

TAVIA GALONSKI

2024 FEB 20 AM 11:38

MEMBER WILLIAMS, et al.,
SUMMIT COUNTY
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

Case No.: 2016-09-3928

Judge: James Brogan

v.

KISLING, NESTICO & REDICK, LLC, et al.,

Defendant.

NUNC PRO TUNC ORDER

The Court, having been made aware of a clerical error relative to its February 12, 2024, Order directing that the deposition transcript of Julie Ghoumbrial be filed under seal in this matter, enters this Order, Nunc Pro Tunc, to correct the record and to ensure the full compliance of all Parties relative to the Court's February 12, 2024 Order.

Wherefore, when the Court issued its February 12, 2024, Order directing that the deposition transcript of Julie Ghoumbrial be filed under seal, it intended that the transcript remain private and not available to the public, the Parties, and/or their counsel.

Wherefore, when the deposition of Julie Ghoumbrial was filed on the docket on February 12, 2024, pursuant to this Court's Order to file it under seal, the Notice of Filing sent to counsel made the transcript available for download, by inadvertence or mistake, for a period of approximately thirty (30) minutes, until the issue was brought to the attention of the Clerk and the Court. Once the Clerk and the Court were made aware that the deposition transcript was accessible to counsel in contravention of the intention of the Court when it issued its February 12, 2024, Order directing that the transcript be filed under seal and not be available to anyone, including counsel, the Notice was corrected so that the transcript could no longer be accessed by anyone.

Wherefore, during the limited time the deposition transcript was accessible to counsel through the Notice of Filing, in contravention of the Court's intent when it issued its February 12,

2024, Order to file the transcript under seal, counsel for Plaintiffs obtained a copy of the deposition transcript. Lead counsel for Plaintiffs confirmed that he is possession of, and has reviewed, the deposition transcript of Julie Ghoubrial during a telephone hearing on February 15, 2024.

Wherefore, to ensure compliance with the Court's February 12, 2024, Order that the deposition transcript of Julie Ghoubrial be filed under seal and not available or accessible to anyone, including counsel, until further Order of the Court, all counsel are directed to refrain from distributing any copy or copies of the deposition transcript of Julie Ghoubrial to any person or entity. All counsel are further directed to destroy any and all copies of the deposition transcript currently in their possession, as well as any copies in the possession of their partners, associates, agents, employees, or assigns. This Order applies to any and all electronic copies of the deposition transcript saved, downloaded, or emailed, which are to be deleted.

Wherefore, to ensure compliance with this Nunc Pro Tunc Order, as well as this Court's February 12, 2024, Order, lead counsel for all Parties are directed to submit an affidavit to Court, no later than 3 pm est. on Wednesday, February 21, 2024, certifying that all copies of the deposition transcript of Julie Ghoubrial, including all electronic copies, have been destroyed and/or deleted.

IT IS SO ORDERED.



JUDGE JAMES BROGAN

Copies to Counsel of Record