

In the
Supreme Court of Ohio

STATE EX REL. OXFORD FINANCE LLC,	Case No. 2024-406
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Relator,

vs.

TIMOTHY W. CLARY, Judge on the Cuya-
hoga Court of Common Pleas

Respondent.

Original Action
Writ of Prohibition
Peremptory Writ

RELATOR'S APPLICATION FOR DISMISSAL WITHOUT PREJUDICE

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Earlier today, Respondent vacated the March 6 entry that was the genesis of this original action. *See* Exhibit A to Respondent's Response in Opposition to Relator's Motion to Expedite Ruling on Emergency Motion to Stay and Emergency Motion for a Stay Pending Issuance of Final Judgment (Apr. 1, 2024). In light of that vacatur, Relator Oxford Finance LLC moves to dismiss this original action without prejudice. Oxford reserves its right to bring, in the future, another original action relating to the underlying litigation. *See Hana2.0 Property Group LP, et al. v. Embassy Healthcare Holdings, Inc., et al.*, CV-23-979117 (Cuyahoga Cnty. Ct. of Comm. Pls.).

April 1, 2024

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CERTIFICATE OF SERVICE

I certify that, on April 1, 2024, pursuant to Supreme Court Rules of Practice

3.11(C)(1), I served copies of this application by email upon:

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