

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

MEMBER WILLIAMS, et al.,

Plaintiffs,

v.

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

Defendants.

Case No. CV-2016-09-3928

Judge James Brogan

DEFENDANT SAM GHOUBRIAL, M.D.'S
MOTION TO FILE UNDER SEAL

Now comes Defendant Sam Ghoumbrial, M.D. ("Dr. Ghoumbrial"), by and through counsel, and hereby requests leave to file his Post-Hearing Brief and attached exhibits under seal. This Motion is not made the purpose of unduly delaying these proceedings and no Party will be prejudiced by the granting of this request.

The Court held an evidentiary hearing on two separate issues on June 10, 2024. First, and as it relates to this Motion, the Court heard arguments and took evidence on the application of spousal privilege to, and the potential admissibility of, the confidential deposition transcript of non-party Julie Ghoumbrial.¹ At the conclusion of the June 10, 2024, the Court ordered that the transcript of the hearing be placed under seal until further order of the Court. The Court also ordered the Parties to file post-hearing briefs within ten (10) days of receipt of the transcript from the June 10, 2024, hearing.

¹ Defendant Ghoumbrial's Motion to Hold Plaintiff's Counsel in civil and criminal contempt due his knowing and intentional violations of multiple Court Orders was also heard during the June 10, 2024, hearing. Defense counsel does not believe that the portion of the transcript from the hearing dealing with the contempt motion was placed under seal. However, out of an abundance of caution, Defendant intends to file the entire transcript under seal.

Defendant Ghoumbrial intends to timely file his Post-Hearing Brief on August 1, 2024. Defendant Ghoumbrial intends to attach the transcript of June 10, 2024, hearing as an exhibit to his Post-Hearing Brief. As such, and to ensure compliance with the Court's Order sealing the hearing transcript, Defendant Ghoumbrial respectfully requests leave to file his Post-Hearing Brief and exhibits under seal.

Respectfully submitted,

/s/ Bradley J. Barmen

Bradley J. Barmen, Esq. (0076515)

LEWIS BRISBOIS BISGAARD AND SMITH, LLP

1375 East Ninth Street, Suite 2250

Cleveland, OH 44114

Brad.barmen@lewisbrisbois.com

Phone: 216.344.9422

Fax: 216.344.9421

Counsel for Defendant

Sam N. Ghoumbrial, M.D.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing was filed electronically with the Court on this 30th day of July, 2024. The parties may access this document through the Court's electronic filing system.

/s/ Bradley J. Barmen

Bradley J. Barmen (0076515)

Counsel for Defendant

Sam N. Ghoubril, M.D.