

In the Supreme Court of Ohio

STATE, *ex rel.* THE CINCINNATI
ENQUIRER, a Division of Gannett GP
Media, Inc.
312 Plum Street
Cincinnati, OH 45202

COPLEY OHIO NEWSPAPER INC.
D/B/A THE AKRON BEACON JOURNAL
44 East Exchange Street
Akron, OH 44308

GATEHOUSE MEDIA OHIO HOLDINGS
II, INC. D/B/A THE COLUMBUS
DISPATCH
5300 Crosswind Drive
Columbus, OH 43228

Petitioners,

vs.

HONORABLE SUSAN BAKER ROSS,
Summit County Common Pleas Court
209 South High Street
Akron, OH 44308

Respondent.

CASE NO. 2026-0118

Original Action in Prohibition

AMENDED COMPLAINT FOR WRIT OF PROHIBITION

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Gannett GP Media, Inc., Copley Ohio Newspaper Inc.,
d/b/a The Akron Beacon Journal, and Gatehouse Media
Ohio Holdings II, Inc. d/b/a The Columbus Dispatch*

For their Amended Complaint for Writ of Prohibition against the Honorable Susan Baker Ross, Judge of the Common Pleas Court of Summit County, Ohio ("Respondent"), Petitioners The Cincinnati Enquirer, a Division of Gannett GP Media, Inc. ("The Enquirer"), Copley Ohio Newspaper Inc. d/b/a The Akron Beacon Journal ("The Beacon Journal") and Gatehouse Media Ohio Holdings II, Inc. d/b/a The Columbus Dispatch ("The Dispatch") (collectively, "Petitioners") state as follows:

THE PARTIES

1. Petitioners publish newspapers in Cincinnati, Akron, and Columbus, Ohio.
2. Respondent is a judge of the Common Pleas Court of Summit County, Ohio ("SCCP").
3. Respondent is presiding over the criminal trials of Charles Jones ("Jones") and Mike Dowling ("Dowling"), Case No. 2024-02-0473-C and CR-2014-02-0473-B, respectively. Jones was formerly the CEO of the First Energy company, and Dowling was the Senior Vice President.

BACKGROUND

4. The trials concern the unprecedented bribery scheme that Jones and Dowling allegedly helped engineer that resulted in favorable regulatory treatment for First Energy and the passage of HB 6 in 2019, which provided significant financial benefits to First Energy, including a bailout worth more than \$1 billion for two Northern Ohio nuclear plants.
5. The scheme has resulted in the convictions of former Ohio Speaker of the House Larry Householder, Jeff Longstreth, and Matt Borges. Sam Randazzo, former Chair of

the Public Utilities Commission of Ohio, was also implicated, but he died by suicide before any conviction.

6. The defense in the trials have included Governor Mike DeWine and former Lt. Governor John Husted on the witness list. The trial is a matter of enormous public interest.

7. The trials commenced on January 27, 2026. Upon information and belief, as of the filing of this Amended Complaint, the parties are engaged in jury selection.

8. On January 26, Respondent issued in each case a Media Participation and General Decorum Order ("Orders"). The Orders are identical. They are attached as Exhibits A and B.

9. Included in the Orders are the following provisions:

PUBLISHING INFORMATION ABOUT JURORS AND/OR POTENTIAL JURORS

In addition to the prohibitions on photographing or recording jurors, the media is prohibited from publishing or otherwise distributing or making available anything that could be used to personally identify any juror or prospective juror. This is necessary to preserve the jury system, and assure individual jurors that they and their families will not be harassed or jeopardized during the proceedings. ["Jury Provision"]. . . .

MEDIA PROPERTY AND/OR PROPRIETARY INTEREST

The media shall not have exclusive property or proprietary interest in the media coverage videotapes, photographs or audiotapes made pursuant to this Order, or any future order of the Court. At the request of the Court, the Prosecutor's Office, or Defense Counsel, media personnel shall make available the videotapes, audiotapes, or photographs taken in conjunction with these proceedings. This provision shall not require the media to take any special or unusual steps to preserve the videotapes, audio recordings, photographs or photograph negatives, unless otherwise ordered by the Court. ["Proprietary Provision"].]

PROHIBITED FILMING, VIDEOTAPING AND/OR RECORDING

Any requests made by media personnel shall be submitted to the Court in writing and filed with the Summit County Clerk of Court. No cameras or recording devices, audio or video are permitted in the Courtroom without prior approval and pursuant to this Order.

Each witness shall be provided in advance a copy of the Consent to Media Coverage form before he or she testifies. Each witness shall sign the form either consenting or objecting to media photographs and recording prior to taking the witness stand. Each witness has the right to object to being filmed, videotaped, recorded or photographed. Any witness who so requests shall not be recorded (either by audio or video), televised or photographed. During the testimony of the objecting witness, all media personnel are prohibited from employing any means to record the witness in or out of the Courtroom. [("Witness Provision").]

10. The Jury Provision, Proprietary Provision, and Witness Provision are unauthorized by law. This Court should immediately issue a peremptory writ prohibiting Respondent from enforcing any of the provisions and an alternative writ and writ upon the consideration of evidence.

COUNT I

11. To prevail on a prohibition claim, the petitioner must establish that a judge is about to exercise or has exercised unauthorized judicial power and that it lacks an adequate remedy in the ordinary course of law. *See State ex rel. Balas-Bratton v. Husted*, 2014-Ohio-1406, ¶ 15.

12. The Jury Provision is, on its face, a prior restraint of speech, as it prohibits the publication of any information "that could be used to personally identify any juror or prospective juror." The Jury Provision is not limited to information gleaned from observing the trial. Rather, it bars publication of any information gleaned from any source, presumably forever. "The term 'prior restraint' is used 'to describe administrative and judicial orders

forbidding certain communications when issued in advance of the time that such communications are to occur." *Alexander v. United States*, 509 U.S. 544, 550 (1993), quoting M. Nimmer, *Nimmer on Freedom of Speech*, § 4.03, at 4-14 (1984) (emphasis in *Alexander*). See also *State ex rel. Toledo Blade Co. v. Henry Cty. Court of Common Pleas*, 2010-Ohio-1533, ¶ 20, quoting 2 Smolla, *Smolla and Nimmer on Freedom of Speech*, § 15.1, at 15-4 (2009) (prior restraint refers to "judicial orders or administrative rules that operate to forbid expression before it takes place"). "Temporary restraining orders and permanent injunctions—i.e., court orders that actually forbid speech activities—are classic examples of prior restraints." *Alexander* at 550. See *Bey v. Rasawehr*, 2020-Ohio-3301, ¶ 25.

13. There is no credible argument that the Jury Provision is anything other than a content based prior restraint. To be enforceable, therefore, it must satisfy the exacting strict scrutiny test. This means the Jury Provision must advance a compelling government interest, must be narrowly tailored to achieve that interest, and must use the least restrictive means to achieve that interest. *Bey* at ¶ 51. The Jury Provision fails on all three counts.

14. Juror anonymity is not a compelling government interest. Trials occur in public, and the public is free to observe the jurors who are called upon to serve. In paragraph 2 of its syllabus, the court held as follows: "The First Amendment qualified right of access extends to juror names, addresses, and questionnaires, thereby creating a presumption of openness that may be overcome only 'by an overriding interest based on findings that closure is essential to preserve higher values and is narrowly tailored to serve that interest.'" *State ex rel. Beacon Journal Publishing Co. v. Bond*, 2002-Ohio-7117, quoting *Press-Enterprise Co. v. Superior Court*, 464 U.S. 501, 510. Given this pronouncement, there is no compelling government interest in total juror anonymity.

15. The Jury Provision also fails because it is not narrowly tailored, nor does it employ the least restrictive means. The Jury Provision is sweeping and apparently infinite. It appears to prohibit publication of juror information even if the observer knows information about a juror independent of the trial. Suppose an elected official or a celebrity were on the jury panel. The Jury Provision prohibits publication of that fact. The Jury Provision appears to bar publication of juror information even if the juror consents to publication of the information. And, as noted above, it appears to apply forever.

16. In *State ex. rel Beacon Journal*, the court advised as follows: "[t]o protect the legitimate privacy interests of jurors and, at the same time, preserve the right of access to criminal trials, we hereby adopt the procedure set forth by the Supreme Court in *Press-Enterprise I* to govern the administration of juror questionnaires. Consistent with *Press-Enterprise I*, trial judges should inform prospective jurors of their right to request an in-camera hearing, on the record and with counsel present, regarding any written question during the voir dire process." *Id.* at ¶ 23.

17. Rather than approach juror privacy on a juror-by-juror basis, Respondent issued a blanket order. This is impermissible.

18. The Jury Provision is also impermissibly vague for the reasons stated above.

19. The Proprietary Provision is equally defective. The provision appears to authorize the Court to confiscate newsgathering materials at will. It also provides the Court, the Prosecution, and Defense Counsel with unfettered access to newsgathering materials, upon demand. The Proprietary Provision on its face violates the federal Privacy Protection Act, 42 U.S.C. § 2000aa. That federal law makes it "unlawful for a government officer or employee, . . .

to search for or seize any work product materials possessed by a person reasonably believed to have a purpose to disseminate to the public a newspaper, book, broadcast, or other similar form of public communication, in or affecting interstate or foreign commerce." But this is precisely what the Proprietary Provision allows. It cannot stand.

20. The Witness Provision is also improper under Sup.R. 12(B)(2).

21. Pursuant to Sup.R. 12(B)(2), "[t]he judge shall permit any victim or witness who objects to being recorded, broadcasted, or photographed the opportunity to be heard in advance of testifying. A victim or witness may not object to the court recording the proceeding as part of its official record." All parties affected by a witness or victim's objection to being recorded, broadcasted, or photographed "must have the opportunity to respond to the possibility of any restriction, and any finding must be based upon evidence in the record." *State ex rel. Dispatch Printing Co. v. Geer*, 2007-Ohio-4643, ¶ 19.

22. Here, the Witness Provision improperly automatically grants a witness' objection to being recorded, broadcasted, or photographed without a finding based upon evidence in the record and without allowing all parties affected the opportunity to respond.

23. Accordingly, Petitioners are entitled to a writ of prohibition barring Respondent from enforcing the Jury Provision, Proprietary Provision, and Witness Provision.

WHEREFORE, Petitioners respectfully request:

- A. that the Court issue a peremptory writ of prohibition immediately prohibiting the Respondent from enforcing the Jury Provision, Proprietary Provision, or Witness Provision;
- B. that the Court issue a permanent writ of prohibition to Respondent prohibiting her from enforcing the Jury Provision, Proprietary Provision, or Witness Provision ;
- C. all other relief that is just and equitable.

Respectfully submitted,

/s/ John C. Greiner

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Petitioners,

vs.

HONORABLE SUSAN BAKER ROSS,
Summit County Common Pleas Court,

Respondent.

CASE NO.

Original Action in Prohibition

**AFFIDAVIT OF JOHN C. GREINER IN SUPPORT
OF AMENDED COMPLAINT FOR WRIT OF PROHIBITION**

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Division of Gannett GP Media, Inc., Copley
Ohio Newspaper Inc., d/b/a The Akron Beacon
Journal, and Gatehouse Media Ohio Holdings
II, Inc. d/b/a The Columbus Dispatch*

PRAECIPE FOR SERVICE

TO THE CLERK:

Please serve a summons and a copy of the Amended Complaint for Writ of Prohibition along with the Affidavit of John C. Greiner in Support of Amended Complaint for Writ of Prohibition on the Respondent identified in the caption on page one via certified mail, return receipt requested.

/s/ John C. Greiner
John C. Greiner (0005551)

4920-5182-7084.1

EXHIBIT A

**IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT****STATE OF OHIO****Case No. CR-2024-02-0473-C****vs.****CHARLES E. JONES****MEDIA PARTICIPATION
AND GENERAL DECORUM
ORDER**

On January 26, 2026, upon consideration of the public and media interest in the above-captioned matter, and in order to provide for orderly proceedings in this matter, the Court hereby enters the following Order regarding public and media participation and general decorum:

Unless otherwise provided, this Order applies to the Summit County Courthouse, (herein referred to as SCC), Summit County Safety Building, (herein referred to as the SCSB), and all grounds of the SCC and SCSB.

Unless otherwise provided, the terms "proceeding" and "proceedings" as used in this Order shall apply to all matters held in open Court that the public is entitled to attend the trial in the matter of the *State of Ohio v. Michael Dowling and Charles Jones*.

There shall be no photography, transmitting or recording of any kind within the SCC or any of the buildings comprising the SCSB except as set forth herein or as permitted by further Order of this Court. The prohibition on photography, transmitting or recording of any kind applies in full force to persons engaged in photographing or recording activities within the SCC or the SCCB even if taken or obtained from outside the SCC or the SCCB.

IT IS HEREBY ORDERED that subject to the conditions and limitations set forth herein, and subject to any future revisions, additions or modifications, permission for media recording of the within proceedings is granted.

IT IS FURTHER ORDERED:

SECURITY

All persons, including but not limited to media personnel, their agents, representatives, assigns or designees and all spectators entering the SCC or SCSB or congregating outside the SCC or the SCCB, shall comply with all security procedures set forth by the Summit County Sheriff's Office.

All persons entering the SCC or SCSB shall be subject to screening by a magnetometer

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and/or wand; or a personal search, if deemed to be appropriate by the Summit County Sheriff's Office. All bags, purses or items brought into the SCC or SCSB shall be subject to x-ray scan, and/or personal search. The Summit County Sheriff's Office shall have discretion as to whether a person may be admitted into the SCC or SCSB depending upon the results of the screening. All media personnel and spectators shall enter through the main entrances of the SCC and SCSB. Under no circumstances shall any spectator or media personnel enter or attempt to enter through any other door. Any such attempt may result in temporary or permanent exclusion from the SCC or SCSB, and/or imposition of other legal sanctions.

Spectators and media personnel shall not enter, or attempt to enter any of the nonpublic areas in the SCC or the SCSB, unless specifically authorized to do so by the Court and accompanied at all times by Court personnel. The non-public areas of the SCC and SCSB are clearly marked, and access is limited to employees of the SCC or the SCCB. Further, under no circumstances shall any spectator or media personnel enter or attempt to enter the Jury Assembly Room.

PROHIBITED ITEMS

All electronic devices, including but not limited to computers, cameras, cell phones, video phones, personal digital assistants, tape recorders or other recording or transmitting devices shall be barred from the Courtroom, except as provided in this Order. Media personnel may petition the Court for permission to bring in still cameras, television cameras, and/or audio recording devices for use in the Courtroom, as provided in this Order.

Only those cameras or recording devices that are specifically authorized by the Court shall be permitted in the Courtroom. Any person who, without Court authorization, attempts to or does operate any camera, cell phone, videophone or recording or transmitting device within the Courtroom shall be removed from the premises by the Court.

This prohibition shall not apply to

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1. Employees of the Court, employees of the Summit County Sheriff's Office, the employees of the State of Ohio, Summit County Prosecutor's Office and employees of Defense counsel, and all counsel and parties of record in this matter.
2. Media personnel entering the SCC or SCSB to conduct official business are permitted to bring in their personal cell phones, personal digital assistants or computers subject to the within restrictions.

COURTROOM ATTIRE AND ACCESSORIES

No signs, banners, company or media logos, messages, clothing with messages, or other distracting, disruptive, or potentially improperly prejudicial material may be brought into, worn, or displayed in the courtroom, the Courthouse and its surrounding grounds, or the Summit County Safety Building and its surrounding grounds.

No cellular phones, digital assistants or any other recording devices are permitted in the Courtroom during any proceedings unless permitted as set forth elsewhere in this order.

No person shall wear any clothing, or bring into the SCC or SCSB any items, which display a message in support or against any issue or party.

ZOOM VIEWING ROOM AND COURTROOM SEATING

Due to intense media and public interest in this trial, the Court will open a zoom viewing room every day and stream the Trial beginning with Opening Arguments. This is subject to internet availability within the Court building. Seating in the Courtroom gallery is available on a first come, first served basis.

During testimony, the courtroom will be locked to any additional observers and any observers or media who leaves during testimony will not be permitted to reenter until the next break.

COURTROOM DEMEANOR

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All persons will remain seated at all times without exception. The Court will not tolerate any behavior that may disrupt the proceedings. All persons in the Courtroom must remain silent and non-disruptive during all proceedings. There will be no talking, shaking of heads in approval or disapproval of any statements, actions, rulings, testimony, or proceedings, or any other signs or signals of approval or disapproval of the proceedings.

Children are not permitted in the courtroom.

There will be no reading of newspapers, magazines, books or other materials inside the Courtroom during all court proceedings.

Drinks, snacks, chewing gum, cigarettes, cigars, electronic cigarettes, or chewing tobacco are prohibited inside the courtroom, except for water for witnesses, jurors, or counsel.

Anyone violating these rules will be removed from the courtroom

MEDIA ASSEMBLY ROOM

The Court will designate the room on the 3rd Floor between the Chambers entrance for Judge Baker Ross and Judge McLaughlin. A closed-circuit broadcast of Court proceedings may be installed by media personnel, at their expense, in the Media Assembly Room. With the exception of the designated pool coverage equipment, all television, still photography and audio equipment shall be stored in and limited to the Media Assembly Room while within the SCC. The Court shall not be responsible for any media equipment or personal effects left in the Media Assembly Room.

MEDIA PROPERTY AND/OR PROPRIETARY INTEREST

The media shall not have exclusive property or proprietary interest in the media coverage videotapes, photographs or audiotapes made pursuant to this Order, or any future order of the Court. At the request of the Court, the Prosecutor's Office, or Defense Counsel, media personnel shall make available the videotapes, audiotapes, or photographs taken in conjunction with these proceedings. This provision shall not require the media to take any special or

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unusual steps to preserve the videotapes, audio recordings, photographs or photograph negatives, unless otherwise ordered by the Court.

STILL CAMERA OPERATOR AND TELEVISION COVERAGE OF PROCEEDINGS

There shall be only one television camera in the Courtroom at any time. The camera operator may use a tripod or other stabilizing device, as long as such device will not be distracting to the proceedings. There shall be only one still camera operator in the Courtroom at any time. The camera operator shall be limited to two cameras and two lenses for each camera. Both cameras shall have silent shutters. The camera operator may use a tripod or other stabilizing device, as long as such device will not be distracting to the proceedings.

The camera operators shall remain behind the partition separating the Courtroom gallery from the Courtroom proper, unless specifically authorized by the Court to enter the Courtroom proper.

In no event shall media personnel distract or disturb Court proceedings. The changing of recording tapes in the Courtroom during Court proceedings is prohibited if it will in any way disturb the proceedings. The changing of camera lenses, or other similar items during Court proceedings is prohibited. Camera operators and media personnel shall not move about the Courtroom during Court proceedings, or otherwise disturb or distract the proceedings. The use of electronic or photographic equipment that produces distracting sound or light is prohibited.

Media personnel are prohibited from recording and/or obtaining by any means any close-up coverage of sidebar conferences between the Court and counsel. Similarly media personnel are prohibited from recording and/or obtaining by any means any conversation between client and counsel, counsel and counsel, and/or counsel and the Court Reporter. There shall be no visual recording that would permit someone viewing the recording to determine what is being said by either counsel, parties or the Court by lip reading.

Any and all equipment shall be set up and ready for operation five (5) minutes prior to the

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commencement of all Court proceedings. In no event will persons be permitted to bring equipment into the courtroom after the commencement of court proceedings. Any cameras which are permitted pursuant to this Order shall be turned on and operating only in the Courtroom and only when Court is in session. Any other use within the SCC or SCSB is prohibited, except by specific, written authorization by the Court.

Any and all "tally lights" or other signaling devices on any camera shall be covered such that they are not visible to anyone in the Courtroom. No artificial lighting shall be permitted, including but not limited to flash bulbs, or lighting other than that normally used in the Courtroom.

MEDIA AUDIO RECORDING OF PROCEEDINGS

Any audio recording by the media must be approved by the Court prior to its use during Court proceedings. In no event shall any person distract or disturb Court proceedings. Anyone with an audio recording device shall not move about the Courtroom during Court proceedings or otherwise disturb or distract the proceedings.

Any recording devices which are permitted pursuant to this Order shall be turned on and operating only in the Courtroom and only when Court is in session. Any other use within the SCC or SCSB is prohibited.

MEDIA POOLING

Arrangements between or among media for "pooling" of equipment shall be the responsibility of media personnel and media representatives authorized to cover the proceedings. Such arrangements are to be made outside the Courtroom and made without imposing upon the Court or Court personnel.

Media personnel shall designate media representatives for video and still photography coverage of the Courtroom. Such representatives' names shall be communicated to the Court in prior to the commencement of opening arguments. In the event it becomes necessary to

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substitute any representative, such substitution shall be communicated to the Court, in writing as soon as possible, and prior to the commencement of any proceeding which the substituted representative will cover.

The media personnel are responsible for arranging an open and impartial distribution scheme with a distribution system for all media personnel. Neither the Court nor any Court personnel shall be called upon to resolve any disputes concerning pooling arrangements or agreements.

MEDIA EQUIPMENT SET-UP

Any request for media coverage granted by the Court shall be subject to a review by Court personnel of the equipment location, set-up, cabling, or any other such factors, and subject to final approval by the Court.

The Court reserves the right to vacate this Order if final arrangements are not acceptable to the Court, or to terminate any request previously granted upon violation of this Order, or any future Order of this Court.

PROHIBITED FILMING, VIDEOTAPING AND/OR RECORDING

Any requests made by media personnel shall be submitted to the Court in writing and filed with the Summit County Clerk of Court. No cameras or recording devices, audio or video are permitted in the Courtroom without prior approval and pursuant to this Order.

Each witness shall be provided in advance a copy of the Consent to Media Coverage form before he or she testifies. Each witness shall sign the form either consenting or objecting to media photographs and recording prior to taking the witness stand. Each witness has the right to object to being filmed, videotaped, recorded or photographed. Any witness who so requests shall not be recorded (either by audio or video), televised or photographed. During the testimony of the objecting witness, all media personnel are prohibited from employing any means to record the witness in or out of the Courtroom.

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UNDER NO CIRCUMSTANCES SHALL THERE BE ANY MEDIA RECORDING OF THE IMAGE OF POTENTIAL JURORS OR JURORS REGARDLESS OF WHETHER THE POTENTIAL JUROR OR JURORS ARE IN THE COURTROOM.

The Court will not permit transmitting, broadcasting, or recording of any portion of the voir dire in this matter.

PUBLISHING INFORMATION ABOUT JURORS AND/OR POTENTIAL JURORS

In addition to the prohibitions on photographing or recording jurors, the media is prohibited from publishing or otherwise distributing or making available anything that could be used to personally identify any juror or prospective juror. This is necessary to preserve the jury system, and assure individual jurors that they and their families will not be harassed or jeopardized during the proceedings.

This prohibition does not prohibit members of the media from publishing the number of males or females, or other demographic data, which will not personally identify a particular juror or prospective juror.

OBJECTIONS TO COURT ORDERS

In the event any member of the media wishes to object to any Order of this Court, said Motion/Objection shall be filed in writing for consideration by the Court. A certificate of service shall be attached to the Motion/Objection, and said certificate of service shall state that copies of the Motion/Objection have been sent to all interested parties. The term "interested parties" includes but is not limited to all counsel of record, and any other potentially affected party, i.e., law enforcement personnel, other media personnel, Summit County government officials, City of Akron government officials, etc. All parties filing requests shall comply with the policies and procedures set forth by the Summit County Clerk of Court. Failure to properly file a request or affix a certificate of service may result in the nonconforming Motion/Objection not being considered until the request conforms with this Order, Summit County Common Pleas Court

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General Division Local Rules and all policies and procedures of the Summit County Clerk of Court.

In the event the Court schedules a hearing on objections to any Order, the Court will require physical attendance of all parties, including the objecting or moving party. The Court will not consider or entertain any requests for telephonic appearance at any hearings.

SPOKESPERSON

The Court hereby designates Nicole Quester, the Court Executive Officer for the Summit County Court of Common Pleas, General Division, as spokesperson for the Court in regard to the above-captioned matter. Any communications or questions, other than those that are required to be filed with the Summit County Clerk of Court, shall be directed in writing to the Court's spokesperson. No media personnel shall contact or attempt to contact any employee or staff of the Summit County Court of Common Pleas, Summit County Clerk of Court or Summit County Sheriff's Office without prior approval of the Court.

Media personnel shall direct all inquiries, other than those that are required to be filed with the Summit County Clerk of Court, to Nicole Quester. This prohibition does not preclude or prevent media personnel from making inquiries of Court personnel and employees of the Summit County Clerk of Court regarding the scheduling of proceedings, items filed with the Court, or requesting any other information that is part of the public record in this matter. This prohibition does not preclude or prevent media personnel from making inquiries of or contacting employees of the Summit County Sheriff's Office regarding anything that does not relate to the within matter.

TRANSCRIPTS OF PROCEEDING AND/OR VIEWING COURT FILINGS

Media personnel may apply for copies of transcripts of any proceeding by applying, in writing. Media personnel shall be responsible for all costs associated with the preparation of transcripts requested, and shall comply with all policies and procedures set forth by the Court

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Reporters for requesting transcripts See Summit County Common Pleas Court, General Division, Local Rules, which may be found at www.summitcpcourt.net.

Media personnel may retrieve and print copies of all unsealed documents filed in this matter at the Summit County Clerk of Courts' website: www.clerkweb.summitoh.net. Media personnel may also request, in person, copies of any filings from the Summit County Clerk of Courts Office. Media personnel shall be responsible for all costs associated with copying of documents requested, and shall comply with all policies and procedures set forth by the Summit County Clerk of Courts.

RECORDING PROCEEDINGS IN THE COURTROOM

The Court shall at all times retain the ability to physically turn off or mute all audio devices in the Courtroom. The Court's audio system shall be used if technically suitable. Should media personnel utilize the court's audio system, there shall be no interference with the Court's own use of the system. If the Court's audio system is not technologically or technically suitable, then media personnel, upon application to, and approval by the Court, may install an audio recording and/or transmitting system at the expense of the party requesting such installation. All installations of equipment shall be subject to the approval of the Court.

Photographic and other recording devices may be used outside the SCC or SCSB, except that at no time shall access to and egress from either building be blocked or impeded. No structures shall be erected. Tents, chairs, tables or similar items shall not be placed on the grounds of the SCC or the SSB without prior approval of the Court. Any conduct that may damage or destroy the existing lawn, landscaping or areas surrounding the SCC or SCSB is prohibited.

In no event shall media personnel be permitted to utilize photographic or other recording devices outside the SCC or SCSB in order capture sound or images inside the SCC or SCSB.

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Media personnel and members of the public may photograph, videotape or record audio outside the SCC or SCSB. Any person engaging in photographing, videotaping or audio recording shall not harass or chase any persons entering or leaving the SCC or SCSB, and shall not impede the flow of pedestrian or vehicular traffic outside the SCC or SCSB.

NO INTERVIEWS SHALL BE CONDUCTED WITHIN THE COURTHOUSE

There shall be no interviews conducted within the SCC or SCSB regarding *State v. Dowling and Jones*, Case No. CR 2024-02-0473 – B & C, at any time, except as explicitly authorized by the Court in writing.

Except as provided above, there shall be no filming, photographing or recording conducted in the SCC or SCSB outside the Courtroom of Judge Susan Baker Ross, without written approval by the Court.

PARKING

Parking in any restricted area, including but not limited to sidewalks and fire lanes, is strictly prohibited and shall result in such vehicles being towed at the owner's expense. In no event shall vehicles be parked in such a manner to disrupt the flow of traffic or otherwise compromise the safety of pedestrians or other drivers. Any and all cables to and from satellite trucks shall conform to the City of Akron ordinances, and shall not in any manner impede the flow of vehicular or pedestrian traffic.

FAILURE TO COMPLY WITH ANY COURT ORDER

The failure to comply with any provision of this Order, or any future Order, by any person may result in sanctions, which shall include, but are not limited to removal from the Courtroom or revocation of any previously granted permission extended to the offending individual and any entity on whose behalf that individual is acting, as well as implementation of additional media restrictions. Further, upon failure to comply with any Court Order, or the Ohio Rules of Superintendence, the Court may revoke any permission

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previously granted.

Persons engaging in any other conduct which the Court finds to be disruptive may be temporarily or permanently excluded from the proceedings, removed from the SCC or the SCSB or the surrounding property and/or face other legal sanctions, including Contempt of Court.

All parties, spectators and media personnel shall read and adhere to Rule 12 of the Ohio Rules of Superintendence. Said Rule may be found at:

[www.sconet.state.oh.us/rules/superintendence.](http://www.sconet.state.oh.us/rules/superintendence)

SANCTIONS

There are no warnings. Any violation of the foregoing or other Orders of the Court, or any conduct Judge Baker Ross finds disruptive or interruptive of the proceedings may result in:

1. An Order of temporary or permanent exclusion of the offender from the courtroom or viewing area.
2. An Order of temporary or permanent exclusion of the media organization represented by the offender from the courtroom or the media area.
3. Contempt of court sanctions punishable by confinement in jail for up to six months and/or a fine not to exceed five hundred dollars (\$500.00) for each offense.
4. Such other sanctions as deemed necessary by Judge Baker Ross to ensure the due and proper administration of justice.

IT IS SO ORDERED.

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COUNTY OF SUMMIT**

STATE OF OHIO

Case No. CR-2024-02-0473-C

vs.

CHARLES E. JONES

**MEDIA PARTICIPATION
AND GENERAL DECORUM
ORDER**



SUSAN BAKER ROSS, Judge
Court of Common Pleas
Summit County, Ohio

/ced

- cc: Principal Assistant Attorney General, Matthew Meyer
- Deputy Attorney General, Carol O'Brien
- Deputy Solicitor General, Samuel Peterson
- Assistant Prosecutor Brad Gessner
- Attorney William S. Scherman
- Attorney John McCaffrey
- Attorney Melissa Z. Kelly
- Attorney Dan K. Webb
- Attorney Hanna M. Smith
- Attorney Robert Porter
- Attorney A. Matthew Durkin
- Attorney Steven Grimes
- Attorney Roger P. Sugarman
- Attorney Andrew Devooght
- Attorney John R. Varanese
- Attorney Daniel R. Warren
- Attorney Terry Brennan
- Attorney Carole S. Rendon
- Attorney Rachael L. Israel
- Attorney Noah C. Munyer

EXHIBIT B

**IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT****STATE OF OHIO****Case No. CR-2024-02-0473-B****vs.****MICHAEL J. DOWLING****MEDIA PARTICIPATION
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On January 26, 2026, upon consideration of the public and media interest in the above-captioned matter, and in order to provide for orderly proceedings in this matter, the Court hereby enters the following Order regarding public and media participation and general decorum:

Unless otherwise provided, this Order applies to the Summit County Courthouse, (herein referred to as SCC), Summit County Safety Building, (herein referred to as the SCSB), and all grounds of the SCC and SCSB.

Unless otherwise provided, the terms "proceeding" and "proceedings" as used in this Order shall apply to all matters held in open Court that the public is entitled to attend the trial in the matter of the *State of Ohio v. Michael Dowling and Charles Jones*.

There shall be no photography, transmitting or recording of any kind within the SCC or any of the buildings comprising the SCSB except as set forth herein or as permitted by further Order of this Court. The prohibition on photography, transmitting or recording of any kind applies in full force to persons engaged in photographing or recording activities within the SCC or the SCCB even if taken or obtained from outside the SCC or the SCCB.

IT IS HEREBY ORDERED that subject to the conditions and limitations set forth herein, and subject to any future revisions, additions or modifications, permission for media recording of the within proceedings is granted.

IT IS FURTHER ORDERED:

SECURITY

All persons, including but not limited to media personnel, their agents, representatives, assigns or designees and all spectators entering the SCC or SCSB or congregating outside the SCC or the SCCB, shall comply with all security procedures set forth by the Summit County Sheriff's Office.

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All persons entering the SCC or SCSB shall be subject to screening by a magnetometer and/or wand; or a personal search, if deemed to be appropriate by the Summit County Sheriff's Office. All bags, purses or items brought into the SCC or SCSB shall be subject to x-ray scan, and/or personal search. The Summit County Sheriff's Office shall have discretion as to whether a person may be admitted into the SCC or SCSB depending upon the results of the screening. All media personnel and spectators shall enter through the main entrances of the SCC and SCSB. Under no circumstances shall any spectator or media personnel enter or attempt to enter through any other door. Any such attempt may result in temporary or permanent exclusion from the SCC or SCSB, and/or imposition of other legal sanctions.

Spectators and media personnel shall not enter, or attempt to enter any of the nonpublic areas in the SCC or the SCSB, unless specifically authorized to do so by the Court and accompanied at all times by Court personnel. The non-public areas of the SCC and SCSB are clearly marked, and access is limited to employees of the SCC or the SCCB. Further, under no circumstances shall any spectator or media personnel enter or attempt to enter the Jury Assembly Room.

PROHIBITED ITEMS

All electronic devices, including but not limited to computers, cameras, cell phones, video phones, personal digital assistants, tape recorders or other recording or transmitting devices shall be barred from the Courtroom, except as provided in this Order. Media personnel may petition the Court for permission to bring in still cameras, television cameras, and/or audio recording devices for use in the Courtroom, as provided in this Order.

Only those cameras or recording devices that are specifically authorized by the Court shall be permitted in the Courtroom. Any person who, without Court authorization, attempts to or

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does operate any camera, cell phone, videophone or recording or transmitting device within the Courtroom shall be removed from the premises by the Court.

This prohibition shall not apply to

1. Employees of the Court, employees of the Summit County Sheriff's Office, the employees of the State of Ohio, Summit County Prosecutor's Office and employees of Defense counsel, and all counsel and parties of record in this matter.
2. Media personnel entering the SCC or SCSB to conduct official business are permitted to bring in their personal cell phones, personal digital assistants or computers subject to the within restrictions.

COURTROOM ATTIRE AND ACCESSORIES

No signs, banners, company or media logos, messages, clothing with messages, or other distracting, disruptive, or potentially improperly prejudicial material may be brought into, worn, or displayed in the courtroom, the Courthouse and its surrounding grounds, or the Summit County Safety Building and its surrounding grounds.

No cellular phones, digital assistants or any other recording devices are permitted in the Courtroom during any proceedings unless permitted as set forth elsewhere in this order.

No person shall wear any clothing, or bring into the SCC or SCSB any items, which display a message in support or against any issue or party.

ZOOM VIEWING ROOM AND COURTROOM SEATING

Due to intense media and public interest in this trial, the Court will open a zoom viewing room every day and stream the Trial beginning with Opening Arguments. This is subject to internet availability within the Court building. Seating in the Courtroom gallery is available on a first come, first served basis.

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During testimony, the courtroom will be locked to any additional observers and any observers or media who leaves during testimony will not be permitted to reenter until the next break.

COURTROOM DEMEANOR

All persons will remain seated at all times without exception. The Court will not tolerate any behavior that may disrupt the proceedings. All persons in the Courtroom must remain silent and non-disruptive during all proceedings. There will be no talking, shaking of heads in approval or disapproval of any statements, actions, rulings, testimony, or proceedings, or any other signs or signals of approval or disapproval of the proceedings.

Children are not permitted in the courtroom.

There will be no reading of newspapers, magazines, books or other materials inside the Courtroom during all court proceedings.

Drinks, snacks, chewing gum, cigarettes, cigars, electronic cigarettes, or chewing tobacco are prohibited inside the courtroom, except for water for witnesses, jurors, or counsel.

Anyone violating these rules will be removed from the courtroom

MEDIA ASSEMBLY ROOM

The Court will designate the room on the 3rd Floor between the Chambers entrance for Judge Baker Ross and Judge McLaughlin. A closed-circuit broadcast of Court proceedings may be installed by media personnel, at their expense, in the Media Assembly Room. With the exception of the designated pool coverage equipment, all television, still photography and audio equipment shall be stored in and limited to the Media Assembly Room while within the SCC. The Court shall not be responsible for any media equipment or personal effects left in the Media Assembly Room.

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MEDIA PROPERTY AND/OR PROPRIETARY INTEREST

The media shall not have exclusive property or proprietary interest in the media coverage videotapes, photographs or audiotapes made pursuant to this Order, or any future order of the Court. At the request of the Court, the Prosecutor's Office, or Defense Counsel, media personnel shall make available the videotapes, audiotapes, or photographs taken in conjunction with these proceedings. This provision shall not require the media to take any special or unusual steps to preserve the videotapes, audio recordings, photographs or photograph negatives, unless otherwise ordered by the Court.

STILL CAMERA OPERATOR AND TELEVISION COVERAGE OF PROCEEDINGS

There shall be only one television camera in the Courtroom at any time. The camera operator may use a tripod or other stabilizing device, as long as such device will not be distracting to the proceedings. There shall be only one still camera operator in the Courtroom at any time. The camera operator shall be limited to two cameras and two lenses for each camera. Both cameras shall have silent shutters. The camera operator may use a tripod or other stabilizing device, as long as such device will not be distracting to the proceedings.

The camera operators shall remain behind the partition separating the Courtroom gallery from the Courtroom proper, unless specifically authorized by the Court to enter the Courtroom proper.

In no event shall media personnel distract or disturb Court proceedings. The changing of recording tapes in the Courtroom during Court proceedings is prohibited if it will in any way disturb the proceedings. The changing of camera lenses, or other similar items during Court proceedings is prohibited. Camera operators and media personnel shall not move about the Courtroom during Court proceedings, or otherwise disturb or distract the proceedings. The use of

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electronic or photographic equipment that produces distracting sound or light is prohibited.

Media personnel are prohibited from recording and/or obtaining by any means any close-up coverage of sidebar conferences between the Court and counsel. Similarly media personnel are prohibited from recording and/or obtaining by any means any conversation between client and counsel, counsel and counsel, and/or counsel and the Court Reporter. There shall be no visual recording that would permit someone viewing the recording to determine what is being said by either counsel, parties or the Court by lip reading.

Any and all equipment shall be set up and ready for operation five (5) minutes prior to the commencement of all Court proceedings. In no event will persons be permitted to bring equipment into the courtroom after the commencement of court proceedings. Any cameras which are permitted pursuant to this Order shall be turned on and operating only in the Courtroom and only when Court is in session. Any other use within the SCC or SCSB is prohibited, except by specific, written authorization by the Court.

Any and all "tally lights" or other signaling devices on any camera shall be covered such that they are not visible to anyone in the Courtroom. No artificial lighting shall be permitted, including but not limited to flash bulbs, or lighting other than that normally used in the Courtroom.

MEDIA AUDIO RECORDING OF PROCEEDINGS

Any audio recording by the media must be approved by the Court prior to its use during Court proceedings. In no event shall any person distract or disturb Court proceedings. Anyone with an audio recording device shall not move about the Courtroom during Court proceedings or otherwise disturb or distract the proceedings.

Any recording devices which are permitted pursuant to this Order shall be turned on and

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operating only in the Courtroom and only when Court is in session. Any other use within the SCC or SCSB is prohibited.

MEDIA POOLING

Arrangements between or among media for "pooling" of equipment shall be the responsibility of media personnel and media representatives authorized to cover the proceedings. Such arrangements are to be made outside the Courtroom and made without imposing upon the Court or Court personnel.

Media personnel shall designate media representatives for video and still photography coverage of the Courtroom. Such representatives' names shall be communicated to the Court in prior to the commencement of opening arguments. In the event it becomes necessary to substitute any representative, such substitution shall be communicated to the Court, in writing as soon as possible, and prior to the commencement of any proceeding which the substituted representative will cover.

The media personnel are responsible for arranging an open and impartial distribution scheme with a distribution system for all media personnel. Neither the Court nor any Court personnel shall be called upon to resolve any disputes concerning pooling arrangements or agreements.

MEDIA EQUIPMENT SET-UP

Any request for media coverage granted by the Court shall be subject to a review by Court personnel of the equipment location, set-up, cabling, or any other such factors, and subject to final approval by the Court.

The Court reserves the right to vacate this Order if final arrangements are not acceptable to the Court, or to terminate any request previously granted upon violation of this

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Order, or any future Order of this Court.

PROHIBITED FILMING, VIDEOTAPING AND/OR RECORDING

Any requests made by media personnel shall be submitted to the Court in writing and filed with the Summit County Clerk of Court. No cameras or recording devices, audio or video are permitted in the Courtroom without prior approval and pursuant to this Order.

Each witness shall be provided in advance a copy of the Consent to Media Coverage form before he or she testifies. Each witness shall sign the form either consenting or objecting to media photographs and recording prior to taking the witness stand. Each witness has the right to object to being filmed, videotaped, recorded or photographed. Any witness who so requests shall not be recorded (either by audio or video), televised or photographed. During the testimony of the objecting witness, all media personnel are prohibited from employing any means to record the witness in or out of the Courtroom.

UNDER NO CIRCUMSTANCES SHALL THERE BE ANY MEDIA RECORDING OF THE IMAGE OF POTENTIAL JURORS OR JURORS REGARDLESS OF WHETHER THE POTENTIAL JUROR OR JURORS ARE IN THE COURTROOM.

The Court will not permit transmitting, broadcasting, or recording of any portion of the voir dire in this matter.

PUBLISHING INFORMATION ABOUT JURORS AND/OR POTENTIAL JURORS

In addition to the prohibitions on photographing or recording jurors, the media is prohibited from publishing or otherwise distributing or making available anything that could be used to personally identify any juror or prospective juror. This is necessary to preserve the jury system, and assure individual jurors that they and their families will not be harassed or jeopardized during the proceedings.

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This prohibition does not prohibit members of the media from publishing the number of males or females, or other demographic data, which will not personally identify a particular juror or prospective juror.

OBJECTIONS TO COURT ORDERS

In the event any member of the media wishes to object to any Order of this Court, said Motion/Objection shall be filed in writing for consideration by the Court. A certificate of service shall be attached to the Motion/Objection, and said certificate of service shall state that copies of the Motion/Objection have been sent to all interested parties. The term "interested parties" includes but is not limited to all counsel of record, and any other potentially affected party, i.e., law enforcement personnel, other media personnel, Summit County government officials, City of Akron government officials, etc. All parties filing requests shall comply with the policies and procedures set forth by the Summit County Clerk of Court. Failure to properly file a request or affix a certificate of service may result in the nonconforming Motion/Objection not being considered until the request conforms with this Order, Summit County Common Pleas Court General Division Local Rules and all policies and procedures of the Summit County Clerk of Court.

In the event the Court schedules a hearing on objections to any Order, the Court will require physical attendance of all parties, including the objecting or moving party. The Court will not consider or entertain any requests for telephonic appearance at any hearings.

SPOKESPERSON

The Court hereby designates Nicole Quester, the Court Executive Officer for the Summit County Court of Common Pleas, General Division, as spokesperson for the Court in regard to the above-captioned matter. Any communications or questions, other than those

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that are required to be filed with the Summit County Clerk of Court, shall be directed in writing to the Court's spokesperson. No media personnel shall contact or attempt to contact any employee or staff of the Summit County Court of Common Pleas, Summit County Clerk of Court or Summit County Sheriff's Office without prior approval of the Court.

Media personnel shall direct all inquiries, other than those that are required to be filed with the Summit County Clerk of Court, to Nicole Quester. This prohibition does not preclude or prevent media personnel from making inquiries of Court personnel and employees of the Summit County Clerk of Court regarding the scheduling of proceedings, items filed with the Court, or requesting any other information that is part of the public record in this matter. This prohibition does not preclude or prevent media personnel from making inquiries of or contacting employees of the Summit County Sheriff's Office regarding anything that does not relate to the within matter.

TRANSCRIPTS OF PROCEEDING AND/OR VIEWING COURT FILINGS

Media personnel may apply for copies of transcripts of any proceeding by applying, in writing. Media personnel shall be responsible for all costs associated with the preparation of transcripts requested, and shall comply with all policies and procedures set forth by the Court Reporters for requesting transcripts See Summit County Common Pleas Court, General Division, Local Rules, which may be found at www.summitpcourt.net.

Media personnel may retrieve and print copies of all unsealed documents filed in this matter at the Summit County Clerk of Courts' website: www.clerkweb.summitoh.net. Media personnel may also request, in person, copies of any filings from the Summit County Clerk of Courts Office. Media personnel shall be responsible for all costs associated with copying of documents requested, and shall comply with all policies and procedures set forth by the Summit

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County Clerk of Courts.

RECORDING PROCEEDINGS IN THE COURTROOM

The Court shall at all times retain the ability to physically turn off or mute all audio devices in the Courtroom. The Court's audio system shall be used if technically suitable. Should media personnel utilize the court's audio system, there shall be no interference with the Court's own use of the system. If the Court's audio system is not technologically or technically suitable, then media personnel, upon application to, and approval by the Court, may install an audio recording and/or transmitting system at the expense of the party requesting such installation. All installations of equipment shall be subject to the approval of the Court.

Photographic and other recording devices may be used outside the SCC or SCSB, except that at no time shall access to and egress from either building be blocked or impeded. No structures shall be erected. Tents, chairs, tables or similar items shall not be placed on the grounds of the SCC or the SSB without prior approval of the Court. Any conduct that may damage or destroy the existing lawn, landscaping or areas surrounding the SCC or SCSB is prohibited.

In no event shall media personnel be permitted to utilize photographic or other recording devices outside the SCC or SCSB in order capture sound or images inside the SCC or SCSB.

Media personnel and members of the public may photograph, videotape or record audio outside the SCC or SCSB. Any person engaging in photographing, videotaping or audio recording shall not harass or chase any persons entering or leaving the SCC or SCSB, and shall not impede the flow of pedestrian or vehicular traffic outside the SCC or SCSB.

NO INTERVIEWS SHALL BE CONDUCTED WITHIN THE COURTHOUSE

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There shall be no interviews conducted within the SCC or SCSB regarding *State v. Dowling and Jones, Case No. CR 2024-02-0473 – B & C*, at any time, except as explicitly authorized by the Court in writing.

Except as provided above, there shall be no filming, photographing or recording conducted in the SCC or SCSB outside the Courtroom of Judge Susan Baker Ross, without written approval by the Court.

PARKING

Parking in any restricted area, including but not limited to sidewalks and fire lanes, is strictly prohibited and shall result in such vehicles being towed at the owner's expense. In no event shall vehicles be parked in such a manner to disrupt the flow of traffic or otherwise compromise the safety of pedestrians or other drivers. Any and all cables to and from satellite trucks shall conform to the City of Akron ordinances, and shall not in any manner impede the flow of vehicular or pedestrian traffic.

FAILURE TO COMPLY WITH ANY COURT ORDER

The failure to comply with any provision of this Order, or any future Order, by any person may result in sanctions, which shall include, but are not limited to removal from the Courtroom or revocation of any previously granted permission extended to the offending individual and any entity on whose behalf that individual is acting, as well as implementation of additional media restrictions. Further, upon failure to comply with any Court Order, or the Ohio Rules of Superintendence, the Court may revoke any permission previously granted.

Persons engaging in any other conduct which the Court finds to be disruptive may be temporarily or permanently excluded from the proceedings, removed from the SCC or the

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SCSB or the surrounding property and/or face other legal sanctions, including Contempt of Court.

All parties, spectators and media personnel shall read and adhere to Rule 12 of the Ohio Rules of Superintendence. Said Rule may be found at:

www.sconet.state.oh.us/rules/superintendence.

SANCTIONS

There are no warnings. Any violation of the foregoing or other Orders of the Court, or any conduct Judge Baker Ross finds disruptive or interruptive of the proceedings may result in:

1. An Order of temporary or permanent exclusion of the offender from the courtroom or viewing area.
2. An Order of temporary or permanent exclusion of the media organization represented by the offender from the courtroom or the media area.
3. Contempt of court sanctions punishable by confinement in jail for up to six months and/or a fine not to exceed five hundred dollars (\$500.00) for each offense.
4. Such other sanctions as deemed necessary by Judge Baker Ross to ensure the due and proper administration of justice.

IT IS SO ORDERED.

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SUSAN BAKER ROSS, Judge
Court of Common Pleas
Summit County, Ohio

/ced

- cc: Principal Assistant Attorney General, Matthew Meyer
- Deputy Attorney General, Carol O'Brien
- Deputy Solicitor General, Samuel Peterson
- Assistant Prosecutor Brad Gessner
- Attorney John F. McCaffrey
- Attorney Hanna M. Smith
- Attorney Robert Porter
- Attorney Dan K. Webb, Pro Hac Vice
- Attorney Matthew Durkin, Pro Hac Vice
- Attorney Steven Grimes, Pro Hac Vice