

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

ENTERED
SEP 14 2011

TOM ARBINO,

Plaintiff,

v.

CINCINNATI BELL,

Defendants.



D94628989

Case No. A1105830

Judge Luebbers

ENTRY GRANTING
DEFENDANT'S MOTION FOR
CERTIFICATION OF PLAINTIFF
AS A VEXATIOUS LITIGATOR

Before the Court is Defendant Cincinnati Bell's Motion for Certification of Plaintiff as a Vexatious Litigator filed on September 12, 2011, and moved for orally on the record on September 13, 2011. On August 15, 2011, Plaintiff Tom Arbino was served with a Notice of Intent to Dismiss for failure to prosecute his action, in which the Magistrate instructed Mr. Arbino that he must appear for his September 13, 2011 hearing, and that no filing after August 23, 2011 would be considered.

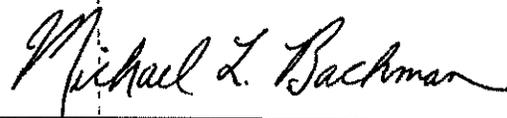
The court finds that Mr. Arbino has filed approximately 50 motions in this case, including 23 motions filed after the August 23, 2011 deadline. The court finds that virtually all of the motions filed by Mr. Arbino do not state any claim upon which any remedy is appropriate or possible, nor have any basis in the law, nor demonstrate intent other than to needlessly and maliciously harass Cincinnati Bell for alleged poor service and waste the courts time.

The court finds that Defendant's Motion is well-taken. It is the order of this court, pursuant to R.C. § 2323.52(D), that Tom Arbino be considered a vexatious litigator. Mr. Arbino shall be prohibited from the following: (1) Instituting legal proceedings in the court of claims or in a court of common pleas, municipal court, or

county court; (2) continuing any legal proceedings that the vexatious litigator had instituted in any of the courts specified above prior to this order; and (3) making any application, other than an application for leave to proceed under R.C. § 2323.52(F)(1), in any legal proceedings instituted by the vexatious litigator or another person in any of the courts specified above. Should the plaintiff wish to institute new litigation or continue existing litigation in any Ohio court, he must obtain leave from the presiding judge of the appropriate court.

IT IS SO ORDERED.


JOBY M. LUEBBERS,
JUDGE
COURT OF COMMON PLEAS


MICHAEL M. BACHMAN
MAGISTRATE
COURT OF COMMON PLEAS

Copies to be sent to:

Tom Arbino, pro se.
2329 Kemper Lane, Apt. 17
Cincinnati, OH 45206

Douglas E. Hart, Esq.
Attorney for Cincinnati Bell
441 Vine Street, Suite 4192
Cincinnati, OH 45202