. BESSEY

STATE OF OHIO
FRANKLIN COUNTY
JOHN O'GRADY, Clerk
OF THE COURT OF COMMON
PLEAS, WITHIN AND FOR
SAID COUNTY.
I HEREBY CERTIFY THAT THE ABOVE AND FORE-
GOING IS A TRUE AND CORRECT COPY OF THE
judgment entry
FILED IN THE CLERK'S OFFICE
FRANKLIN COUNTY AND SEAL OF SAID COUNTY
ON 10 DAY OF July A.D. 20 06.
JOHN O'GRADY, Clerk
J. Trabott Deputy

Reviewed and Approved:

Peter A. Rosato

10067.104

THOMAS I. MICHALS (0040822)
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Attorneys for Defendant Jackson National Life
Insurance Co., Inc.

NOTICE OF SERVICE

The Clerk of Court is hereby directed to serve this Judgment Entry upon all parties to this action, and note said service in the docket of this action.

Date: 11-12-04

John P. Bessey

JUDGE JOHN P. BESSEY