

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

July 10, 2009

[Cite as *07/10/2009 Case Announcements, 2009-Ohio-3385.*]

MOTION AND PROCEDURAL RULINGS

In re Sherrills.

On March 31, 2008, this court found Daries Sherrills to be a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). This court further ordered that Sherrills was prohibited from continuing or instituting legal proceedings in this court without first obtaining leave. On June 29, 2009, Sherrills submitted a request for leave to file an appeal. Upon review of the proffered document, the court finds it without merit. Accordingly,

It is ordered by the court that Sherrills is denied leave to file an appeal.

2009-1064. In re Complaints of Worthington Industries v. Toledo Edison Co.

Public Utilities Commission, No. 08-0893-EL-CSS. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of Toledo Edison Company's motion for leave to intervene as appellee and the joint motion to consolidate this case with 2009-1065, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-145-EL-CSS, 2009-1067, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-146-EL-CSS, 2009-1071, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-67-EL-CSS, and 2009-1072, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-254-EL-CSS,

It is ordered by the court that the motions are granted.

It is further ordered by the court that the briefing in this case and case Nos. 2009-1065, 2009-1067, 2009-1071, and 2009-1072 shall be consolidated. The parties shall file five originals of each of the briefs permitted under S.Ct.Prac.R. VI

and include all case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

2009-1065. In re Complaints of Worthington Industries v. Toledo Edison Co. Public Utilities Commission, No. 08-145-EL-CSS. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of Toledo Edison Company's motion for leave to intervene as appellee and the joint motion to consolidate this case with 2009-1064, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-0893-EL-CSS, 2009-1067, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-146-EL-CSS, 2009-1071, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-67-EL-CSS, and 2009-1072, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-254-EL-CSS,

It is ordered by the court that the motions are granted.

It is further ordered by the court that the briefing in this case and case Nos. 2009-1064, 2009-1067, 2009-1071, and 2009-1072 shall be consolidated. The parties shall file five originals of each of the briefs permitted under S.Ct.Prac.R. VI and include all case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

2009-1067. In re Complaints of Worthington Industries v. Toledo Edison Co. Public Utilities Commission, No. 08-146-EL-CSS. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of Toledo Edison Company's motion for leave to intervene as appellee and the joint motion to consolidate this case with 2009-1064, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-0893-EL-CSS, 2009-1067, 2009-1065, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-145-EL-CSS, 2009-1071, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-67-EL-CSS, and 2009-1072, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-254-EL-CSS,

It is ordered by the court that the motions are granted.

It is further ordered by the court that the briefing in this case and case Nos. 2009-1064, 2009-1065, 2009-1071, and 2009-1072 shall be consolidated. The parties shall file five originals of each of the briefs permitted under S.Ct.Prac.R. VI and include all case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

2009-1071. In re Complaints of Worthington Industries v. Toledo Edison Co. Public Utilities Commission, No. 08-67-EL-CSS. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of Toledo Edison Company's motion for leave to intervene as appellee and the joint motion to consolidate this case with 2009-1064, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-0893-EL-CSS, 2009-1065, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-145-EL-CSS, 2009-1067, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-146-EL-CSS, and 2009-1072, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-254-EL-CSS,

It is ordered by the court that the motions are granted.

It is further ordered by the court that the briefing in this case and case Nos. 2009-1064, 2009-1065, 2009-1067, and 2009-1072 shall be consolidated. The parties shall file five originals of each of the briefs permitted under S.Ct.Prac.R. VI and include all case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

2009-1072. In re Complaints of Worthington Industries v. Toledo Edison Co. Public Utilities Commission, No. 08-254-EL-CSS. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of Toledo Edison Company's motion for leave to intervene as appellee and the joint motion to consolidate this case with 2009-1064, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-0893-EL-CSS, 2009-1065, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-145-EL-CSS, 2009-1067, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-146-EL-CSS, and 2009-1071, *In re Complaints of Worthington Industries v. Toledo Edison Co.*, Public Utilities Commission, No. 08-67-EL-CSS,

It is ordered by the court that the motions are granted.

It is further ordered by the court that the briefing in this case and case Nos. 2009-1064, 2009-1065, 2009-1067, and 2009-1071 shall be consolidated. The parties shall file five originals of each of the briefs permitted under S.Ct.Prac.R. VI and include all case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

2009-1228. Hughley v. Saunders.

Fairfield App. No. 09-CA-18. This cause is pending before the court as a discretionary appeal. Upon consideration of appellant's jurisdictional memorandum, it is determined by the court that this cause originated in the court of appeals and shall proceed as an appeal of right pursuant to S.Ct.Prac.R. II(1)(A)(1).

It is ordered by the court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Fairfield County. Appellant shall file his merit brief within forty days of the filing of the record with the Clerk of this court, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

MEDIATION REFERRALS

The following case has been referred to mediation pursuant to S.Ct.Prac.R. XIV(6):

2009-1052. State ex rel. Am. Beverage Co. v. Ryan.
In Mandamus.

The following case has been returned to the regular docket pursuant to S.Ct.Prac.R. XIV(6)(E):

2009-0918. State ex rel. FedEx Ground Package Sys., Inc. v. Indus. Comm.
Franklin App. No. 07AP-959, 2009-Ohio-1708.