

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DONALD C. CLAGGETT, *et al.*,

Plaintiffs,

vs.

ANTHONY WENZLER, *et al.*,

Defendants.

:

: Case No. 3:18cv66

: JUDGE WALTER H. RICE

:

OPINION

Based upon reasoning and citations of authority to be set forth by the Court, in an expanded Opinion to be filed not later than the close of business on Tuesday, July 9, 2019, this Court SUSTAINS the Motion for Summary Judgment of Defendants Anthony Wenzler and the City of Moraine (Doc. #43), DISMISSING the Plaintiffs' federal claims with prejudice, and DISMISSING all state claims and Counterclaims, without prejudice, subject to refile in a court of competent jurisdiction. By doing so, this Court OVERRULES as moot Plaintiffs' Motion for Partial Summary Judgment on Defendant Tomi Hatfield's Counterclaims (Doc. #30) and, further, OVERRULES as moot Hatfield's Cross Motion for Summary Judgment (Doc. #33) and Hatfield's Motion for Declaratory Judgment (Doc. #60).

This Opinion is not a final judgment order.

July 5, 2019



WALTER H. RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record