

ORIGINAL



FILED  
LORAIN COUNTY

200 FEB 11 P 3:00  
COURT OF COMMON PLEAS  
TOM ORLANDO

LORAIN COUNTY COURT OF COMMON PLEAS  
LORAIN COUNTY, OHIO

TOM ORLANDO, Clerk  
JOURNAL ENTRY  
John R. Miraldi, Judge

Date 2/10/20

Case No. 17CV193761

GIBSON BROS INC  
Plaintiff

JACQUELINE BOLLAS CALDWELL  
Plaintiff's Attorney (-)

VS

OBERLIN COLLEGE  
Defendant

JOSH M MANDEL  
Defendant's Attorney (-)

This matter comes before the Court upon the filing of non-parties, WEWS-TV, Advance Ohio, and the Ohio Coalition for Open Government's ("Movants") Motion for Access to Sealed Case Document – specifically, Exhibit G of the Defendants, Oberlin College and Meredith Raimondo's combined reply brief in support of their motions for summary judgment.

The Plaintiffs, Gibson Bros., Inc., Allyn W. Gibson, and David R. Gibson<sup>1</sup>, and non-party Allyn D. Gibson filed a brief in opposition and the Movants submitted a reply brief in support of their motion. When a case is appealed, the trial court generally loses jurisdiction except to take action in aid of the appeal. See *Pietrangelo v. Avon Lake*, 2016-Ohio-8201, ¶ 17 (Ohio Ct. App. 9<sup>th</sup> Dist.). A trial court may retain jurisdiction over collateral matters that are not inconsistent with the appellate court's ability to review, affirm, modify, or reverse the appealed judgment. *Id.* The parties and non-parties shall have thirty (30) days to submit a limited brief on the issue of whether the Court has jurisdiction to rule on the Movants' request while the appeal is pending.

IT IS SO ORDERED.

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John R. Miraldi, Judge

cc: All Parties  
Attys Michael Farrell/Melissa Bertke – Counsel for Movants

<sup>1</sup> Since the briefing was completed, the Court is aware that a motion is pending with the Court of Appeals to substitute Lorna J. Gibson as the estate representative for the Estate of David R. Gibson in place of David R. Gibson.

