

**IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT**

MEMBER WILLIAMS, et al.)	CASE NO.: CV-2016-09-3928
)	
Plaintiff)	JUDGE JAMES A. BROGAN
-vs-)	
)	
KISLING NESTICO & REDICK)	<u>DECISION</u>
LLC, et al.)	
)	
Defendant)	

- - -

Dr. Ghoumbrial has asked this Court to clarify its Decision of May 14, 2019. He contends that this Court stated that it would be inappropriate for this Court to consider Julie Ghoumbrial's discovery deposition testimony given in a prior Domestic Relations matter. This Court said no such thing. This Court stated, "Plaintiffs' suggestion that this Court utilize the information it gleans from the *in camera* review, or be influenced in deciding the class certification, is inappropriate." It was the suggestion that was inappropriate. The Court should have said the suggestion was insulting.

Judges often hear evidence they must disregard in making a later ruling. For example, a judge may suppress a defendant's confession prior to trial, and later have to rule on a defendant's motion for a directed verdict of acquittal based solely on the admissible evidence presented at trial.

Evidence presented in divorce trials is often not flattering. This Court is quite capable of disregarding unflattering testimony if not relevant to this lawsuit. This Court will however not examine *in camera* Julie Ghoumbrial's deposition filed under seal until this Court rules on the certification question.

IT IS SO ORDERED.



JUDGE JAMES A. BROGAN
Sitting by Assignment #18JA1214
Pursuant to Art. IV, Sec. 6

Ohio Constitution

The Clerk of Courts shall serve all counsel/parties of record.

JAB:lcb
16-3928dec