

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

<p>NPF FRANCHISING LLC,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p>v.</p> <p style="padding-left: 40px;">SY DAWGS, LLC,</p> <p style="padding-left: 40px;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>CASE NO. 1:18 CV 277</p> <p>JUDGE DONALD C. NUGENT</p> <p>Magistrate Judge William H. Baughman, Jr.</p> <p>MEMORANDUM OPINION <u>AND ORDER</u></p>
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This matter is before the Court on the Motion of Interested Parties J. Patrick Allen, Kathryn B. Fox, Rick A. Waltman, Tracy A. Warren, and Buchalter, A Professional Corporation, to Release and Order Disbursement of Cash Deposit Supersedeas Bond to Defendants in Satisfaction of Judgment Against the Individual Attorneys. (Docket #279.) The Motion is GRANTED as follows:

Pursuant to this Court’s Order dated June 25, 2021 (Docket #271), the Clerk is hereby authorized and directed to withdraw the \$313,000 principal plus all interest accrued less the CRIS fee of an annualized 10 basis points on assets on deposit for all CRIS funds for the management of investments in CRIS. The CRIS fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases.

The Clerk is authorized and directed to draw a check on the funds deposited in the registry of this Court in the principal amount of \$313,000 plus all accrued interest, less any statutory users fee, payable to “JOEL BARTSCH” and mailed or delivered to Defendants’ care of “WILLIAM M. HARTER, FROST BROWN TODD LLC, 10 WEST BROAD STREET SUITE 2300, COLUMBUS OHIO 43215.”

Upon the Clerk’s distribution of the above deposit to Defendants, the Memorandum Opinion (Docket #262) and Judgment (Docket #263) against the Individual Attorneys in favor of Defendants will be and is fully and completely satisfied and released of record, and the Clerk is hereby authorized and directed to make an entry of the full and complete satisfaction on the docket of said Judgment and Memorandum Opinion as against the Individual Attorneys.

Defendants are not restricted from pursuing any remaining claims they may have against Buchalter, nor does this Order restrict Defendants’ ability to seek fees and costs from the Individual Attorneys related to proceedings in the Court of Appeals pursuant to Rule 38 of the Appellate Rules of Civil Procedure, 28 U.S.C. §1912 and/or 28 U.S.C. §1927.

IT IS SO ORDERED.



DONALD C. NUGENT
Senior United States District Judge

DATED: August 4, 2022