

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

Fite & Co. Holdings, LLC,
Plaintiff,
v.
180 E. Broad Partners, LLC,
Defendant/Third-Party Plaintiff,
v.
Christopher E. Fite, et al.
Third-Party Defendants.

Case No. 11CVH-04-4715

Judge Schneider

TERMINATION NO: 18
BY: KT 11/4/11
FINAL APPEALABLE ORDER

FILED
COMMON PLEAS COURT
FRANKLIN CO., OHIO
2011 NOV -4 PM 11:50
CLERK OF COURTS

**JUDGMENT ENTRY GRANTING 180 E. BROAD PARTNER, LLC' MOTION FOR
DEFAULT JUDGMENT AND JUDGMENT ON THE PLEADINGS**

This matter is before the Court upon: (1) Defendant/Third-Party Plaintiff 180 E. Broad Partners, LLC's ("180 E. Broad") Motion for Default Judgment against Fite & Co. Holdings, LLC ("Fite & Co.") on 180 E. Broad's Counterclaim, and against Fite Clearinghouse & Holdings Co., Christopher Eric Fite Companies, LLC, Fite & Company Holdings Trust, The American Investment Group, Mutual Trust Associates, Robert Darryl Reeves, Reeves Investment Group, Reeves Investment Group Trust, and Roger Louis Fite ("Third-Party Defendants") on 180 E. Broad's Third-Party Complaint; and (2) 180 E. Broad's Motion for Judgment on the Pleadings requesting dismissal of Fite & Co.'s Petition and entry of judgment against Christopher E. Fite ("Fite") on 180 E. Broad's Third-Party Complaint.

180 E. Broad's Motion for Default Judgment and Motion for Judgment on the Pleadings are well taken, and for good cause shown, are GRANTED.

It is therefore ORDERED, ADJUDGED and DECREED that:

(1) Fite & Co.'s Petition, filed on April 13, 2011, is dismissed.

(2) For violations of R.C. §1309 by filing false and frivolous financing statements and amendments in the Ohio Secretary of State's office, judgment is rendered against Fite & Co. Holdings, LLC, Christopher E. Fite, Fite Clearinghouse & Holdings Co., Christopher Eric Fite Companies, LLC, Fite & Company Holdings Trust, The American Investment Group, Mutual Trust Associates, Robert Darryl Reeves, Reeves Investment Group, Reeves Investment Group Trust, and Roger Louis Fite, jointly and severally, in the amount of \$11,500.00, plus post-judgment interest.

(3) The Financing Statements regarding 180 E. Broad filed by Fite, Fite & Co., and/or Third-Party Defendants are null and void, and the Secretary of State's office shall remove from the public record.

(4) Fite, Fite & Co., Third-Party Defendants, and/or any other entity affiliated with Fite, are prohibited from filing any further financing statements or other documents in the Ohio Secretary of State's office, Franklin County Recorder's office, or any other administrative agency regarding 180 E. Broad.

(5) Sanctions are imposed against Fite and Fite & Co. pursuant to Civ.R. 11 and R.C. §2323.51, which shall include all of 180 E. Broad's costs in maintaining this litigation, including reasonable attorneys' fees.

(6) Pursuant to R.C. §2323.52, Christopher E. Fite is declared a vexatious litigator and he is subject to the restraints as specified therein, including, but not limited to:

(a) Fite is prohibited from instituting or continuing any legal proceedings in the court of claims or in a court of common pleas, municipal court, or county court;

(b) Fite is prohibited from instituting or continuing any legal proceedings in a court of appeals without first obtaining leave from the court of appeals to proceed;


(c) Fite is prohibited from instituting any legal proceedings in a court of claims or in a court of common pleas, municipal court, or county court without first obtaining leave from this Court to proceed; and

(d) This order declaring Christopher E. Fite to be a vexatious litigator shall continue indefinitely.

(7) Each party shall bear its own costs.

(8) There is no just reason for delay.

Date



Judge Schneider

4825-5872-5131, v. 1

THE STATE OF OHIO Franklin County, ss	} I, MARYELLEN O'SHAUGHNESSY, 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.
JUDGMENT ENTRY	
NOW ON FILE IN MY OFFICE. WITNESS MY HAND AND SEAL OF SAID COUNTY THIS <u>22</u> DAY OF <u>APR</u> A.D. 20 <u>26</u>	
By	MARYELLEN O'SHAUGHNESSY, Clerk Deputy