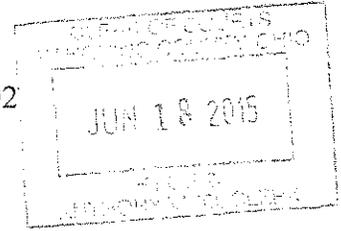


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IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO



FREDERICK BANKS, an American Indian, : Case No. 2015 CV 00002
Plaintiff, : Judge Christian

v. :

MICHAEL PATRICK TRAINOR, et. al., : JUDGMENT ENTRY ADOPTING
Defendants. : MAGISTRATE'S DECISION
: ON MOTION FOR DEFAULT
: JUDGMENT ON COUNTERCLAIM TO
: DECLARE PLAINTIFF A VEXATIOUS
: LITIGATOR

This cause is before the Court on the Decision of the Magistrate Recommending the Court grant the Motion for Default Judgment on Counterclaim to Declare Plaintiff a Vexatious Litigator, filed by Defendants/Counterclaimants, Michael Patrick Trainor, Jeremy J. Kobeski, Lisa Lee, and PennyMac Holdings, LLC fka PennyMac Mortgage Investment Trust Holdings I, LLC (collectively, "Defendants/Counterclaimants"); and the motions and pleadings in the Court file.

Plaintiff/Counterclaim Defendant, Fred Banks ("Banks") has been served with the Counterclaim according to law, is properly before the Court, and at least 31 days have passed since service of the Counterclaim upon him. Plaintiff/Counterclaim Defendant Banks has failed to plead or otherwise defend the Counterclaim filed against him and Defendants/Counterclaimants are therefore entitled to a default judgment on their Counterclaim to Declare Banks a Vexatious Litigator pursuant to R.C. 2323.52.

There are no errors of law or other defects evident on the face of the Magistrate's Decision and it is therefore adopted by the Court.

It is ORDERED that Frederick Banks is declared to be a vexatious litigator, and is prohibited from doing any of the following without first obtaining leave of this Court to proceed:

- (a) Instituting or continuing legal proceedings in a Court of Common Pleas; Municipal Court or County Court in the State of Ohio; or

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(b) 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 on his behalf in any Court in the State of Ohio.

It is further ordered that this order shall remain in force indefinitely.

Plaintiff Frederick Banks shall further take note that, pursuant to ORC §2323.52(D)(3), a person who is found to be a vexatious litigator “may not institute legal proceedings in a Court of Appeals, continue any legal proceedings that the vexatious litigator had instituted in a Court of Appeals prior to entry of the order, or make any application, other than the application for leave to proceed allowed by division (F)(2) of this section, in any legal proceedings instituted by the vexatious litigator 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 this section.

The Mahoning County Clerk of Courts shall send a certified copy of the order to the Supreme Court for publication in a manner that the Supreme Court determines is appropriate and that will facilitate the Clerk of Court of Appeals, Court of Common Pleas, Municipal Court, or County Court in refusing to accept pleadings or other papers submitted for filing by persons who have been found to be a vexatious litigator under R.C. §2323.52 and who have failed to obtain leave to proceed under this section.

DATED: 6/16/15

SO ORDERED.

Shirley J. Christian
Judge Shirley J. Christian

Copies to all parties and counsel of record.

June 24, 2015
This is a true copy of the original judgment
entry Filed in Case No. 14CV3
By Anthony Vivo, Clerk of Courts
Deputy