

FILED
LUCAS COUNTY

2015 JUL 10 PM 1:58

APPENDIX OF FORMS

REVISED 7/1/01 FORM 2

The Lucas County Court of Common Pleas
CLERK OF COURTS
(TRIAL COURT)

Capital Care Network of Toledo

Trial Court Case No. CI02021403405

Court of Appeals Case No.

CL0201501186

Plaintiff / Appellant

Date Trial Court's Judgment Entry being appealed was entered on the journal

June 19, 2015

v.

The Ohio Department of Health

DOCKETING STATEMENT
Pursuant to App.R. 3 (F),
6th Dist. Loc. App.R. 3 (C)
and 12 (A)

Defendant / Appellee

FILED
COURT OF APPEALS
2015 JUL 10 P 2:53
COMMON PLEAS COURT
BERNIE GUILTER
CLERK OF COURTS

1. This appeal should be assigned to:

The accelerated calendar for the reason checked:
(See App.R. 11.1 and 3 (F) as well as 6th Dist. Loc. App.R. 12.)

A. No transcript is required

B. The transcript is of such length that its preparation time will not be a source of delay. (The transcript in an accelerated appeal is to be filed within 20 days of filing the notice of appeal. See App. R. 10 (A).)

C. An agreed statement will be submitted within 20 days.

D. The record was made in an administrative hearing and was filed with the trial court.

E. All parties to the appeal (as shown by the attached statement) agree to an assignment to the accelerated calendar.

The regular calendar for reason (s) checked:

A. The transcript is of such length that its preparation time will take more than 20 days from the date the notice of appeal is filed.

- B. A brief in excess of 15 pages is necessary to adequately argue the issues.
- C. The appeal concerns unique issues of law which will be of substantial precedential value in the determination of similar cases.
- D. Other _____

2. Probable issues for review:
 Whether the Director of Health's Adjudication Order, revoking Capital Care Network of Toledo's license to operate an ambulatory surgical facility, was supported by reliable, probative, and substantial evidence and was in accordance with the law.

3. Has a notice of appeal been previously filed in this court concerning this case or a related case?
 Yes No

If so, what was the previous appellate case number? _____

(QUESTIONS 4 THROUGH 8 APPLY TO CIVIL AND ADMINISTRATIVE APPEALS ONLY)

4. Nature of Case: (for example: Personal Injury (slip and fall); administrative appeal (zoning); termination of parental rights; probate (will contest); breach of contract; malpractice (legal); etc.
 Administrative Appeal (Licensure Revocation)

5 Does the appeal depend on an interpretation or application of a particular case (s) or statute (s).
 Yes No If yes, please cite case (s) or statute (s) R.C. 3702.30 and R.C. 3702.303

6. How would you characterize the extent of your settlement discussions prior to judgment in the trial court?
 None Minimal Moderate Extensive

7. Have post-judgment settlement discussions taken place?
 Yes No

8. Would a mediation pursuant to 6th Dist. Loc. App.R. 13 be of any assistance in the resolution of this matter? *

Yes No Maybe Please explain (optional). _____

Lyndsay Nash
(Name)

Attorney for The Ohio Department of Health
30 E. Broad Street, 26th Floor

Columbus, Ohio 43215
(Address, telephone number)

0082969
(Supreme Court Registration Number)

*THE PRIMARY PURPOSE OF A MEDIATION IS TO HELP THE PARTIES EXPLORE POSSIBILITIES FOR SETTLEMENT OF THE CASE BEFORE INCURRING ADDITIONAL EXPENSES.