No. 16-560

In the Supreme Court of the United States

ASCIRA PARTNERS, LLC, *et al*.,
Petitioners,

v.

SCOTT DANIEL, *et al*.,
Respondents.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Sixth Circuit

PETITIONERS' REPLY BRIEF

John B. Nalbandian
Counsel of Record
Russell S. Sayre
Aaron M. Herzig
Brian A. Morris
Taft Stettinius & Hollister LLP
425 Walnut Street, Suite 1800
Cincinnati, Ohio 45202
(513) 381-2838
nalbandian@taftlaw.com

Counsel for Petitioners

(*Counsel continued on inside cover*)

Becker Gallagher · Cincinnati, OH · Washington, D.C. · 800.890.5001

Walter E. Haggerty
Bill J. Paliobeis
Frost Brown Todd LLC
3300 Great American Tower
301 East Fourth Street
Cincinnati, Ohio 45202
(513) 651-6800
whaggerty@fbtlaw.com

Marilena R. Walters
Mary-Jo Pullen
Melissa L. Korfhage
D. Michael Crites
Dinsmore & Shohl LLP
255 East Fifth Street, Suite 1900
Cincinnati, Ohio 45202
(513) 977-8200
marilena.walters@dinsmore.com

Michael F. Lyon
James F. Brockman
David E. Williamson
Lindhorst & Dreidame Co., L.P.A.
312 Walnut Street, Suite 3100
Cincinnati, Ohio 45202
(513) 421-6630
mlyon@lindhorstlaw.com

Carolyn A. Taggart
Ana P. Crawford
Porter Wright Morris & Arthur LLP
250 East Fifth Street, Suite 2200
Cincinnati, Ohio 45202
(513) 369-4231
ctaggart@porterwright.com

J. David Brittingham
Thomas P. Kemp, Jr.
Dinsmore & Shohl LLP
255 East Fifth Street
Suite 1900
Cincinnati, Ohio 45202
(513) 977-8200
david.brittingham@dinsmore.com

Michael Peter Foley
James J. Englert
Rendigs Fry Kiely
& Dennis LLP
600 Vine Street
Suite 2650
Cincinnati, Ohio 45202
(513) 381-9200
mpf@rendigs.com

Paul W. McCartney
Bonezzi Switzer Polito &
Hupp Co., L.P.A.
312 Walnut Street
Suite 2530
Cincinnati, Ohio 45202
(513) 345-5500
pmccartney@bsphlaw.com

Joshua F. DeBra
Calderhead, Lockemeyer &
Peschke Law
6281 Tri-Ridge Boulevard
Suite 210
Loveland, Ohio 45140
(513) 576-1060
jdebra@clp-law.com

Jennifer O. Mitchell
Matthew S. Arend
Dinsmore & Shohl LLP
255 East Fifth Street
Suite 1900
Cincinnati, Ohio 45202
(513) 977-8200
jennifer.mitchell@dinsmore.com

TABLE OF CONTENTS

TABLE OF AUTHORITIES ii

INTRODUCTION 1

ARGUMENT 1

CONCLUSION 9

APPENDIX

Appendix F Motion to Transfer and Consolidate Dr. Durrani Cases to the Docket of Judge Robert Ruehlman in the Court of Common Pleas, Hamilton County, Ohio, Civil Division (November 15, 2016) . . . . . App. 38

TABLE OF AUTHORITIES

CASES

Aaron v. West Chester Hosp., LLC,
No. 1:16-cv-00292, 2016 WL 4480337 (S.D. Ohio Aug. 25, 2016) 5

In re Abbott Labs, Inc.,
698 F.3d 568 (7th Cir. 2012) 7

Atwell v. Boston Scientific Corp.,
740 F.3d 1160 (8th Cir. 2013) 7

Bullard v. Burlington N. Santa Fe Ry. Co.,
535 F.3d 759 (7th Cir. 2008) 7

Commissioner v. Glenshaw Glass Co.,
348 U.S. 426 (1955) 4

Cooter & Gell v. Hartmarx Corp.,
496 U.S. 384 (1990) 4

Crump v. Lafler,
657 F.3d 393 (6th Cir. 2011) 5

Dart Cherokee Basin Operating Co., LLC v. Owens,
—U.S. —, 135 S. Ct. 547 (2014) 2, 3, 4, 5, 6

Hertz Corp. v. Friend,
559 U.S. 77 (2010) 2

Nixon v. Fitzgerald,
457 U.S. 731 (1982) 6

Standard Fire Ins. Co. v. Knowles,
—U.S.—, 133 S. Ct. 1345 (2013) 2

State ex rel. Durrani v. Ruehlman,
No. 2015-2080, 2016 WL 6775838 (Ohio Nov. 15, 2016) 6, 7

Taylor v. McKeithen,
407 U.S. 191 (1972) 6

STATUTES

28 U.S.C. § 1254 2

28 U.S.C. § 1332(d)(11) 7, 8

28 U.S.C. § 1453 . . . . . 3, 4

28 U.S.C. § 1453(c) 2

28 U.S.C. § 1453(c)(3)(B) 3

28 U.S.C. § 1453(c)(4) 1, 2

RULES

6th Cir. R. 32.1(A) 5

10th Cir. R. 32.1(A) 5

OTHER AUTHORITIES

S. Rep. 109-14 (2005) 3, 4

INTRODUCTION

Respondents' opposition is important for what it does not say. It does not dispute that the questions presented in the Petition are important. It does not dispute that decision below creates circuit splits on significant issues of jurisdiction under the Class Action Fairness Act. It does not offer a defense of the errors below. Rather, it quibbles with whether it matters how the court below rendered its decision, offering an untenable argument that this Court does not have jurisdiction to review and decide the issues presented. The questions presented are vital and important and should be decided by this Court to prevent CAFA jurisdiction from meaning different things in different courts across the country.

ARGUMENT

1. Respondents ask the Court to ignore the fact that the Sixth Circuit consciously created two circuit splits on important CAFA jurisdictional issues. Their opposition instead is based on a mischaracterization of the Sixth Circuit's Order as perfunctory and "required" because the panel did not make a decision before the 60-day limit imposed by 28 U.S.C. § 1453(c)(4). They repeatedly contend that "[t]he Sixth Circuit's denial of the appeal … did not decide or even suggest a view on the underlying merits of the removed case." Brief Opp'n, at 3, 9; *id.* at 4 ("The denial of [the] appeal … does not suggest in any way that the Sixth Circuit adopted one or both of the alternative grounds for the district court's decision."); *id.* at 17 ("But the court's decision to deny their appeal did not reflect any decision on the merits of those issues[.]"); *id.* at 19

("Here the only signal is that the Sixth Circuit did not complete its task in the limited time allotted.").

This is not true. The Sixth Circuit made it clear that it had reached the merits of the appeal, but used the mechanism of 28 U.S.C. § 1453(c)(4) to deny the appeal rather than write an opinion explaining its reasoning. Judge White dissented, writing that she "would have issued an order within the 60-day period vacating the district court's order and remanding for further factual development on the citizenship issues." Pet. App. 2-3. Judge White's dissent demonstrates that the panel majority thought that the trial court's decision was correct.

Indeed, the panel erased any doubt when it explained in its Order denying rehearing *en banc* that "the issues raised in the petition [for rehearing, which raised the same issues raised in the merit briefs] were fully considered upon the original submission and decision in this case." Pet. App. 27. In other words, the substantive ***issues*** were considered, and a ***decision*** was made.[1] The fact that the Sixth Circuit did not write

---

[1] This Court has reached the merits of CAFA issues even where it was less clear than it is here that the court of appeals had reached the substantive issues. *See, e.g.*, *Dart Cherokee Basin Operating Co., LLC v. Owens*, —U.S. —, 135 S. Ct. 547, 554 (2014). *See also Standard Fire Ins. Co. v. Knowles*, —U.S.—, 133 S. Ct. 1345, 1347-48 (2013); *Hertz Corp. v. Friend*, 559 U.S. 77, 83-84 (2010) (citing 28 U.S.C. § 1254) (60-day time limit under 28 U.S.C. § 1453(c) does "not [ ] deprive this Court of subsequent jurisdiction to review the case"). Unlike in *Dart Cherokee*, 135 S. Ct. at 555-57, where the Court looked for signals to discern whether the Tenth Circuit was endorsing the trial court's errors, the Sixth Circuit made obvious its actions here. The panel was explicit that it made a merits

a full opinion does not affect the importance of the questions presented.[2]

2. Respondents suggest that the abuse of discretion standard used in *Dart Cherokee* prevents the Court from reaching the underlying issues here because the Sixth Circuit denied the appeal after the mandatory 60-day timeframe lapsed. Brief Opp'n, at 18. The fact that the Sixth Circuit chose to act through the mechanism of the 60-day limit in 28 U.S.C. § 1453, rather than through a written decision, does not affect this Court's ability to issue a writ of certiorari, nor does

---

decision. Pet. App. 27. Even Respondents admit that review is appropriate where it is "evident that the [Sixth Circuit] must have based its decision on an erroneous view of the law." Brief Opp'n, at 4, 18-19. That is exactly this case.

[2] Respondents also insist, without evidence and contrary to the *en banc* denial order, that the Sixth Circuit denied the appeal because "Petitioners failed to make a motion to extend the decision period." Brief Opp'n, at 4, 7, 14, 20. The order denying review notes in passing that "no extension has been sought or granted." Pet. App. 2. Respondents read into that phrase that the panel might have issued a decision if it had more time. As explained above, the panel clarified that it had made a decision on the issues and intentionally let the period lapse. Pet. App. 27. In any event, if the panel needed more time it could have granted itself a 10-day extension under 28 U.S.C. § 1453(c)(3)(B). *See* S. Rep. 109-14, at 49 (2005) ("[T]he court may, on its own, avail itself of one ten-day extension."). The other method for extending the 60-day limit is for the parties to jointly agree to give the court more time. Parties have no way of knowing whether a court needs additional time. The court of appeals did not suggest that it needed more time before the deadline, and Respondents do not suggest that they would have agreed to such an extension. This is another meritless argument intended to avoid dealing with the important issues in this case.

it affect the importance of the circuit splits regarding CAFA jurisdiction that were created by this decision. Indeed, it provides yet another reason to grant the writ. The 60-day requirement "was designed to promote expedition, not to discourage Courts of Appeal from acting on petitions for appeal." *Dart Cherokee*, 135 S. Ct. at 556. The purpose of the 60-day requirement "is to develop a body of appellate law interpreting [CAFA] legislation without unduly delaying the litigation of class actions." S. Rep. 109-14, at 49 (2005). In contrast, the Sixth Circuit's decision to allow the 60-day period to expire is contrary to CAFA's express purpose of providing meaningful appellate review. *See id.* at 49, 88. *See also Dart Cherokee*, 135 S. Ct. at 556 n.6 (rejecting as improper a court's decision to deny an appeal under 28 U.S.C. § 1453 for "doubt[ing] its ability to quickly resolve the issue within the 60-day time limit"). Thus, the Court should reverse the Sixth Circuit's decision for the same reason as in *Dart Cherokee*, because the court of appeals "based its ruling on an erroneous view of the law" (*i.e.*, the erroneous view of the trial court).[3] 135 S. Ct. at 555 (quoting *Cooter & Gell v. Hartmarx Corp.*, 496 U.S. 384, 405 (1990)).

---

[3] Respondents also contend that the Court should deny the petition because if these issues present themselves in the future, "a defendant could simply remove the case" and petition the Sixth Circuit to review the issues again. Brief Opp'n, at 19. However, the recurring nature of these issues supports the granting of the petition now. *See, e.g.*, *Commissioner v. Glenshaw Glass Co.*, 348 U.S. 426, 427 (1955) (granting the petition for certiorari "[b]ecause of the frequent recurrence of the question"). There is no compelling reason to allow the Sixth Circuit's erroneous decision to stand until it may (or may not) correct the problem itself in the future.

3. Respondents next argue that because the court of appeals did not publish a written decision its decision has no binding effect. Brief Opp'n, at 16-17. Respondents confuse this point. The effect of the Sixth Circuit's denial is a very different issue from whether a subsequent panel of the Sixth Circuit can review these same CAFA questions. *See Crump v. Lafler*, 657 F.3d 393, 405 (6th Cir. 2011). While the Sixth Circuit has the ability to revisit these CAFA issues in a future case (and the equal ability to grant or deny such a request), the Sixth Circuit's decision here still created the law of the circuit. *See* Pet. App. 2-3, 27. The denial of the appeal "established the law not simply for this case, but for future CAFA removals sought by defendants in the [Sixth] Circuit." *See Dart Cherokee*, 135 S. Ct. at 556 ("Consequently, the law applied by the District Court … will be frozen in place for all venues within the [Sixth] Circuit.").[4] Indeed, the trial court's decision and analysis remain the law within the Sixth Circuit. *See, e.g.*, *Aaron v. West Chester Hosp., LLC*, No. 1:16-cv-00292, 2016 WL 4480337, at *1 (S.D. Ohio Aug. 25, 2016) (rejecting CAFA jurisdiction in light of the trial court's decision in this case because "Defendants make the same arguments in support of

[4] The Sixth Circuit and the Tenth Circuit treat unpublished decisions in relatively the same manner, though such decisions may carry less weight in the Tenth Circuit. *Compare* 10th Cir. R. 32.1(A) ("The citation of unpublished decisions is permitted … [and] are not precedential, but may be cited for their persuasive value."), *with* 6th Cir. R. 32.1(A) ("The court permits citation of any unpublished opinion, order, judgment, or other written disposition."); *see also Crump*, 657 F.3d at 405 (unpublished decisions can be instructive or helpful).

removal in this case and as such, the same conclusion is warranted").

Moreover, this Court recognizes that its review is not limited by an unreasoned or unwritten opinion from a court of appeals. *Dart Cherokee*, 135 S. Ct. at 557 n.7 (citing *Taylor v. McKeithen*, 407 U.S. 191, 193 n.2 (1972) (granting writ and vacating the court of appeals' decision despite the lack of a written opinion); *Nixon v. Fitzgerald*, 457 U.S. 731, 742-43 (1982) (facing an unreasoned court of appeals decision, this Court projects what the court of appeals "appears to have" reasoned)).

4a. Rather than substantively address the important CAFA issues presented in this case, Respondents attempt to downplay the significance of the Sixth Circuit's decision by suggesting that the underlying issues are "likely moot" because the cases may not remain consolidated in state court. Brief Opp'n, at 20-21 (addressing *State ex rel. Durrani v. Ruehlman*, No. 2015-2080, 2016 WL 6775838 (Ohio Nov. 15, 2016)). However, Respondents admit that the basis for removal is unaffected because Respondents themselves proposed a joint trial of the claims of 100 or more plaintiffs, regardless of whether the claims are actually adjudicated in a single trial. *Id.* As the Seventh Circuit noted:

> It does not matter whether a trial covering 100 or more plaintiffs actually ensues; the statutory question is whether one has been proposed. … Recall the language of § 1332(d)(11)(B)(i): any "civil action … in which monetary relief claims of 100 or more persons are proposed to be tried jointly" is treated as a "class action" …. The

> question is not whether 100 or more plaintiffs answer a roll call in court, but whether the "claims" advanced by 100 or more persons are proposed to be tried jointly.

Bullard v. Burlington N. Santa Fe Ry. Co., 535 F.3d 759, 762 (7th Cir. 2008); *In re Abbott Labs, Inc.*, 698 F.3d 568, 573 (7th Cir. 2012) (same). *See also Atwell v. Boston Scientific Corp.*, 740 F.3d 1160, 1163 (8th Cir. 2013) (approving of *Bullard* and noting that "construing the statute to require a single trial of more than 100 claims would render 28 U.S.C. § 1332(d)(11) 'defunct'"). Regardless of the current posture of the Dr. Durrani Cases in state court, federal jurisdiction is proper and Petitioners have a right to invoke it, because Respondents proposed a massive group trial encompassing the claims of more than 500 individuals. Pet. App. 7-8.

Moreover, Respondents' contention that "the underlying cases may now be just garden-variety individual malpractice cases" is disingenuous. Brief Opp'n, at 21. On the same day the *State ex rel. Durrani v. Ruehlman* decision was issued, Respondents filed a motion to re-consolidate all of the Dr. Durrani Cases before the same state court judge, including a request for "an expedited hearing on this issue so as not to lose January trial dates" of the massive group trial. Pet. App. 38, Mot. Transfer & Consolidate Dr. Durrani Cases to the Docket of Judge Robert Ruehlman, *Bayliss v. Durrani*, No. A1602538 (Hamilton Cnty. C.P. Nov. 15, 2016). Respondents cannot in good faith try to convince this Court that the issues raised in the petition are no longer important when they are

continuing to make every effort to ensure joint trials of the claims of more than 100 plaintiffs.

4b. The circuit splits caused by the Sixth Circuit remain important regardless of how the state court proceedings unfold and regardless of the mechanism by which they were created. First, the Sixth Circuit, by adopting the decision of the trial court, expressly rejected decisions from the Seventh, Eighth, and Ninth Circuits. Those courts all agree that mass action jurisdiction under 28 U.S.C. § 1332(d)(11) is present where plaintiffs propose a joint trial of multiple cases, each with less than 100 plaintiffs, that together encompass the claims of more than 100 plaintiffs. Only the Sixth Circuit disagrees.

Second, the Sixth Circuit created a third method to determine citizenship for the purposes of CAFA's jurisdictional exceptions. The Sixth Circuit departed from all other Circuits by determining the citizenship of the parties at the time the cause of action arose, rather than at the time the complaint was filed or the time the case became removable. The Sixth Circuit's unprecedented new test further fractures how the Circuits apply key CAFA provisions, creating a new three-way circuit split.

Unless the Court resolves these questions, whether a case is subject to federal jurisdiction will depend on the Circuit within which the case is filed. Either the Sixth Circuit is incorrectly declining jurisdiction that it has, or the other Circuits are exercising jurisdiction they do not have.

CONCLUSION

For the reasons stated in the Petition and here, the Court should issue a writ of certiorari for both questions presented.

Respectfully submitted,

John B. Nalbandian
Counsel of Record
Russell S. Sayre
Aaron M. Herzig
Brian A. Morris
Taft Stettinius & Hollister LLP
425 Walnut Street, Suite 1800
Cincinnati, Ohio 45202
(513) 381-2838
nalbandian@taftlaw.com

Counsel for Petitioners

APPENDIX

APPENDIX

TABLE OF CONTENTS

Appendix F Motion to Transfer and Consolidate Dr. Durrani Cases to the Docket of Judge Robert Ruehlman in the Court of Common Pleas, Hamilton County, Ohio, Civil Division (November 15, 2016) . . . . . App. 38

APPENDIX F

IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO
CIVIL DIVISION

Case No. See Exhibit A

[Filed November 15, 2016]

Plaintiffs,	)
As Listed in Exhibit A,	)
	)
Plaintiffs,	)
	)
-vs-	)
	)
Abubakar Atiq Durrani, M.D. et al.,	)
	)
Defendants.	)
	)

Judge Robert Ruehlman
(Presiding Judge Hamilton County
Court of Common Pleas)

MOTION TO TRANSFER AND CONSOLIDATE DR. DURRANI CASES TO THE DOCKET OF JUDGE ROBERT RUEHLMAN (ORAL ARGUMENT REQUESTED)

On November 15, 2016, the Supreme Court issued an opinion which ruled the consolidation was not proper. It did not rule the cases could not be consolidated before Judge Ruehlman.

Thus, this motion to meet the requirements of that decision.

Plaintiffs from Exhibit A, pursuant to Local Rule 4, Sup. R. 4.01, Sup. R. 35, and Sup. R 3.02, move to transfer and consolidate the cases identified on Exhibit A to the docket of Judge Robert Ruehlman. In support of this motion, plaintiffs state as follows:

There are approximately 500 medical malpractice actions venued in Hamilton County, Ohio in which Atiq Durrani, M.D. and his company, Center for Advanced Spine Technologies, and hospitals are Defendants. Many cases were originally assigned to Judge Ruehlman. Trials are scheduled for January with Judge Ruehlman.

The extensive substantive and procedural record of these cases are known by the Court and all parties. We choose not to lay it out again.

Consolidation would provide judicial economy, reduce the cost of litigation, expedite trial practice, and foster consistency in rulings. It would also allow a concerted effort to resolve the litigations.

Given the many benefits of consolidating all Durrani cases venued in Hamilton County, plaintiffs move to transfer and consolidate all cases listed in Exhibit A hereto to the docket of Judge Ruehlman and assign all new and refiled Dr. Durrani cases to Judge Ruehlman.

The Plaintiffs do not know if all the other Common Pleas Judges consented to consolidation. However, Plaintiffs believe in Court once Judge Ruehlman stated

they did. Regardless, he had the lowest assigned cases – Roy A1108652.

It was not Plaintiffs fault Judge Winkler did not sign the consolidation Order. They filed their January 13, 2015 Motion with him and tendered an Order.

Since the original consolidation request, the Butler County cases have been consolidated in Hamilton County.

Since the original request, the Defendants failed to remove the cases to federal court.

There is even a greater reason for these cases to be consolidated before Judge Ruehlman. The Supreme Court had previously upheld the First District challenge allowing consolidation. This meant Judge Ruehlman had these cases for a year working on them.

He has issued Orders.

He has set trials including for January.

He knows the cases.

We request an expedited hearing on this issue so as not to lose January trial dates. Nothing has changed. Plaintiffs wish consolidation under the guide of the November 15, 2016 decision. This Motion and request follows that decision.

Respectfully submitted,

_____
Matthew J. Hammer (0092483)
THE DETERS LAW FIRM, P.S.C.
5247 Madison Pike
Independence, KY 41051
859-363-1900 - telephone
859-363-1444 - facsimile
mhammer@ericdeters.com

NOTICE OF HEARING

Please take notice that this Motion will come to be heard at the convenience of the Court.

CERTIFICATE OF SERVICE

I certify that true and exact copies of the foregoing were sent electronically on this __ day of November 2016, to all counsel of record in Hamilton County, Ohio Dr. Durrani cases.

_____
Matthew J. Hammer

EXHIBIT A

DURRANI CLIENT	CASE NO.
1. Adams, Patricia	A1506958
2. Agee, Michelle	A1506571
3. Aker, Laura	A1402757
4. Allen, Jimmy	A1402537
5. Allen, Katrina	To Be Assigned
6. Arnold, Brad	A1504450
7. Augst, Thomas	A1506042
8. Ault, Joshua	A1403072
9. Ayres, Amanda	A1400578
10. Ayres, Amanda- Christ	A1502990
11. Bachmann, Gayle	A1506044
12. Bailey, Caidan	To Be Assigned
13. Baker, Paul	A1504464
14. Baumgardner, Joseph	To Be Assigned
15. Beavan, Michelle	A1505423
16. Beckelhimer, Troy	A1404075
17. Beil, Cathy	A132781
18. Bender, Mackenzie	A1506577
19. Benge, Denise	A1504447

20. Benge, Nicholas	A1504454
21. Benjamin, Antoinette	A1600764
22. Benton, Shawnda	A1503378
23. Billing, Trey	A1403074
24. Bishop, Edythe	A1506609
25. Bode, Anthony	A1402942
26. Boggs, Barbara	A1506302
27. Boggs, Kaitlyn	To Be Assigned
28. Boggs, Kaitlyn- Children's	To Be Assigned
29. Botner, Doris	A1302782
30. Bowling, Arletta	A1601973
31. Bradshaw, Latoya	A1601544
32. Brashear, Christina	A1506959
33. Braucher, Melissa	A1506956
34. Bray, Dominique	To Be Assigned
35. Breitenstein. Rebecca	A1306847
36. Brophy, Michael	A1504460
37. Brown, Tara	A1505777
38. Burton, Kayla	A1505678
39. Bushelman, Kathleen	To Be Assigned
40. Buskirk, Annette	A1600234

41. Butler, Brenda	A1403489
42. Byrd, Timothy	A1402938
43. Calligan, Patrick	A1401182
44. Campbell, Jan	A1505625
45. Campbell, Robert	A1506574
46. Carr, Andrew	A1505422
47. Clark, Chris	A1302874
48. Collins, John	A1504451
49. Conger, David	To Be Assigned
50. Conger, Kenneth	A1505424
51. Cook, Michael	To Be Assigned
52. Cotter, Jacob	A1401186
53. Courtney, Eric	A1307859
54. Crissinger, Karen	A1400584
55. Crissinger, Karen- Christ	A1502865
56. Crowe, Joi	To Be Assigned
57. Crowe, Kali	A1505776
58. Cullins, Joy	To Be Assigned
59. Curley, Kathryn	A1400583
60. Dailey, Margaret	A1504459
61. Daniel, Scott	A1400577

62. Davis, Joseph	A1506163
63. Deaton, Ollie	To Be Assigned
64. Deaton, Stefanie	A1506166
65. Deck, Damon	A1506307
66. Dennis, Sandra	A1601537
67. Dority, Kristine	To Be Assigned
68. Doyle, Deborah	A1505421
69. Durham, Jacob	A1403361
70. Eder, Mona	A1601568
71. Ellington-McClure, Connie	A1506608
72. Elliott, Richard	A1504466
73. Esselman, Tracy	A1503652
74. Fait, Arlene	A1506606
75. Favaron, Neil	A1506607
76. Feltner, Jacob	A1503379
77. Feltner. Karen	A1503650
78. Fite, Troy	A1505426
79. Ford, Shamyia	A1402763
80. Freeman, Julie	A1504131
81. Geralds, Christine	To Be Assigned
82. Goldstein, Christina	To Be Assigned

83. Graber, Greg	A1603347
84. Greelish, Erin	A1601539
85. Griessman, Carla	A1504132
86. Grimm, Jenny	A1506165
87. Halbert, Paris	A1504448
88. Hall, Alyssa	A1505430
89. Hamilton, William	A1505427
90. Harris, David	A1506224
91. Hartman, Adam	A1504465
92. Hastings, Jessica	A1505972
93. Haynes, Emily	A1505433
94. Healy, Minuet	A1403757
95. Heffner, Heather (Leslie Powers)	To Be Assigned
96. Heffner, Heather- Children's (Leslie Powers)	To Be Assigned
97. Hennessy, Kelly	A1601546
98. Hensley, Ryan	To Be Assigned
99. Herbert, Emily (Kathy Hersley)	A1500563
100. Hersley, Kathy	To Be Assigned
101. Hightchew, Alissa	A1306915

102. Hoffman, Celeste	A1506961
103. Houghton, Robert II	A1504133
104. Hughes, Tammy	A1506960
105. Hunley, Kevin	A1503649
106. Hutchinson, George	A1305173
107. Hutton, Martha	A1505050
108. Janson, Tracy	A1505049
109. Jobe, Stephanie	A1601540
110. Johnson, Amber	A1403174
111. Johnson, Chelsea	To Be Assigned
112. Johnson, Karen	A1505624
113. Johnson, Roger	To Be Assigned
114. Jonas, Sara	A1504134
115. Jones, Rachel	A1601422
116. Jones, Tammy	A1506164
117. Jones, Sydney	A1403363
118. Judkins, Jacqueline	A1506306
119. Judkins, Phyllis	To Be Assigned
120. Kauffman, Joshua	A1503668
121. Knauer, Christopher	A1504787
122. Knauer, Maggie	A1504130

123. Koehler, Rose	A1504135
124. Koehler, Shannon	To Be Assigned
125. Koelblin, Mike	A1506160
126. Krabacher, Sheila Pogue	A1601533
127. Lacinak, Brandon	A1400586
128. Lainhart, Natasha	To Be Assigned
129. Langford, Nicholas	A1307857 11/26/13
130. Landrum, Victoria	A1505870
131. Legendre, Patricia	A1505510
132. Leisring, Beth	A1504457
133. Levandofsky, Hillary	A1401181
134. Lilly, Adrian	A1504446
135. List, Derek	A1503024
136. List, Lynne	A1505509
137. Luse, Kimberly	A1506308
138. Mains, Vicky	A1600432
139. Mann, Tammy	A1302870
140. Mahlenkamp, Kenneth	A1505868
141. Marcheschi, Jack	A1308383
142. Martin, Stacy John	To Be Assigned

143. Masters, Robert	To Be Assigned
144. Mathis, Brandon	A1307861
145. McCann, Heather	A1506572
146. McClendon, Kyra	A1506695
147. McDonald, Kevin	A1401890
148. McKenney, Grant	A1504462
149. McKinney, Candi	To Be Assigned
150. McKnight, Tyler	A1503669
151. McQueary, Tonia	A1506957
152. McNeal, Kameron	A1503653
153. McNeal, Kerry	To Be Assigned
154. Merland, Dawn	A1503354
155. Messerschmidt, Tiffany	A1505432
156. Middendorf, Lyndsey	A1506649
157. Mink, Samantha	A1401893
158. Moffitt, Vera	A1601543
159. Moore, Stephanie	A1505431
160. Mounce, Robert	To Be Assigned
161. Mueller, Sarra	A1302875
162. Myers, Jennifer	A1505971
163. Nelson, Charles	A1402760

164. Neu, Gary	A1505869
165. Newman, Margie	A1601535
166. Nichols, Teresa	A1601569
167. Nisbett, Rahman	A1503128
168. Noble, Michelle	A1506041
169. Odulana, Michael	A1505419
170. Pennington, Angela	A1503651
171. Pickett, Heather	A1307306
172. Picket, Heather- Children's	A1505428
173. Potts, Jeff	A1206877
174. Powell, Antoine	A1505434
175. Prater, Katie	A1601534
176. Pridemore, Lawrence	A1506576
177. Puckett-Morrissette, Sherri	A1601536
178. Pummell, Carol	To Be Assigned
179. Ravenscraft, Mary	A1506161
180. Ray, Todd	A1506573
181. Redrow, Samantha	A1504456
182. Reed, Mark	A1506490
183. Reifenberger, Holly	A1604027
184. Richardson, John	A1601542

185. Ribariu, Jordan	A1603343
186. Roark, Deborah	A1601421
187. Robbinson-Woods Theresa	A1505872
188. Rodriguez, Debbie	A1601532
189. Rose, Dorothy	A1506696
190. Rosebery, Faye	To Be Assigned
191. Roundtree, Sandra	A1603341
192. Rutter, Carson	A1402941
193. Sand, Mike	A1506694
194. Schmidt, Kim	A1600109
195. Schmit, Kevin	A1400009
196. Schmit, Patrick	A1506162
197. Schoborg, Brandon	A1401289
198. Schock, Susan	To Be Assigned
199. Schultz, Steven Andrew	A1506861
200. Schuster, Ronald	A1506303
201. Scott, Rhonda	A1601541
202. Scully, Ali	A1504452
203. Sears, Ruthie	A1403488
204. Setters, Dana	A1506570
205. Shannon, Asia	A1403365

206. Shepherd, Charlann	A1504455
207. Shott, Greg (Patricia)	A1502144
208. Slayback, Heather	A1504453
209. Smith, Donald	To Be Assigned
210. Smith, Staci	A1307300
211. Smoote, Orris	A1504461
212. Snider, David	To Be Assigned
213. Spangenberg, Sherrie	To Be Assigned
214. Stamps, Earl	A1505871
215. Stephenson, Tempie	A1505873
216. Stigall, Deon Jr.	A1501742
217. Stratman, Sierra	A1305127
218. Tackett, Ryan	A1505420
219. Tanner, Ryan	A1506304
220. Taylor, Alex	A1402940
221. Thaeler, Ben	A1504449
222. Thomas, Adrienne	To Be Assigned
223. Underwood, Connie	To Be Assigned
224. Upchurch, Jacklen	To Be Assigned
225. Vance, Jordan	A1506575
226. Wallace, Shannon	A1505425

227. Wallace, Vicki	A1504458
228. Walls, Katherine	A1506955
229. Walsh, Lindsay	A1403490
230. Walsh, Tracey	To Be Assigned
231. Ward, Helen	A1402762
232. Weber, Cathleen	A1504463
233. Webber, Daniel	A1403644
234. Webster, Brandon	A1505429
235. Weisbecker, Laura	A1506223
236. White, Sophia	A1600232
237. Wilson, Joseph (Alisa Wilson)	A1505775
238. Wilson, Robert	A1506860
239. Wilson, Terry	A1600233
240. Wilson, Vicky	A1601538
241. Wolder, Bill	To Be Assigned
242. Wolsing, Billy	A1506693
243. Worley, Teresa	A1506043
244. Wooten, Carla	A1601545
245. Wright, Cory	A1402534
246. Wyatt, Cheryl	A1505970
247. Wyatt, Emanuel	A1403073

248. Yeakle, Veronica	A1600235
249. Young, Evelyn	A1502866
250. Zachry, Corrine	A1600762
251. Zureick, Mary	A1400581
252. Zymslo, Hannah	A1506305
253. Young, Judy- SOR Lawsuit	A1406361
254. Hensley, Barbara- WCH Board	A1503355
255. Baker, Nicole- Mass Complaint	A1604542
256. Atwood, Chris Scott-Durrani Suspended KY	A1602537
257. Bayliss, Louise-Durrani Suspended OH	A1602538
258. Freida Aaron (Children's)	A1407452
259. Michelle Agee vs. Bariatric Partners	A1500240
260. Dana Setters (Class Action)	A1502629
261. Lyndsey Middendorf (Class Action)	A1502907
262. Jacob Durham (Class Action)	A1502908
263. Heather McCann (Class Action)	A1502909
264. Michelle Agee (Alphatec)	A1505508

65. West Chester- Dec Action	A1600110
266. Michelle Agee (JL Dec Action)	A1600763
267. Gayle Bachman (Childrens/Christ)	A1601237
268. Mary Ravenscraft (JL)	A1602066