



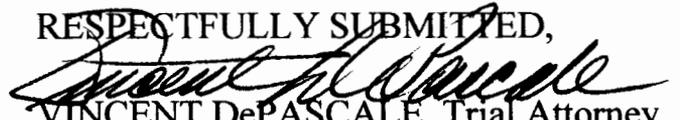
to fail/ not-be-required to provide a good faith basis for his conduct and allegations, and to otherwise violate the Rules of Procedure and this Court.

Plaintiff's Motion, Memorandum, and Exhibits are part of the Court file and Record in this case and are not re-attached hereto as they comprise more than 100 pages and files are thick enough as it is. They are, however, incorporated herein.

The Court of Claims is a Court of Law. The Plaintiff is entitled to Due Process of Law.

Admittedly, any of the prior decisions of the Magistrate could easily be attributed to Judicial Discretion or the application of the doctrine of basic fairness in litigation and Plaintiff's Counsel has not taken issue with any of those despite his thoughts thereon. However, a pattern of unexplained and unjustified preferential treatment of counsel for the State, in the face of massive documentary evidence to the contrary, belies a finding of Judicial Discretion. The situation in this case is akin to a case where repeated blows take self-defense into brutality irrespective of the initial justification.

The former Motions of the Plaintiff must be sustained and the Magistrate's Order must be set aside.

RESPECTFULLY SUBMITTED,  
  
VINCENT DePASCALE, Trial Attorney  
786 NORTHWEST BOULEVARD  
GRANDVIEW HEIGHTS, OH 43212  
(614) 298-8200 S.C. # 0013227  
ATTORNEY FOR LYNDSEY HOWELL

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the forgoing upon Christopher Conomy, Assistant Attorney General as attorney for Defendant, this 22<sup>nd</sup> day of January, 2014, by regular U.S. Mail.

  
VINCENT DEPASCALE  
ATTORNEY FOR LYNDSEY HOWEL

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22 JANUARY 2014

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COURT OF CLAIMS OF OHIO  
THE OHIO JUDICIAL CENTER  
65 SOUTH FRONT STREET, THIRD FLOOR  
COLUMBUS OH 43215

FILED  
COURT OF CLAIMS  
OF OHIO  
2014 JAN 23 AM 11:05

Re: Howell v Ohio University Police  
Department  
2013-00001

Dear Clerk:

Enclosed is the original and a copy of the pleadings that I am filing.

Please file the original, and send me a time stamped copy in the enclosed

SASE. 

Thanx.

  
Vincent DePascale