

FILED  
CLERK OF COURT  
2014 AUG 18 AM 9:16  
WASHINGTON CO. OHIO

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, OHIO**

Harry William Lott,	:	
	:	
Plaintiff,	:	Case No. 13OT000361
	:	
v.	:	Judge Lane
	:	
NPL And M LLC (Newhouse, Prophater,	:	
Letcher, and Moots, LLC);	:	
	:	
D. Wesley Newhouse;	:	
Christopher E. Hogan	:	
	:	
Defendants.	:	

**JUDGMENT ENTRY AND ORDER**

This matter came on for hearing on August 8, 2014 before the Court on a Motion for Judgment on the Pleadings filed on April 16, 2014 by purported Defendants NPL And M LLC, D. Wesley Newhouse and Christopher E. Hogan (“purported Defendants”) and a Motion for Summary Judgment on the Counterclaim seeking to declare Plaintiff Harry Lott a vexatious litigator under R.C. §2323.52 filed on April 16, 2014 by purported Defendant/Counterclaimant NPL And M LLC (Newhouse, Prophater, Letcher & Moots, LLC) (“purported Defendant/Counterclaimant”). Both motions are unopposed. Plaintiff Lott, *pro se*, despite proper notice from the Court provided on May 20, 2014 and May 28, 2014, and a specific oral instruction from the Court during the pre-trial conference on February 14, 2014, failed to appear.

**Motion For Judgment On The Pleadings Pursuant To Civil Rule 12(C)**

The Court finds that Plaintiff’s Complaint fails to allege facts sufficient to state any cause of action. Plaintiff’s Complaint mixes together unrelated legal terms, including some from

criminal law, states no justiciable claims, and is incoherent and virtually incomprehensible. The Motion for Judgment on the Pleadings is **GRANTED. IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiff's Complaint is dismissed.

**Motion For Summary Judgment on Counterclaim**

In considering the motion for summary judgment, the Court has reviewed the evidence in a light most favorable to Plaintiff. The Court reviewed the certified exhibits attached to the Defendant's Counterclaim showing that Plaintiff Lott, proceeding *pro se*, habitually and persistently filed numerous frivolous lawsuits without any legal basis. Therefore the Court finds that reasonable minds would come to but one conclusion: Harry William Lott is a vexatious litigator as set forth in R.C. §2323.52.

The Court **GRANTS** Defendant's Motion for Summary Judgment on its counterclaim. **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiff Harry William Lott is a vexatious litigator as defined in R.C. 2323.52(A)(3). By this Order, Harry William Lott is therefore prohibited, under R.C. §2323.52(D)(1), from doing any of the following without first obtaining leave of this Court to proceed:

- (a) Instituting legal proceedings in the court of claims or in any court of common pleas, municipal court or county court;
- (b) Continuing any legal proceedings that he has already instituted in any of the courts specified in divisions (D)(1)(a) of R.C. §2323.52 prior to the entry of the order;
- (c) Making any application, other than an application for leave to proceed under division (F)(1) R.C. §2323.52, in any legal proceedings instituted by the vexatious litigator or another person in any of the courts specified in division (D)(1)(a) R.C. §2323.52.

Pursuant to R.C. §2323.52(D)(3) and (F)(2), in order to obtain leave of Court, Harry William Lott must show that the proceedings or application he seeks to file are not an abuse of process of the Court in question and that there are reasonable grounds for proceedings or application.

The Clerk of Courts is ordered to send notice as mandated under R.C. §2323.52(H).

Court costs to Plaintiff.

**IT IS SO ORDERED.**

August 13, 2014  
Dated

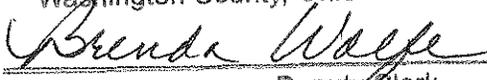
  
Judge Ed Lane

cc: Harry W. Lott  
Michael S. Kolman

**NOTICE TO CLERK'S OFFICE  
FINAL APPEALABLE ORDER**

I certify the foregoing to be a true and correct  
copy of the original

Brenda L. Wolfe, Clerk of Courts  
Common Pleas Court-Court of Appeals  
Washington County, Ohio

By   
Deputy Clerk 8/18/14

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WASHINGTON CO. OHIO

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, OHIO**

Harry William Lott,	:	
	:	
Plaintiff,	:	Case No. 13OT000359
	:	
v.	:	Judge Ed Lane
	:	
Havar, Inc., et al.,	:	
	:	
Defendants.	:	

**JUDGMENT ENTRY AND ORDER**

This matter came on for hearing on August 8, 2014 before the Court on a Motion for Judgment on the Pleadings filed on April 16, 2014 by Defendant Schmieding, individually, and purported Defendants Havar, Inc., Debbie Schmieding, Jeff Springer, Angie Schaeffer and Barb Mugrage (“purported Defendants”) and a Motion for Summary Judgment on the Counterclaim seeking to declare Plaintiff Harry Lott a vexatious litigator under R.C. §2323.52 filed on April 16, 2014 by Defendant/Counterclaimant Schmieding, individually, and purported Defendant/Counterclaimant Havar Inc. (collectively “counterclaim Defendants”). Both motions are unopposed. Plaintiff Lott, *pro se*, despite proper notice from the Court provided on May 20, 2014 and May 28, 2014, and a specific oral instruction from the Court during the pre-trial conference on February 14, 2014, failed to appear.

**Motion For Judgment On The Pleadings Pursuant To Civil Rule 12(C)**

The Court finds that Plaintiff’s Complaint fails to allege facts sufficient to state any cause of action. Plaintiff’s Complaint mixes together unrelated legal terms, including some from criminal law, states no justiciable claims, and is incoherent and virtually incomprehensible. The

Motion for Judgment on the Pleadings is **GRANTED**. **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiff's Complaint is dismissed.

**Motion For Summary Judgment on Counterclaim**

In considering the motion for summary judgment, the Court has reviewed the evidence in a light most favorable to Plaintiff. The Court reviewed the certified exhibits attached to the Defendants' Counterclaim showing that Plaintiff Lott, proceeding *pro se*, habitually and persistently filed numerous frivolous lawsuits without any legal basis. Therefore the Court finds that reasonable minds would come to but one conclusion: Harry William Lott is a vexatious litigator as set forth in R.C. §2323.52.

The Court **GRANTS** Defendants' Motion for Summary Judgment on their counterclaim. **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiff Harry William Lott is a vexatious litigator as defined in R.C. 2323.52(A)(3). By this Order, Harry William Lott is therefore prohibited, under R.C. §2323.52(D)(1), from doing any of the following without first obtaining leave of this Court to proceed:

- (a) Instituting legal proceedings in the court of claims or in any court of common pleas, municipal court or county court;
- (b) Continuing any legal proceedings that he has already instituted in any of the courts specified in divisions (D)(1)(a) of R.C. §2323.52 prior to the entry of the order;
- (c) Making any application, other than an application for leave to proceed under division (F)(1) R.C. §2323.52, in any legal proceedings instituted by the vexatious litigator or another person in any of the courts specified in division (D)(1)(a) R.C. §2323.52.

Pursuant to R.C. §2323.52(D)(3) and (F)(2), in order to obtain leave of Court, Harry William Lott must show that the proceedings or application he seeks to file are not an abuse of process of the Court in question and that there are reasonable grounds for proceedings or application.

The Clerk of Courts is ordered to send notice as mandated under R.C. §2323.52(H).  
Court costs to Plaintiff.

**IT IS SO ORDERED.**

August 13, 2014  
Dated

  
\_\_\_\_\_  
Judge Ed Lane

cc: Harry W. Lott  
D. Wesley Newhouse

**NOTICE TO CLERK'S OFFICE  
FINAL APPEALABLE ORDER**

I certify the foregoing to be a true and correct  
copy of the original

Brenda L. Wolfe, Clerk of Courts  
Common Pleas Court-Court of Appeals  
Washington County, Ohio

By



Deputy Clerk

8/18/14