

IN THE COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO
CIVIL DIVISION

David Esrati pro se : Civil Action No. 2018 CV 00593
113 Bonner St. :
Dayton, OH 45410 :
Plaintiff, :
vs. :
Dayton City Commission :
101 W. Third St. :
Dayton, OH 45402 :
and :
Jeffrey J. Mims, Jr. :
Member, Dayton City Commission :
Co-Chairman, School Facilities Task Force :
101 W. Third St. :
Dayton, OH 45402 :
and :
Dayton Board of Education :
115 S. Ludlow St. :
Dayton, OH 45402 :
and :
Mohamed Al-Hamdani :
Member, Dayton Board of Education :
Co-Chairman, School Facilities Task Force :
115 S. Ludlow St. :
Dayton, OH 45402 :
Defendants. :

REQUEST FOR INJUNCTIVE RELIEF

{¶ 1} The Plaintiff has asked the Court to move for an expedited hearing and trial. The Defendant's requests for a jury trial and filing 20 defenses is an attempt to stall this case so that

the school board can continue working on the closing of schools using the information gathered in the secret illegal meeting of February 20th.

{¶ 2} The school board has publicly stated that they will be deciding the fate of school properties, which are still being paid for by the taxpayers of the district, on an expedited schedule.

{¶ 3} Since information gathered in an illegal meeting would invalidate any school closing action they take, the question of if they violated ORC 121.22 must be resolved before they act. see ORC 121.22

(H) A resolution, rule, or formal action of any kind is invalid unless adopted in an open meeting of the public body. A resolution, rule, or formal action adopted in an open meeting that results from deliberations in a meeting not open to the public is invalid

{¶ 4} Therefore, the plaintiff asks for an injunction barring any and all discussion of school closings until this case has been settled.

Summary

The Plaintiff stipulates that he was ready to try this case, on Feb 8, 2018, and that the defense has access to all the evidence, since they were the ones violating the law, and that the plaintiff has posted all video evidence to Youtube.

This is a less complicated case than the Dunbar basketball case, 18 CV 00983, since the defendants were repeatedly warned by the plaintiff at every step that they would be violating the law. There is no need for a jury to ascertain the facts, the evidence is clear and compelling and the video is of much better quality.

In the spirit of openness, if the judge refuses this request, my next filing will be a request for summary judgment. However, it is my belief that an actual hearing is informative and educational to the citizens of Dayton. The Sunshine Laws exist so that the public can see the workings of government- and therefore, the work of the court should be also be done in full display for the benefit of the people.

Respectfully submitted,
Humbly, for the people,

/s/David Esrati

David Esrati *pro se*
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