Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
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www.cco.state.oh.us

WILLIAM RUSSELL
Plaintiff

v.

CLEVELAND STATE UNIVERSITY
Defendant

AND

STEVEN LISS
Plaintiff

v.

CLEVELAND STATE UNIVERSITY
Defendant

Case Nos. 2013-00138 and 2013-00139

Magistrate Holly True Shaver

ORDER OF THE MAGISTRATE

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On October 3, 2014, plaintiffs filed a motion for leave to file a consolidated response to defendant's motion for summary judgment, to exceed the page limitation found in L.C.C.R. 4(E), and a motion for leave to file such response by facsimile or electronic mail, with an original response to follow by overnight mail. Plaintiffs also request permission to send their response either via fax or email on October 14, 2014, and then file the original response via overnight mail the following day.

L.C.C.R. 4(E) states, in part:

"Supporting, opposing, or memorandum briefs shall not exceed fifteen pages in length, exclusive of attachments."

On September 16, 2014, the court consolidated the above cases for trial. The court stated: "Although the cases have been consolidated, each case shall remain separate and distinct. All subsequent pleadings shall bear the complete caption of both cases and shall be filed in each case."

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Upon review of the motions, the court ORDERS the following:

1) Plaintiffs' October 3, 2014 motion for leave is GRANTED, such that plaintiffs shall file a consolidated response to defendant's motion, not to exceed 25 pages in length, exclusive of attachments. Such response shall bear the complete caption of both cases and shall be filed in each case, pursuant to the court's September 16, 2014 order;

2) Plaintiffs are sua sponte GRANTED a one-day extension of time, such that their consolidated responses shall be filed on October 15, 2014, via United States mail. Accordingly, plaintiffs' October 3, 2014, motion for leave to file their responses by facsimile or electronic mail is DENIED as moot.

Holly True Shaver

HOLLY TRUE SHAVER
Magistrate

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