

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

DARYL WALLACE,	:	Case No. 3:17-cv-183
	:	
Plaintiff,	:	Judge Thomas M. Rose
	:	
v.	:	
	:	
MONTGOMERY COUNTY, OHIO,	:	
et al.,	:	
	:	
Defendants.	:	

---

**ENTRY AND ORDER SETTING HEARING ON MOTION FOR SUMMARY JUDGMENT (DOC. 28) BY MONTGOMERY COUNTY DEFENDANTS AND DEFENDANT JERRID CAMPBELL’S REQUEST FOR REPRESENTATION UNDER OHIO REVISED CODE 2744.07(C)**

---

This case is before the Court on the Motion for Summary Judgment (Doc. 28) filed by the Montgomery County Defendants. In response to the Motion for Summary Judgment, Defendant Jerrid Campbell requested a hearing regarding Montgomery County’s duty to defend under Ohio Rev. Code 2744.07. The Montgomery County Defendants concur with Campbell that “the only way to interpret the plain language of Ohio Revised Code 2744.07(C) is that an oral hearing must occur concerning a duty to defend, if requested by either the political subdivision or the employee.” (Doc. 37 at 2.) The Court therefore orders the parties appear at a hearing on September 25, 2018 at 1:30 PM regarding the Motion for Summary Judgment and, specifically, the duty to defend under Section 2744.07.

**DONE and ORDERED** in Dayton, Ohio, this Monday, August 27, 2018.

s/Thomas M. Rose

---

THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE