

**IN THE COURT OF CLAIMS OF OHIO**

JON HANSON	Case No. 2025-00243PQ
Requester	Special Master Todd Marti
v.	<u>ORDER ON PENDING MOTIONS</u> <u>AND REQUIRING INFORMATION</u> <u>PURSUANT TO R.C. 2743.75(E)(3)(C)</u>
ETNA TOWNSHIP	
Respondent	

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The matters before the court are respondent’s counsel’s May 27, 2025, motion to withdraw and requester’s May 29, 2025, motion to transfer this case back to the court’s active docket. Both motions are well taken and are hereby GRANTED.

In light of that, the special master finds that bypassing mediation would result in the most expeditious and economical procedure for resolving this case within the meaning of R.C. 2743.75(A). He consequently determines pursuant to R.C. 2743.75(E)(1) that this case should not be referred to mediation. Therefore:

- A. Pursuant to R.C. 2743.75(E)(3)(c), Requester is required to file and serve all evidence it relies upon in support of his claims in this case. Requester is reminded that it has the burden of proving all elements of his claims by clear and convincing evidence. See *Welsh-Huggins v. Jefferson Cty. Prosecutor’s Office*, 2020-Ohio-5371, ¶ 34; *State ex rel. Griffin v. Doe*, 2021-Ohio-3626, ¶ 5. That evidence shall be consolidated into a single filing that includes a table of contents. That evidence shall be filed with the Court and served on Respondent’s counsel no later than **June 13, 2025**. Requester is reminded to comply with Civ.R. 5(B)(4). A copy of Civ. R. 5 is attached to this order.
- B. Pursuant to R.C. 2743.75(E)(3)(c), Respondent shall:
  - 1. File and serve copies of all records responsive to the records requests identified in the complaint, subject to redactions and withholdings permitted

by law that respondent deems appropriate. Those records shall be filed in a single, consolidated, filing. That filing shall be paginated, with the very first page being numbered “1” and continuing without interruption to the very last page, including cover pages, signature blocks, and certificates of service.

2. File, under seal for in camera review, unredacted copies of all records responsive to Requester’s public records requests that Respondent contends are exempted from production by R.C. 149.011, R.C. 149.43(A), or some other law. Those records shall be filed in a single, consolidated, filing that includes a table of contents. That filing shall be paginated, with the very first page being numbered “1” and continuing without interruption to the very last page, including cover pages, signature blocks, and certificates of service. That filing should be made manually, rather than through e-filing. Copies of video and audio files should be manually filed on flash drives as part of this filing.
3. File and serve an index indicating the statutory basis for each individual exemption from production, referencing the specific pages/page ranges or time/time ranges of the records filed pursuant to paragraphs (B)(1) and (2) above. That index should be formatted as follows:

Page/Page Range or Time/time Range in Redacted filing	Page/Page Range or Time/time Range in Unredacted filing	Legal Basis for Exemption

4. File and serve all evidence it relies upon in the defense of this case. That evidence shall be filed in a single, consolidated, filing that includes a table of contents. That filing shall be paginated, with the very first page being

numbered "1" and continuing without interruption to the very last page, including cover pages, signature blocks, and certificates of service. Respondent is reminded that it has the burden of production regarding any exception from the general duty to produce public records. See *Welsh-Huggins v. Jefferson Cty. Prosecutor's Office*, 2020-Ohio-5371, ¶¶ 27, 30, 35, 53.

These filings shall be made no later than **June 13, 2025**.

C. Pursuant to R.C. 2743.75(E)(3)(c):

1. Respondent is required to file and serve its response to the complaint/motion to dismiss no later than **June 25, 2025**.
2. Requester shall file with the Court and serve any reply to Respondent's response to the complaint/motion to dismiss that he desires to make no later than **July 7, 2025**.

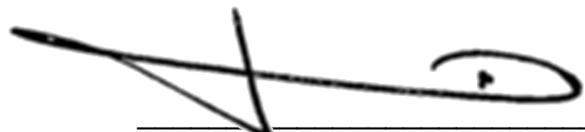
D. The special master will issue a report and recommendation by **July 16, 2025**, subject to a possible extension for another seven (7) business days.

E. No discovery shall be permitted.

F. The Special Master may require either or both of the parties to submit additional information or documentation supported by affidavits.

G. Respondent is notified that the special master is unlikely to grant any motions it might make for extensions of time. This case will proceed according to the schedule set out above absent **truly extraordinary** circumstances.

Date: May 29, 2025



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TODD MARTI  
Special Master

Case No. 2025-00243PQ

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ORDER

cc:

JON HANSON  
51 Ridgewood Drive SW  
ETNA, OH 43062

Nathaniel Z. West  
65 East Main Street  
Newark, OH 43055