

STATE OF OHIO) FILED IN PORTAGE COUNTY MUNICIPAL COURT
: SS - PORTAGE COUNTY
PORTAGE COUNTY) MUNICIPAL CASE NO. R79CVG0725

MAY 7 8 26 AM '79

PHILNAT CORPORATION) LUCY S. DELEONE
CLERK

PLAINTIFF)

-VS-

O P I N I O N

DONALD McCUNE)

DEFENDANT)

This matter came on for hearing on eviction on the 2nd day of May, 1979. The defendants were represented by Attorney Barbara Child who filed a motion to strike the pleadings due to the fact a corporation is not allowed to represent itself in an action at law.

The Court finds that pursuant to Union Savings Association versus Home Owners Aid, Incorporated, 23 OS 2d 60, that the Supreme Court of the State of Ohio has held as follows:

"A corporation cannot maintain litigation in propria persona or appear in court through an officer of the corporation or appointed agent not admitted to the practice of law." ID page 60.

Based on the ruling, the Court finds a corporation cannot represent itself, and, therefore, this case is hereby dismissed.



JOHN A. ENLOW, JUDGE

FILED
PORTAGE COUNTY
MUNICIPAL COURT

JUN 28 1 48 PM '79

LUCY S. BELLONE
CLERK

IN THE PORTAGE COUNTY MUNICIPAL COURT
PORTAGE COUNTY, OHIO
RAVENNA DIVISION

THE PHILNAT CORPORATION) CASE NO. R79 CVG 0907
Plaintiff)
-vs-) REFEREE'S REPORT AND JUDGMENT ORDER
DONALD McCUNE et al.)
Defendants)

This cause came on for hearing before the Referee of the within Court on the 8th day of June, 1979, on plaintiff's petition in forcible entry and detainer, agents of plaintiff corporation appearing with Attorney Timothy Thomas as counsel, and defendants appearing with their counsel, Attorney Barbara Child.

Pursuant to the agreement of the parties, as stipulated by and through their respective counsel, the plaintiff hereby dismisses with prejudice its second cause of action in the within case and acknowledges that the defendants will owe the plaintiff no further payment of rent for their occupancy of the premises at Apt. 157-E Maple Grove Park, Windham, Ohio 44288, through July 9, 1979; and the defendants shall vacate said premises on said date, with a writ of restitution to issue subsequently if they have not done so.

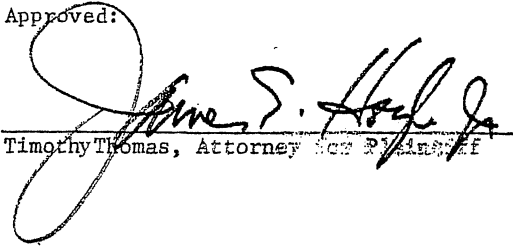
Further, the plaintiff acknowledges that this judgment is rendered in full satisfaction of any and all claims of the plaintiff against the defendants with respect to their tenancy at the premises located at Apt. 157-E Maple Grove Park, Windham, Ohio 44288; and the defendants acknowledge that they forego their right to file an answer and counterclaims in the within action. The costs of this action are to be paid by the plaintiff.

Referee

The Court, having reviewed the foregoing Referee's Report and Judgment Order, finds the same to be fair, just, and equitable and therefore makes the same the order of this Court.

HON. _____
Judge

Approved:



Timothy Thomas, Attorney for Plaintiff

Barbara Child, Attorney for Defendants

Donald McCune, Defendant

Josephine McCune, Defendant