

IN THE COMMON PLEAS COURT ROSS COUNTY OHIO

2024 SEP -4 AM 8:19

JAMES R. HATFIELD,

Plaintiff,

CASE NO.:: 24 CI 378

CLERK OF COURTS
TY D. HINTON

-VS-

JUDGE WALLACE

ROSS COUNTY BOARD OF ELECTIONS

Defendant.

**ANSWER OF DEFENDANT, ROSS COUNTY BOARD OF ELECTIONS,
TO PLAINTIFF'S COMPLAINT FOR DECLARATORY JUDGMENT AND
PROHIBITORY INJUNCTION**

FIRST DEFENSE

1. The Defendant, Ross County Board of Elections, is without sufficient knowledge to form an opinion as to all allegations contained in Paragraphs 8, 10, 28, 31, and 40 through 42, inclusive, of Plaintiff's Complaint for Declaratory Judgment and Prohibitory Injunction, and therefore denies the allegations contained in such Paragraphs.
2. The Defendant, Ross County Board of Elections, states that Paragraphs 4 through 5, inclusive, 20 through 22, inclusive, 44 through 50, inclusive, and 52 through 54 inclusive, of Plaintiff's Complaint for Declaratory Judgment and Prohibitory Injunction, both call for legal conclusions and concern matters for which it does not possess sufficient knowledge to form an opinion as to those enumerated allegations contained therein, and as such, denies the allegations contained in these Paragraphs.

3. The Defendant, Ross County Board of Elections, admits to the allegations contained in Paragraphs 6, 7, 9, 11 through 19, inclusive, 23 through 27, inclusive, 29, 30, and 32 through 39, inclusive, of the Plaintiff's Complaint for Declaratory Judgment and Prohibitory Injunction.
4. The Defendant, Ross County Board of Elections, denies each and every other allegation contained in Plaintiff's Complaint for Declaratory Judgment and Prohibitory Injunction not specifically admitted herein.

SECOND DEFENSE

5. Plaintiff's Complaint for Declaratory Judgment and Prohibitory Injunction fails to include all necessary parties pursuant to Section 2721.12(A) of the Ohio Revised Code as Isaac Oberer has not been made a party to this action.

THIRD DEFENSE

6. Plaintiff's Complaint for Declaratory Judgment and Prohibitory Injunction fails to state a claim upon which relief can be granted.

FOURTH DEFENSE

7. The claims set forth in Plaintiff's Complaint for Declaratory Judgment and Prohibitory Injunction are barred by the affirmative defense of laches.

FIFTH DEFENSE

8. Defendant, Ross County Board of Elections, is aware of no other affirmative defenses. However, Defendant reserves the right to assert any affirmative defenses that become apparent after discovery.

WHEREFORE, the Defendant, Ross County Board of Elections, demands that this matter be dismissed; that all costs herein be assessed to Plaintiff; that Plaintiff reimburse Defendant, Ross County Board of Elections, for its attorney fees, costs and expenses reasonably associated with its defense of this action; and for other such relief in law and equity to which Defendant, Ross County Board of Elections, may be entitled.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Answer of Defendant, Ross County Board of Elections*, was served this 4th day of September, 2024 as follows:

Via electronic mail and regular U.S. mail:

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