

COURT OF APPEALS OF OHIO
NINTH APPELLATE DISTRICT

Docketing Statement

Appeal No. _____

A time-stamped copy of the final judgment being appealed must be attached to this statement.

Trial Court Name Court of Common Pleas, Summit County, Ohio

Trial Court Caption In re: Member Williams, et al.,
(Name of first plaintiff)

Trial Court Case Number CV-2016-09-3928

versus

Trial Court Judge James Brogan

Kisling Nestico & Redick, LLC, et al.,
(Name of first defendant)

Date of judgment appealed January 26, 2024.

CALENDAR DESIGNATION

THIS APPEAL SHOULD BE ASSIGNED TO:

Regular Calendar.

Accelerated Calendar. *See* Loc.R. 21.

Expedited Calendar (generally for appeals involving termination of parental rights). *See* App.R. 11.2.

THE RECORD

Mark the paragraph that applies.

TO THE CLERK OF COURTS: Please immediately assemble and transmit the record in this case. I certify that the paragraph I marked accurately describes the complete record to be filed:

- The record will consist of **ONLY** the original papers, exhibits, a certified copy of the docket and journal entries, and any transcripts of proceedings that were filed in the trial court prior to final judgment.
- The record will include the original papers and exhibits filed in the trial court, a certified copy of the docket and journal entries, and a full or partial transcript of proceedings prepared for this appeal by a court reporter appointed by the trial court, who I served with a praecipe that I also filed with this court. If only a partial transcript of proceedings is requested, see App.R. 9(B).
- The record will include the original papers and exhibits filed in the trial court and a certified copy of the docket and journal entries, and a statement of the evidence or proceedings pursuant to App.R. 9(C) or an agreed statement of the case pursuant to App.R. 9(D).
- The record will include the original papers and exhibits filed in the trial court and a certified copy of the docket and journal entries, and both a transcript of proceedings prepared by a court reporter appointed by the trial court and a statement of the evidence or case pursuant to App.R. 9(C) or (D). If only a partial transcript of proceedings is requested, see App.R. 9(B).

If you intend to rely upon a transcript of proceedings filed in an earlier appeal, you must seek permission from the court to supplement the record in this appeal with the transcript filed in the earlier appeal.

**A time-stamped copy of the final judgment being appealed must be attached to this statement.
If the order appealed is not final and appealable under R.C. 2505.02, the Court must dismiss the appeal.**

THE PARTIES

Please provide the following information for **all** parties to the proceedings in the trial court.

A party who files a notice of appeal is an appellant. A party who would be adversely affected if the judgment below is reversed should be designated as an appellee. All other parties to the action below should retain their trial court designation (plaintiff, defendant, third-party plaintiff, third-party defendant, petitioner, respondent, etc). **See Local Rule 3.**

If a party was not represented by counsel in the proceedings below, please provide the address and phone number of the party. If there are additional parties and/or attorneys, please copy this page, complete the information for the additional parties, and attach it to this statement. **Appellant must attach a copy of any order that resolved a claim against any of the parties.**

Party Name: Sam N. Ghoubrial, M.D.

Party's Designation: Appellant

Party's Attorney:

Bradley J. Barmen, Esq. (0076515)

Lewis Brisbois Bisgaard & Smith

1375 East Ninth Street, Suite 2250

Cleveland, OH 44114

Phone: (216) 344-9421/ Fax: (216) 344-9422

Email: brad.barmen@lewisbrisbois.com

Party Name: Kisling, Nestico & Redick

Party's Designation: Defendant

Party's Attorney:

Thomas P. Mannion, Esq. (0072773)

Lewis Brisbois Bisgaard and Smith

Cleveland, OH 44114

Phone: (216) 344-9422 Fax: (216) 344-9421

Email: tom.mannion@lewisbrisbois.com

Party Name: Kisling, Nestico & Redick, LLC

Party's Designation: Defendant

Party's Attorney:

James M. Popson, Esq. (0072773)

Sutter O'Connell

1301 E. 9th Street

3600 Erieview Tower

Cleveland, OH 44114

Phone: (216) 928-2200/Fax: (216) 928-4400

Email: jpopson@sutter-law.com

Party Name: Robert Redick

Party's Designation: Defendant

Party's Attorney:

Thomas P. Mannion, Esq. (0072773)

Lewis Brisbois Bisgaard and Smith

Cleveland, OH 44114

Phone: (216) 344-9422 Fax: (216) 344-9421

Email: tom.mannion@lewisbrisbois.com

Party Name: Alberto R. Nestico

Party's Designation: Defendant

Party's Attorney:

James M. Popson, Esq. (0072773)

Sutter O'Connell

1301 E. 9th Street

3600 Erieview Tower

Cleveland, OH 44114

Phone: (216) 928-2200/Fax: (216) 928-4400

Email: jpopson@sutter-law.com

Party Name: Alberto R. Nestico

Party's Designation: Defendant

Party's Attorney:

Thomas P. Mannion, Esq. (0072773)

Lewis Brisbois Bisgaard and Smith

Cleveland, OH 44114

Phone: (216) 344-9422 Fax: (216) 344-9421

Email: tom.mannion@lewisbrisbois.com

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Party's Designation: Defendant

Party's Attorney:

James M. Popson, Esq. (0072773)

Sutter O'Connell

1301 E. 9th Street

3600 Erieview Tower

Cleveland, OH 44114

Phone: (216) 928-2200/Fax: (216) 928-4400

Email: jpopson@sutter-law.com

Party Name: Robert Redick

Party's Designation: Defendant

Party's Attorney:

R. Eric Kennedy, Esq. (0006174)

Daniel P. Goetz, Esq. (0065549)

Weisman, Kennedy & Berris Co., LPA

101 W. Prospect Avenue

1600 Midland Building

Cleveland, OH 44115

Phone: (216) 781-1111/Fax: (216) 781-6747

Email: ekennedy@weismanlaw.com

dgoetz@wisemanlaw.com

Party Name: Alberto R. Nestico

Party's Designation: Defendant

Party's Attorney:

R. Eric Kennedy, Esq. (0006174)
Daniel P. Goetz, Esq. (0065549)
Weisman, Kennedy & Berris Co., LPA
101 W. Prospect Avenue
1600 Midland Building
Cleveland, OH 44115
Phone: (216) 781-1111 Fax: (216) 781-6747
Email: ekennedy@weismanlaw.com
dgoetz@wisemanlaw.com

Party Name: Member Williams

Party's Designation: Appellee

Party's Attorney:

Peter Pattakos, Esq. (0082884)
Zoran Balac, Esq. (0100501)
Gregory Gipson, Esq. (0089340)
The Pattakos Law Firm, LLC
101 Ghent Road
Fairlawn, OH 44333
Phone: 330.836.8533/Fax: 330.836.8536
Email: peter@pattakoslaw.com
zbalac@pattakoslaw.com
ggipson@pattakowlaw.com

Party Name: Monique Norris

Party's Designation: Appellee

Party's Attorney:

Peter Pattakos, Esq. (0082884)
Zoran Balac, Esq. (0100501)
Gregory Gipson, Esq. (0089340)
The Pattakos Law Firm, LLC
101 Ghent Road
Fairlawn, OH 44333
Phone: 330.836.8533/Fax: 330.836.8536
Email: peter@pattakoslaw.com
zbalac@pattakoslaw.com
ggipson@pattakowlaw.com

Party Name: Thera Reid

Party's Designation: Appellee

Party's Attorney:

Peter Pattakos, Esq. (0082884)
Zoran Balac, Esq. (0100501)
Gregory Gipson, Esq. (0089340)
The Pattakos Law Firm, LLC
101 Ghent Road
Fairlawn, OH 44333
Phone: 330.836.8533/Fax: 330.836.8536
Email: peter@pattakoslaw.com
zbalac@pattakoslaw.com
ggipson@pattakowlaw.com

Party Name: Kisling Nestico & Redick, LLC

Party's Designation: Defendant

Party's Attorney:

R. Eric Kennedy, Esq. (0006174)
Daniel P. Goetz, Esq. (0065549)
Weisman, Kennedy & Berris Co., LPA
101 W. Prospect Avenue
1600 Midland Building
Cleveland, OH 44115
Phone: (216) 781-1111 Fax: (216) 781-6747
Email: ekennedy@weismanlaw.com
dgoetz@wisemanlaw.com

Party Name: Kisling Nestico & Redick, LLC

Party's Designation: Defendant

Party's Attorney:

Christopher J. Van Blargan, Esq. (0066077)
3412 West Market Street
Akron, OH 44333
Phone: 330.869.9008/Fax: 330-869-9008
Email: cvanblargan@krllegal.com

Party Name: Robert Redick

Party's Designation: Defendant

Party's Attorney:

Christopher J. Van Blargan, Esq. (0066077)
3412 West Market Street
Akron, OH 44333
Phone: 330.869.9008/Fax: 330-869-9008
Email: cvanblargan@krllegal.com

Party Name: Alberto R. Nestico

Party's Designation: Defendant

Party's Attorney:

Christopher J. Van Blargan, Esq. (0066077)
3412 West Market Street
Akron, OH 44333
Phone: 330.869.9008/Fax: 330-869-9008
Email: cvanblargan@krllegal.com

Party Name: Richard Harbour

Party Name: Minas Floros, D.C.

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Page 4 of 5

Party's Designation: Appellee

Party's Designation: Defendant

Party's Attorney:

Peter Pattakos, Esq. (0082884)
Zoran Balac, Esq. (0100501)
Gregory Gipson, Esq. (0089340)
The Pattakos Law Firm, LLC
101 Ghent Road
Fairlawn, OH 44333
Phone: 330.836.8533/Fax: 330.836.8536
Email: peter@pattakoslaw.com
zbalac@pattakoslaw.com
ggipson@pattakowlaw.com

Party's Attorney:

Shaun H. Kedir, Esq.
Kedir Law Offices
1400 Rockefeller Building
614 West Superior Avenue
Cleveland, OH 44113
Phone: (216) 696-2852/Fax: (216) 696-3177
Email: shaunkedir@kedirlaw.com

GENERAL INFORMATION

Was a stay requested in the trial court? Yes No
If a stay was requested, how did the trial court rule? Granted Denied Pending

If this case has previously been before this Court, list prior appellate case number(s):

List case names and numbers of cases pending in this court that involve the same transaction or controversy involved in this appeal:

Probable issues for appeal:

CRIMINAL CASE

CIVIL CASE

Type of action in trial court? Legal malpractice, fraud, breach of contract, unjust enrichment

Did the judgment dispose of all claims by and against all parties? Yes No

If not, is there a determination that there is "no just reason for delay?" Civ.R. 54(B). Yes No

Have the parties previously participated in mediation of this dispute? Yes No

Would a mediation conference assist in the resolution of this matter? Yes No Maybe

Must this case be expedited as being one of the following types of cases? Yes No

- App.R. 11.2(B) or (C) appeals (abortion without parental consent, adoption, and parental rights)
App.R. 11.2(D) appeals (dependent, abused, neglected, unruly, or delinquent child appeals)
Appeal under determination of local fiscal emergency brought by municipal corporation
Election contests as provided in R.C. 3515.08

I CERTIFY THAT THE ABOVE INFORMATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I HAVE ATTACHED A COPY OF THE FINAL JUDGMENT FROM WHICH THIS APPEAL IS TAKEN.

/s Bradley J. Barmen (0076515)

Signature of Counsel (or party if not represented by counsel)

PAGE 3 OF 3