

**IN THE COURT OF APPEALS OF OHIO  
ELEVENTH APPELLATE DISTRICT  
GEAUGA COUNTY**

BAINBRIDGE TOWNSHIP ZONING  
INSPECTOR, et al.,

Plaintiffs-Appellants,

- vs -

CHAGRIN VALLEY LEARNING  
COLLECTIVE CO-OP  
d.b.a. CHAGRIN VALLEY  
LEARNING COLLECTIVE, et al.,

Defendants-Appellees.

**CASE NOS. 2023-G-0033  
2023-G-0034  
2023-G-0035**

Civil Appeals from the  
Court of Common Pleas

Trial Court Nos. 2019 M 000939  
2022 M 000507  
2022 M 000612

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**MEMORANDUM  
OPINION**

Decided: March 11, 2024  
Judgment: Appeals dismissed

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*James R. Flaiz*, Geauga County Prosecutor, and *Linda M. Applebaum*, Assistant Prosecutor, Courthouse Annex, 231 Main Street, Suite 3A, Chardon, OH 44024 (For Plaintiffs-Appellants).

*Andrew J. Karas* and *Emily Freeborn*, Fair Shake Environmental Legal Services, 2000 Auburn Drive, Suite 200, Beachwood, OH 44122; *John Heer*, 600 Superior Avenue, E., Fifth Third Building, Suite 1300, Cleveland, OH 44124 (For Defendants-Appellees).

*Jennifer L. Huber*, *Peter N. Griggs*, and *Elizabeth M. VanNess*, Brosius, Johnson & Griggs, LLC, 1600 Dublin Road, Suite 100, Columbus, OH 43215 (For Amici Curiae Ohio Township Association and Coalition of Large Ohio Urban Townships).

MARY JANE TRAPP, J.

{¶1} On September 15, 2023, appellants filed three notices of appeal from an August 23, 2023 entry, which we have consolidated sua sponte. For the reasons that follow, the appeals are dismissed for lack of jurisdiction.

{¶2} The appealed judgment entry involves three civil cases that the trial court consolidated: Geauga County Court of Common Pleas case nos. 2019 M 000939, 2022 M 000507, and 2022 M 000612. The appealed judgment entry resolved post-judgment motions in 2019 M 000939 and the complaint in 2022 M 000612. However, the record indicates that the complaint in 2022 M 000507 has not been resolved. There is also no Civ.R. 54(B) language in the appealed judgment entry stating there is no just reason for delay.

{¶3} It is well-established that judgment on only part of a consolidated case is not a final appealable order without Civ.R. 54(B) certification. *See Mezerkor v. Mezerkor*, 70 Ohio St.3d 304, 308, 638 N.E.2d 1007 (1994); *Graphic Ents., Inc. v. Keybank Natl. Assn.*, 11th Dist. Portage No. 2001-P-0129, 2002-Ohio-5159, ¶ 11; *Maggard v. Zervos*, 11th Dist. Lake No. 2004-L-087, 2004-Ohio-5296, ¶ 4.

{¶4} Since the appealed judgment entry resolved only part of the consolidated case and did not contain Civ.R. 54(B) certification, there is no final appealable order before this court. Accordingly, the appeals are hereby dismissed.

EUGENE A. LUCCI, P.J.,

MATT LYNCH, J.,

concur.