

IN THE COURT OF CLAIMS OF OHIO

RETURN OF SERVICE

CHRISTOPHER D. BELL

Case No. 2015-00287

Plaintiff

Magistrate Robert Van Schoyck

v.

OHIO DEPARTMENT OF
REHABILITATION AND CORRECTION

Defendant

To: C. O. Kevin Scott
Toledo Correctional Institution
2001 East Central Avenue
Toledo, Ohio 43608
Lucas County

RECEIVED
2016 JAN 13 AM 11:28
LUCAS COUNTY
JOHN THARP

YOU ARE HEREBY COMMANDED TO:

Attend and give testimony at a trial/hearing on the date, time and at

Date: February 11, 2016 Time: 10:00 a.m.
Place: Toledo Correctional Institution, Toledo, Ohio

DESCRIPTION OF ITEMS TO BE PRODUCED: NONE

THE STATE OF OHIO
County, ss
To the Sheriff of Lucas County, Ohio Greetings:

FILED
COURT OF CLAIMS
OF OHIO
2016 JAN 20 AM 10:40

YOU ARE HEREBY COMMANDED TO SUBPOENA THE ABOVE NAMED PERSON.

WITNESS MY HAND AND SEAL OF SAID COURT THIS 11th DAY OF January, 2016
CLERK OF THE COURT OF CLAIMS OF OHIO.

BY: *Ant...*
Assistant Clerk

REQUESTING PARTY INFORMATION: Richard F. Swope, attorney for plaintiff, Telephone Number (614) 866-1492

NOTE: READ ALL INFORMATION ON THE REVERSE SIDE OF THIS SUBPOENA

Civil Rule 45 (C) Protection of persons subject to subpoenas.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
(2) (a) A person commanded to produce under divisions (A)(1)(b), (iii), (iv), (v), or (vi) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
(b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b), (iii), (iv), (v), or (vi) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production.
(3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
(a) Fails to allow reasonable time to comply;
(b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
(c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R.26(B)(5), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;
(d) Subjects a person to undue burden.
(4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney.
(5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

Civil Rule 45 (D) Duties in responding to subpoena.

- (1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena.
(2) If a request does not specify the form or forms for producing electronically stored information, a person responding to a subpoena may produce the information in a form or forms in which the information is ordinarily maintained if that form is reasonably useable, or in any form that is reasonably useable.
(3) A person need not provide discovery of electronically stored information when the production imposes undue burden or expense.
(4) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.
(5) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it.

Civil Rule 45 (E) Sanctions.

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery.

******RETURN OF SERVICE******

RECEIVED THIS SUBPOENA ON _____, AND SERVED THE PARTY NAMED ON THE REVERSE HEREOF BY _____ ON _____

WAS UNABLE TO COMPETE SERVICE FOR THE FOLLOWING REASON:

FILED COURT OF CLAIMS OF OHIO JAN 20 AM 10:40

Sheriff's Fees

Service _____
Mileage _____ (Number of miles)
Copy _____
Total _____

Circle One: Deputy Sheriff
Process Server
Other _____

(Signature of Serving Party)

Attorney
Deputy Clerk



**Lucas County Sheriff's Office
Sheriff's Return**



Date Issued: **01/13/2016**
 Service: **OUT OF COUNTY PAPERS**
 Service #: **104978**
 Case #: **2015-00287**
 Person Served: **KEVIN SCOTT, C.O.**
2001 EAST CENTRAL AVENUE
TCI
TOLEDO, OH 43608

SEAL
A TRUE COPY
JOHN THARP, Sheriff
 By *KW* Deputy

Process Service Results:
01/14/2016 - RESIDENTIAL SERVICE Deputy(s):DAN HANNON
COMMENTS: LEFT AT FRONT DESK WITH OFFICER SIMON

Details:
01/14/2016 - RESIDENTIAL SERVICE
01/14/2016 - MILEAGE COSTS FOR ZONE C.....\$4.00
01/13/2016 - OUT OF COUNTY PAPERS RECEIVED.....\$6.00

Total Costs for Service: **\$10.00**
 Total Paid for Service: **\$0.00**
 Balance: **\$10.00**

JOHN THARP
SHERIFF

K.W.
DEPUTY SHERIFF

FILED
COURT OF CLAIMS
OF OHIO

2016 JAN 20 AM 10:39

Remit payment to: **SHERIFF OF LUCAS COUNTY**
CIVIL DIVISION - COURTHOUSE
700 ADAMS STREET
TOLEDO, OH 43604-5330



JOHN THARP, SHERIFF LUCAS COUNTY
CIVIL DIVISION
INVOICE

DATE: 01/15/2016

TO: THE COURT OF CLAIMS OF OHIO

RE: THE COURT OF CLAIMS OF OHIO, PLAINTIFF

LT COPLEY, ET AL, DEFENDANT

2015-00287, CASE NUMBER

SEAL
A TRUE COPY
JOHN THARP, Sheriff
By RW Deputy

WE HAVE COMPLETED/ATTEMPTED SERVICE ON THE WITHIN DOCUMENT AND OUR RETURN ACCOMPANIES IT.

THE FEE FOR THE SERVICE IS: \$10.00

PLEASE REMIT PAYMENT FOR THE AMOUNT DUE TO THE:

LUCAS COUNTY SHERIFF OFFICE
CIVIL PROCESS DIVISION
700 ADAMS STREET
TOLEDO, OHIO 43624
(419) 213-4741

YOUR PAYMENT IS DUE UPON RECEIPT OF THIS NOTICE. **NO PERSONAL CHECKS WILL BE ACCEPTED.**

PLEASE RETURN THIS INVOICE WITH YOUR PAYMENT.

THANK YOU.

FILED
COURT OF CLAIMS
OF OHIO
2016 JAN 20 AM 10:38