

Brandt

IN THE FRANKLIN COUNTY MUNICIPAL COURT

FILED

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VERONICA WAGNER COVATCH,
et al.,

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Plaintiffs,

FRANKLIN COUNTY
MUNICIPAL COURT
LORI M TYACK

Case No. 2014CMF02459

v.

JUDGE BRANDT

PENNY G. SANDERBECK, et al.,

Defendants.

PLAINTIFFS' RESPONSE TO
DEFENDANTS' MOTION TO STAY
FURTHER PROCEEDINGS PENDING
APPEAL

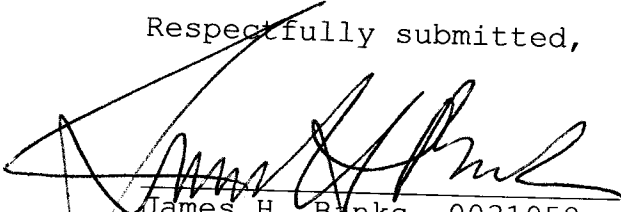
Now come plaintiffs, by and through counsel, and submit the following as their Response to Defendants' Motion to Stay Further Proceedings Pending Appeal.

As defense counsel is aware, the Tenth District Court of Appeals issued orders denying a stay of the trial court proceedings and a stay of this Court's July 23, 2015 judgment pending appeal. Copies of said Entries are attached hereto for the Court's convenience.

Further, as defense counsel acknowledges, even when an appeal is pending the trial court does retain jurisdiction over issues not inconsistent with that of the appellate court to review, affirm, modify or reverse the appealed judgment. Thus this Court would have jurisdiction over all of plaintiffs' claims, except the replevin claim.

Despite the foregoing, in the interest of judicial economy and to preserve costs for the plaintiffs, plaintiffs have no objection to a stay of these proceedings pending decision on defendants' appeal now pending in the Court of Appeals.

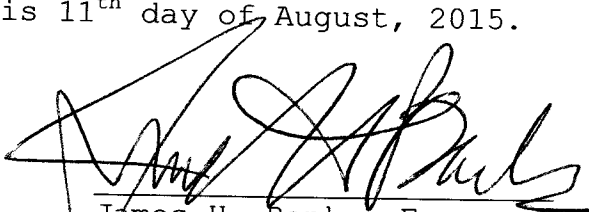
Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was duly served upon John A. Bell, Esq., P.O. Box 091022, Bexley, Ohio 43209 and Scott O. Sheets, Assistant Prosecuting Attorney, 373 South High Street, 13th Floor, Columbus, Ohio 43215, via ordinary U.S. Mail, postage prepaid, this 11th day of August, 2015.



James H. Banks, Esq.


IN THE COURT OF APPEALS OF OHIO

TENTH APPELLATE DISTRICT

Veronica Covatch et al.,	:	
	:	
Plaintiffs-Appellees,	:	
	:	
v.	:	No. 15AP-699
	:	
[Central Ohio Sheltie Rescue, Inc.] and	:	(REGULAR CALENDAR)
Penny Sanderbeck,	:	
	:	
Defendants-Appellants.	:	
	:	

JOURNAL ENTRY

Appellants' July 23, 2015 motion to stay the trial court proceedings pending appeal is denied.



Judge Susan Brown, P.J.



Judge Julia L. Dorrian



Judge Timothy S. Horton

cc: Clerk, Court of Appeals
Clerk, Municipal Court

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Court Disposition

Case Number: 15AP000699

Case Style: VERONICA WAGNER COVATCH -VS- CENTRAL OHIO
SHELTIE RESCUE INC

Motion Tie Off Information:

1. Motion CMS Document Id: 15AP0006992015-07-2399940000

Document Title: 07-23-2015-MOTION TO STAY

Disposition: 3200

IN THE COURT OF APPEALS OF OHIO

TENTH APPELLATE DISTRICT

Veronica Covatch et al., :

Plaintiffs-Appellees, :

v. :

No. 15AP-699

[Central Ohio Sheltie Rescue, Inc.] and
Penny Sanderbeck, :

(REGULAR CALENDAR)

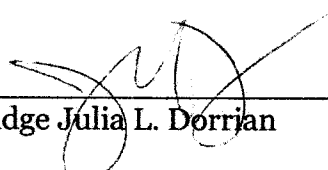
Defendants-Appellants. :

JOURNAL ENTRY
NUNC PRO TUNC

Appellants' July 23, 2015 motion to stay the trial court's July 23, 2015 judgment pending appeal is denied.



Judge Susan Brown, P.J.



Judge Julia L. Dorrian



Judge Timothy S. Horton

cc: Clerk, Court of Appeals
Clerk, Municipal Court

Court Disposition

Case Number: 15AP000699

Case Style: VERONICA WAGNER COVATCH -VS- CENTRAL OHIO
SHELTIE RESCUE INC

Motion Tie Off Information:

1. Motion CMS Document Id: 15AP0006992015-07-2499980000

Document Title: 07-24-2015-MOTION

Disposition: 3200