

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

September 19, 2005

[Cite as *09/19/2005 Case Announcements #2*, 2005-Ohio-4915.]

MOTION AND PROCEDURAL RULINGS

2005-0867. State ex rel. Toledo Blade Co. v. Ohio Bur. of Workers' Comp.

In Mandamus. This cause came on for further consideration of relator's motion for an order holding respondents in contempt, for sanctions, for the appointment of a receiver, and for other ancillary relief. Upon consideration thereof, and in accordance with the court's entry of August 10, 2005,

IT IS ORDERED by the court that relator's motion remains held in abeyance.

IT IS FURTHER ORDERED that respondents shall be provided with copies of all withheld documents enumerated on the receiver's "List 2", which the court has determined to be within the scope of the writ. The documents shall be provided to respondents under seal, along with this entry, using the same organizational format and numbered tabs that the receiver used in filing the documents with the court. Respondents shall not be provided with copies of the receiver's List 2 or any of his other lists, reports, or work product.

IT IS FURTHER ORDERED that no later than ten days from the date of this entry, counsel for respondents shall release these documents to relator, provided that no later than four days from the date of this entry, respondents' counsel shall submit any redactions he wishes to make to these documents for the court's approval. A proposed redaction will be considered properly submitted for approval if it meets all of the following requirements: (1) It is clearly marked on the document in such a way that the information sought to be redacted remains legible; (2) the document upon which the redaction is sought to be made is identified by the tab number that was provided to the respondents by the court; and (3) an explanation of why the proposed redaction is sought accompanies the proposed redaction. No redactions shall be made on the basis that the information sought to be redacted is not a "public record" or is otherwise privileged, excepted,

or exempted under the Public Records Act. Redactions will be permitted on the basis that the information in question either relates to purely personal matters of individual employees and does not involve the use of business assets, funds, accounts, or credit, or does not refer or relate in any manner to the coin funds or their subsidiaries or to transactions or other business among and between the coin funds, their subsidiaries, or their managers.

IT IS FURTHER ORDERED that respondents' counsel shall release all documents so ordered in unredacted form, unless otherwise approved by the court. In the event the court does not complete its determination with regard to any and all redactions submitted for its approval within seven days from the date of this entry, respondents' counsel shall release all documents subject to this entry no later than three days from the date of the court's determination as to the propriety of the proposed redactions, except as follows: Certain documents from among those documents formerly released by respondents and/or respondents' counsel in redacted form, copies of which shall be separately provided to respondents along with this entry, shall be immediately released to relator in unredacted form.

IT IS FURTHER ORDERED that all documents released by respondents' counsel in accordance with this entry shall be released to relator in the same format as they were filed with the court and provided to respondents.

Alice Robie Resnick, Acting C.J.

Thomas F. Bryant, J., of the Third Appellate District, sitting for Moyer, C.J.

Thomas J. Grady, J., of the Second Appellate District, sitting for Lundberg Stratton, J.

Robert H. Gorman, J., of the First Appellate District, sitting for O'Connor, J.

Diane Karpinski, J., of the Eighth Appellate District, sitting for O'Donnell, J.

Michael J. Corrigan, J., of the Eighth Appellate District, sitting for Lanzinger, J.