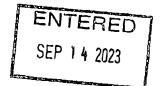


COURT OF COMMON PLEAS HAMILTON COUNTY, OHIO



HAMILTON COUNTY LAND REUTILIZATION CORP.

Case No. A2300473

Plaintiff,

Judge Luebbers

٧.

:

ENTRY ADOPTING

JOHN KLOSTERMAN,

MAGISTRATE'S DECISION

Defendants.

Pursuant to Civil Rule 53, the Court hereby adopts the Magistrate's Decision rendered on July 10, 2023. The Court has considered the Objections to the Magistrate's Decision filed by Defendant John Klosterman, Plaintiff's Response to Defendant's Objection to Magistrate's Decision, and Defendant Response to Plaintiffs Motion for Upholding Judges Ruling to Declare Defendant a Vexatious Litigator (sic). The Magistrate's Decision is ADOPTED as a judgment of the court.

Plaintiff's Motion for Summary Judgment filed March 28, 2023 is GRANTED.

FOR COURT USE ONLY

S.C.
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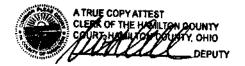
JUDION OF COMMON PLEAS

ENTER

JUDION OF SERVE NOTICE

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AS COSTS HEREIN.





COMMON PLEAS COURT HAMILTON COUNTY, OHIO

HAMILTON COUNTY LAND REUTILIZATION CORPORATION,

CASE NO. A2300473

Plaintiff.

Judge Jody M. Luebbers Magistrate Anita P. Berding

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JOHN KLOSTERMAN,

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MAGISTRATE'S DECISION
GRANTING HCLRC'S MOTION

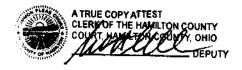
FOR SUMMARY JUDGMEN

Defendant.

This matter came before the Court pursuant to the motion for summary judgment by Plaintiff Hamilton County Land Reutilization Corporation ("HCLRC") on its complaint have Special Defendant John Klosterman be declared a vexatious litigator under R.C. 2323.52.

"Among the inherent powers possessed by the courts of common pleas in Ohio is the power to secure the orderly administration of justice and safeguard against conduct which would impair the free exercise of judicial functions." *Smith* v. Ohio Dept. of Human Servs., 115 Ohio App.3d 755, 758, 686 N.E.2d 320 (12th Dist. 1996); *citing Zangerle v. Cuyahoga Cty. Court of Common Pleas*, 141 Ohio St. 70, 46 N.E.2d 8654 (1943). The Court has "the ability to curb frivolous litigation practices [as] an essential part of the inherent powers [of the Court] to control and protect the integrity of [the Court's] own processes." *Mayer v. Bristow*, 91 Ohio St.3d 3, 17, 740 N.E.2d 656 (2000), *citing Smith, supra*, at 759.

The Court, having read all of the pertinent submitted materials and reviewed the applicable law, finds that Plaintiff's motion for summary judgment is well-taken and **GRANTS** the same. Thus, the Court finds the Defendant John Klosterman is a vexatious litigator pursuant to R.C. 2323.52(D).



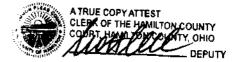
It is the order of this court, pursuant to R.C. 2323.52(D), that John Klosterman is a vexatious litigator and he shall be prohibited from the following without first obtaining leave of court to proceed: (1) instituting legal proceedings in the court of common pleas, municipal court, or county court; (2) continuing any legal proceedings that the vexatious litigator instituted in any of the courts specified herein prior to this order; and (3) making any application, other than an application for leave to proceed under R.C. 2323.52(F)(1), in any legal proceedings instituted by the vexatious litigator or another person in any of the courts specified herein (including motions and objections).

The Clerk of Courts shall send a certified copy of this Order to the Supreme Court of Ohio for publication deemed appropriate for enforcement of this order.

IT IS SO ORDERED.

ANITA BERDING

COURT OF COMMON PLEAS



NOTICE

Objections to the Magistrate's Decision must be filed within fourteen (14) days of the filing date of the Magistrate's Decision. A party shall not assign as error on appeal the Court's adoption of any factual finding or legal conclusion, whether or not specifically designated as a finding of fact or conclusion of law under Civ. R. 53(D)(3)(a)(ii), unless the party timely and specifically objects to that factual finding or legal conclusion as required by Civ. R. 53(D)(3)(b).

Copies to be sent to:

Amy L. Higgins, Esq. Kelley L. Allesee, Esq. 3 East Fourth Street, Suite 300 Cincinnati, OH 45202

John Klosterman 5615 Sidney Road Cincinnati, Ohio 45238

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT COPIES OF THE FOREGOING ORDER HAVE BEEN SENT BY ORDINARY MAIL TO ALL PARTIES OR THEIR ATTORNEYS AS PROVIDED ABOVE.

Date: 7/03 Deputy Clerk: Slag toward

