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

MINNIE REID, ET AL.
Plaintiff

STARLIGHT BAPTIST CHURCH, ET AL.
Defendant

Case No: CV-16-865982

Judge: ROBERT C MCCLELLAND

JOURNAL ENTRY

89 DIS. W/PREJ - PARTIAL

THE COURT HAS REVIEWED THE BRIEFING, EXHIBITS, AND TESTIMONY PROVIDED BY DEFENDANT, STARLIGHT BAPTIST CHURCH AND THE PLAINTIFFS REGARDING THE MOTION FOR SUMMARY JUDGMENT FILED ON BEHALF OF STARLIGHT BAPTIST CHURCH. THE COURT RULES THAT SUMMARY JUDGMENT IS GRANTED SOLELY IN FAVOR OF DEFENDANT, STARLIGHT BAPTIST CHURCH AS FOLLOWS.

PLAINTIFF, MINNIE REID, WAS CAUSED TO FALL AND INJURE HERSELF AS A RESULT OF BEING RUN INTO BY HER OWN GREAT-GRANDDAUGHTER, MORGAN KASUNIC. MS. REID WAS PRESENT AS A RESULT OF A YOUTH CHOIR PRACTICE AND THE COURT RULES THAT MS. REID WAS AN INVITEE ON THE PREMISES HOLDING STARLIGHT BAPTIST CHURCH TO A STANDARD OF ORDINARY CARE FOR MS. REID. WITH THAT STANDARD THERE IS A REQUIREMENT TO PROVIDE PROOF OF NOTICE OF A DANGEROUS CONDITION ON BEHALF OF THE PREMISES OWNER AND THERE IS NO SUCH PROOF IN THIS CASE. THERE IS A CLAIM THAT A SWARM OF BEES CONTRIBUTED TO THE UNFORTUNATE SITUATION, BUT AGAIN, THERE IS NO PROOF THAT STARLIGHT BAPTIST CHURCH HAD ANY NOTICE THAT SUCH A CONDITION EXISTED. FURTHER THERE IS NO PROOF OF ANY NOTICE OF ANY KIND OF DANGEROUS CONDITION IN EXISTENCE AT THE CHURCH TO PROVIDE ANY LIABILITY.

WHILE THE INJURY TO MS. REID IS SUBSTANTIAL AND UNFORTUNATE, THERE IS NO ISSUE OF MATERIAL FACT IN DISPUTE AND SUMMARY JUDGMENT IS GRANTED IN FAVOR OF STARLIGHT BAPTIST CHURCH ONLY. THE LOSS OF CONSORTIUM CLAIM AGAINST STARLIGHT BAPTIST CHURCH FAILS AS A MATTER OF LAW WITH THE DISMISSAL OF THE CLAIM OF MS. REID. THERE ARE STILL CLAIMS PENDING AGAINST THE REMAINING DEFENDANT.

Judge Signature

07/05/2017