IN THE COURT OF COMMON PLEAS
FOR FRANKLIN COUNTY, OHIO
GENERAL DIVISION

DOUG STRAHM, et al., **Plaintiffs,** **v.** **DAVID A. YOST, et al.** **Defendants.**	**Case No. 26 CV 2963** **JUDGE JEFFREY M. BROWN** **MAGISTRATE JHAY T. SPOTTSWOOD-HARRISON**

MAGISTRATE DECISION ON PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

SPOTTSWOOD-HARRISON, MAGISTRATE

Pursuant to Civil Rule 53 and Local Rule 99.02, this matter was referred to the undersigned Magistrate for a hearing on Plaintiffs' request for a preliminary injunction as set forth in their Amended Motion for Temporary Restraining Order and Preliminary Injunction. (*See* Dkt. Entry, 4/22/26 – Order Granting Temporary Restraining Order.) Having weighed the evidence; reviewed the exhibits, affidavits, First Amended Complaint, and all relevant documents; and applied the required law, the undersigned Magistrate recommends that the Motion be **DENIED**.

I. BACKGROUND AND PROCEDURAL HISTORY

Ohio voters approved *An Act to Control and Regulate Adult Use Cannabis* (Issue 2) at the ballot in November 2023. With its passage, Ohio became the twenty-fourth state to legalize, regulate, and tax non-medical adult-use marijuana.[1] But since its enactment, the citizen-initiated law has remained in legislators' crosshairs, as they have sought to wrangle with—and, in many respects, to erode—the will of the people as expressed through the ballot-initiative process.

On March 30, 2026, Ohio-based retail hemp operators and businesses—Plaintiff Doug Strahm, owner and member of Plaintiffs Happy Harvest Delaware LLC, Happy Harvest Marion LLC, Happy Harvest BG LLC, and Happy Harvest at the Lake LLC (collectively, the "Harvest Entities"), and Plaintiff Jacob Wright, owner and operator of Plaintiff Get Wright Lounge, LLC (collectively, "Get Wright")—filed this action seeking declaratory and injunctive relief, requesting that Am. Sub. S.B. No. 56 ("S.B. 56") be declared unconstitutional and that its enforcement be enjoined. (*See generally* Compl.) Contemporaneously, Plaintiffs moved for a temporary restraining order and a preliminary injunction, supported by affidavits from Mr. Strahm and Mr. Wright.

On April 8, 2026, Defendants Ohio Attorney General David Yost, Ohio Legislative Service Commission Director William G. Rowland, Ohio Division of Cannabis Control Superintendent James V. Canepa, and Ohio State Highway Patrol Superintendent Colonel Charles A. Jones, acting in their official capacities

[1] On November 7, 2023, Ohio voters approved a ballot initiative that legalized adult-use marijuana – *An Act to Control and Regulate Adult Use Cannabis* (Issue 2). The citizen-initiated statute primarily allowed the sale and purchase of cannabis, which a new Division of Cannabis Control would regulate; allowed persons at least 21 years old to use and possess up to 2.5 ounces of cannabis; and enacted a 10% tax on cannabis sales. *See* R.C. §§ 3780.01–3780.99 (2023). On December 7, 2023, Issue 2 went into effect. *Id.*

(collectively, "State Defendants"), filed their opposition, supported by the affidavit of Andrew Makoski. (Dkt. Entries, 4/8/26 – Memo in Opposition; Exhibits.)

Over the next three days, Plaintiffs filed their Amended Emergency Motion for a Temporary Restraining Order and Preliminary Injunction, along with their First Amended Complaint, adding California-based hemp manufacturer, Fox Ventures Corp., and its owner, Spencer White, as plaintiffs. (Dkt Entries, 4/9/2026 – Motion for Protective Order[2]; 4/13/26, Am. Compl.) Mr. White initially filed an unsigned affidavit in support of the amended motion. (*See* Dkt. Entry 4/9/2026 – Affidavit Filed, Spencer White.) On Plaintiffs' second attempt at the filing, Mr. White submitted an "affidavit" that was not signed by a notary. (Dkt. Entry, 4/13/2026 – Affidavit Filed, Spencer White.)

On April 22, 2026, the Court narrowly granted Plaintiffs' temporary restraining order in part, imposing certain restrictions on the sale of specified hemp products and set the matter for a preliminary-injunction hearing. (*See* Dkt. Entry, 4/22/2026 – TRO.) State Defendants filed their amended opposition and attached the affidavits of Dr. Hannah Hays and Det. Sgt. Dereck M. Keller with accompanying exhibits. (*See* Dkt. Entry, 4/24/2026 – Memo in Opposition.)

Thereafter, State Defendants appealed the TRO to the Tenth District Court of Appeals, and the Tenth District subsequently stayed the order pending the appeal

[2] Plaintiffs filed the 4/9/26 motion as a "Motion for Protective Order"; however, the motion and its title, 'Plaintiffs' Amended Emergency Motion for Temporary Restraining Order and Preliminary Injunction,' confirm that it is in fact an amended motion for injunctive relief.

and in light of the upcoming preliminary injunction hearing. (*See* Dkt. Entry, 4/24/2026 –Notice of Appeal Filed.)

The hearing on Plaintiffs' request for preliminary injunction was held on May 4, 2026, in Courtroom 4C and was recorded.

II. EVIDENTIARY ISSUES

The Magistrate first considers the evidentiary matters presented in the parties' submissions and at the hearing.

A. Plaintiffs' Motion in Limine Should Be Denied as Moot.

Plaintiffs filed a Motion in Limine seeking to exclude from the May 4, 2026 preliminary injunction hearing the testimony of Det. Sgt. Dereck M. Keller, Dr. Tanieka L. Motley, and Dr. Hannah Hays. Because State Defendants did not call those witnesses, the Magistrate recommends that the Motion in Limine filed on April 30, 2026, be **DENIED as MOOT**.

B. State Defendants' Motions to Strike Plaintiffs Fox Ventures and Spencer White's "Affidavit" Should Be Granted.

On April 9, 2026, Plaintiffs Fox Ventures and Spencer White filed an unsigned "affidavit" from Mr. White in support of their amended motion seeking injunctive relief. After State Defendants objected, Plaintiffs attempted to correct the filings several times, but each was defective.

State Defendants moved to strike these filings at the May 4 hearing and, at the Magistrate's request, again through written motions on May 8 and May 15. In their May 15 response, Plaintiffs attached a properly executed affidavit, but it was submitted out of rule and without leave of Court. State Defendants seek to strike that submission in their May 22, 2026 motion to strike.

Because Plaintiffs repeatedly failed to submit a legally valid affidavit from Mr. White and then did so out of rule and without leave of Court, the Magistrate recommends that State Defendants motions to strike all versions of Mr. White's "affidavit" and Mr. White's belated affidavit be **GRANTED**, and that the "affidavits" filed on April 9, April 13, May 5 and May 8, as well as the May 15, 2026 belated affidavit, be **STRICKEN** from the record.

C. Plaintiffs' Motion for Judicial Notice and to Supplement Should Be Denied, and State Defendants' Motion to Strike the Same Should Be Granted.

On May 15, 2026, after the hearing had concluded, all post-hearing motions had been submitted, and the record had been closed, Plaintiffs filed a motion requesting judicial notice and a supplemental memorandum in support of their request for a preliminary injunction. In State Defendants' May 22, 2026 Motion to Strike, they request to strike Plaintiffs' supplemental filings and briefing.

The Magistrate recommends that State Defendants' Motion to Strike be **GRANTED**, and that Plaintiffs' motion seeking judicial notice and supplemental briefing be **DENIED**. The authority and arguments submitted therein were not considered in rendering this Decision.

III. FINDINGS OF FACT

At the hearing, Plaintiffs were represented by attorney Scott A. Pullins and presented the testimony of Mark Fashian, President of Midwest Analytical Solutions, a hemp wholesaler, located in Delaware, Ohio. State Defendants were represented by attorneys Ann Yackshaw, Michael A. Walton, Tyler Blair.[3] State Defendants offered the testimony of Attorney Andrew Makoski, Division Counsel for the Ohio Division of Cannabis Control (DCC"). No exhibits were offered or admitted at the hearing.

The Magistrate's Findings of Fact are based on the testimony of the witnesses at the hearing and the affidavits and any exhibits attached and incorporated therein. The Magistrate has considered the credibility of the witnesses. The Magistrate's opinion concerning the credibility of the witnesses is based upon the appearance of the witnesses upon the stand, their manner of testifying, the reasonableness of their testimony, the opportunity the witnesses had to see, hear and know the things concerning which they testified, the accuracy of memory, their frankness or lack thereof, as well as their intelligence, interest and bias (if any), together with all of the facts and circumstances surrounding the testimony.

With respect to Plaintiffs' witness, Mr. Fashian, the Magistrate finds his testimony less credible, in part because he offered inconsistent statements regarding whether he was acting in his capacity as president of an Ohio-based hemp wholesaler or as a corporate representative of the California-based Plaintiffs Fox Ventures and Spencer White. These inconsistencies diminished the reliability of Mr. Fashian's testimony. As to State Defendants' witness, Mr. Makoski, the Magistrate finds his testimony to be credible and compelling.

[3] Plaintiffs and Defendant Franklin County Prosecutor Shayla D. Favor stipulated that Franklin County will not actively defend this litigation and acknowledged that it will be bound by any judgment entered in this matter. (*See* Dkt. Entry, 4/15/26 – Stipulation.) Accordingly, Franklin County did not appear in the preliminary injunction hearing.

Having weighed the evidence, the Magistrate hereby renders the following Decision.

A. Legislative History of S.B. 56

Given the nature of certain constitutional claims Plaintiffs assert with respect to S.B. 56, the legislation's history and development are not merely contextual background; rather, they bear on whether Plaintiffs have satisfied their burden.[4]

1) As-Introduced Version of S.B. 56 Overhauled Medical and Adult-Use Marijuana Laws.

On January 28, 2025, S.B. 56 was formally introduced in the Ohio Senate. S.B. 56 proposed a comprehensive overhaul of Ohio's medical and adult-use marijuana laws, along with related statutory provisions.

Before S.B. 56, Ohio regulated marijuana under two distinct statutory schemes: medical marijuana and adult-use marijuana. Medical marijuana was regulated under R.C. Chapter 3796, which governs its production, testing, dispensing, and use for qualifying patients. Adult-use marijuana was regulated under voter-approved R.C. Chapter 3780, permitting adults 21 and older to possess, use, and grow limited amounts at home.

A central feature of the introduced version of S.B. 56 was the consolidation of adult-use and medical-marijuana regulation into a single statutory framework. To do so, S.B. 56 would repeal, in large part, former R.C. Chapter 3780 ("Adult Use

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[4] The Magistrate takes judicial notice of the legislative history of S.B. 56 and the legislative sessions. *See e.g.*, *State ex rel. Bd. of Cty. Commrs. v. Rhodes*, 177 N.E.2d 557 (Ohio C.P.1960) (discussing legislative and judicial history of the 97th General Assembly in 1947 Bill No. 495); *see also Rivers v. Kairis*, 442 N.E.2d 494, 495 (noting legislative history of Am.Sub. H.B. No. 332 in discussing the present version of R.C. 2125.01-03).

Cannabis Control") and amend substantial portions of and former R.C. Chapter 3796 ("Medical Marijuana Control Program"). These changes would create the unified regulatory framework now set forth under the Marijuana Control Program. The bill would also reorganize regulatory oversight by abolishing the Division of Marijuana Control ("DMC") and transferring its cultivation, processing, and dispensing responsibilities to the newly created Division of Cannabis Control ("DCC"), which would oversee both adult-use and medical marijuana.

With this restructuring, the introduced version of S.B. 56 proposed significant changes to licensing requirements and eligibility for marijuana dispensaries. It would have consolidated adult-use and medical marijuana licenses, required license holders to operate in both markets, and revised eligibility standards for cultivators, processors, and dispensaries.

The bill further proposed repealing or amending several specific statutory provisions, including the definitions of medical and adult-use marijuana, limits on certain marijuana forms, and permissible tetrahydrocannabinol ("THC") levels in adult-use marijuana products (reducing allowable THC concentrations from 90% to 70% for extracts and from 35% to 30% for plant material). THC is one of the cannabinoids found in plants of the species *Cannabis sativa* L., from which marijuana is derived, and occurs in several forms, including delta-9, delta-8, and delta-10. (*See* Andrew Makoski, Testimony, Preliminary Injunction Hearing (Franklin C.P. May 4, 2026). Variations in the type and concentration of THC account for the differing intoxicating effects associated with cannabis products. (*Id.*)

Finally, the introduced version would address possession limits, prohibitions on certain transfers and transportation, and criminal penalties for violating laws under the Marijuana Control Program. In short, the introduced bill would have repealed most of the existing Cannabis Control Law and replaced it with the Marijuana Control Law.

2) The Senate Passed a Substitute Version of S.B. 56.

After its introduction in the Senate, S.B. 56 was referred to the Senate General Government Committee. Following committee consideration in the Senate on January 28, January 29, and February 26, 2025, the Senate adopted a substitute version of S.B. 56.

The substitute version amended several provisions of the introduced bill. Among those changes, the substitute version narrowed lawful possession and use of marijuana. Specifically, it restricted lawful possession and use of marijuana to marijuana cultivated, processed, dispensed, and tested in accordance with Ohio law and from a licensed Ohio dispensary. So, as with the introduced bill, the substitute version prohibited the acquisition of marijuana from outside Ohio's regulatory framework.

Notably, the substitute version also retained product-based restrictions first proposed in the introduced bill. It continued restrictions on forms of marijuana permitted for dispensing, the allowable THC levels (70% for extracts and 35% for plant material), and capped THC content for non-vaporized or non-combustible products at 10 milligrams per serving and 100 milligrams per package. It also reaffirmed limits on sales and personal possession.

Additionally, the substitute version revised advertising and packaging requirements. While retaining the introduced bill's packaging and labeling rules, it imposed new advertising restrictions by requiring DCC pre-approval, prohibiting advertisements that target children and youth, and implementing additional content-based limitations.

In contrast to the introduced bill, the substitute version introduced a new criminal expungement mechanism. It established a process allowing individuals convicted of certain marijuana possession offenses—where the amount possessed is now legal—to apply for expungement at any time on or after the bill's effective date.

Overall, the substitute version made notable modifications but retained the core structure of the introduced bill.

3) The House-Passed Version of S.B. 56 Further Modified the Legislation.

Having passed the Senate, S.B. 56 was introduced in the Ohio House of Representatives on March 3, 2025. The House referred the bill to the Judiciary, Rules and Reference, and Finance Committees, where it underwent several revisions. It received readings on March 5, 2025, October 21, 2025, and October 22, 2025, at which time it was ultimately passed.

The House-passed version ("House Version 18") modified the bill's marijuana-related provisions and, for the first time, enacted a comprehensive overhaul of Ohio's hemp laws. Both marijuana and hemp are part of the *Cannabis sativa* L. plant species and are distinguished primarily by their chemical composition. (*See* Andrew Makoski, Testimony, Preliminary Injunction Hearing (Franklin C.P.

May 4, 2026). Generally, hemp contains low levels of THC, while marijuana contains higher levels, with these differences resulting from how each variety is bred. (*Id.*) Hemp is specifically cultivated to produce minimal THC and was classified as marijuana under federal law until the enactment of the 2018 Agriculture Improvement Act (the "Farm Bill"). (*Id.*) The 2018 Farm Bill split the cannabis plant in two groups: hemp and marijuana. (*Id.*) It provided that hemp products could be sold so long as they contained no more than 0.3% delta-9 THC on a dry-weight basis.

After this federal change, Ohio law defined hemp solely as *Cannabis sativa* L. and its parts containing no more than 0.3% delta-9 THC. (*Id.*) This limited definition allowed products containing other intoxicating cannabinoids—such as delta-8 or delta-10 THC—to be sold as "hemp," provided delta-9 THC remained below the statutory threshold. (*Id.*) As a result, intoxicating products were widely sold without regulatory oversight. (*Id.*) Because of this gap, children were able to access and often purchase hemp products containing intoxicating levels of THC.

However, House Version 18 addressed this gap. It created a new statutory division between hemp and a newly defined category of "intoxicating hemp,"—based on a THC level and type produced in cannabis—along with a statewide licensing system governing the retail sale of intoxicating hemp products. House Version 18 defined "intoxicating hemp products" as those containing more than 0.5 milligrams of delta-9 THC per serving, more than 2 milligrams per package, or more than 0.5 milligrams of total non-delta-9 THC per package. These thresholds narrowed the definition of "hemp" and formally created the new category of intoxicating hemp.

While maintaining Ohio's Hemp Cultivation and Processing Programs, the bill established a comprehensive regulatory system for the retail sale of intoxicating hemp products. It created new statutory classifications and a corresponding licensing, regulatory, and enforcement framework, placing intoxicating hemp under state oversight similar to regulated marijuana. House Version 18 further divided intoxicating hemp products into two groups—general intoxicating hemp products and drinkable cannabinoid products ("DCPs")—each with distinct requirements for manufacture, distribution, storage, testing, and retail sale.

House Version 18 also established a grandfathering provision for certain existing hemp businesses. Entities that sold intoxicating hemp products on or before August 30, 2025, and met other statutory criteria would be entitled to licensure. These grandfathered entities would be eligible for licensure even if doing so temporarily exceeded the statewide cap of 400 hemp dispensary licenses.

Finally, House Version 18 added an appropriations provision, allocating $96.5 million from the Host Community Cannabis Fund for fiscal years 2026 and 2027 to distribute marijuana excise tax revenue to municipalities and townships hosting adult-use dispensaries.

On October 29, 2025, the Senate declined to concur with the House amendments, sending the bill to conference committee.

4) The House and Senate Disagreed on the House-Passed Version, Sending S.B. 56 to a Conference Committee.

Following the Senate's refusal to concur, the House requested a conference committee. Among other things, the conference committee addressed matters concerning intoxicating hemp products, DCPs, and expungement eligibility.

With respect to intoxicating hemp products and DCPs, the conference committee removed House Version 18's proposed regulatory framework for "intoxicating hemp"—including all related licensing and tax provisions—and instead adopted a definition of "hemp" that conforms to the newly enacted federal standard. That is, on November 12, 2025, Congress enacted the Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026 (the "Act"). The Act revises the federal definition of "hemp" to limit total THC (including THCA, delta-8 THC, and delta-10 THC) to no more than 0.3%, prohibits cannabinoids that are not naturally produced by the *Cannabis sativa* L. plant, and caps finished products at no more than 0.4 milligrams of total THC per container. The conference committee's changes aligned state law with this updated federal definition, which becomes effective in November 2026.

The conference committee also eliminated the permanent DCP regulatory program enacted in House Version 18 and replaced it with a temporary DCP program that would remain in effect through December 31, 2026.

Regarding expungement, the conference committee retained the bill's expungement mechanism but altered eligibility requirements for expungement of marijuana-possession offenses. Under the conference committee's revisions, expungement eligibility changed from possession offenses involving 200 grams or less to 100 grams or less.

The House agreed to the conference committee report on November 19, 2025, and the Senate agreed on December 9, 2025.

5) S.B. 56 Becomes Law.

Governor DeWine signed S.B. 56 on December 19, 2025 after issuing a line-item veto striking several provisions. The bill became effective on March 20, 2026.

The Governor's line-item veto removed only those provisions that would have temporarily allowed certain DCPs to remain on the general retail market through 2026, along with the related provisions. As a result, DCPs that fall outside the statutory definition of "hemp" are treated the same as all other non-hemp cannabinoid products and are regulated as marijuana.

As enacted, S.B. 56 requires that all retail sales of cannabis products occur through licensees regulated by the DCC. The DCC issues a limited number of dispensary licenses, and Ohio law requires that licensed cannabis businesses maintain a physical presence in the state. Regardless of whether ownership is Ohio-based or out-of-state, all cannabis sold in Ohio must be cultivated, processed, tested, and distributed within Ohio's regulated system to ensure seed-to-sale tracking and quality control.

S.B. 56 also reclassifies all synthetically produced hemp-derived cannabinoids and any hemp product exceeding 0.3% total THC (on a dry-weight basis) as marijuana subject to DCC regulation. In addition, the law lowers THC limits for adult-use products (70% for extracts and 35% for plant material), prohibits products that appeal to children, bans possession of marijuana obtained outside Ohio, and imposes restrictions on the transfer, packaging, labeling, transportation, and permissible consumption locations for marijuana.

The law retains an expungement process for certain low-level marijuana-possession offenses (up to 100 grams) and sets forth eligibility criteria, filing procedures, judicial-review standards, and mandatory timelines. S.B. 56 also authorizes distributions from the Host Community Cannabis Fund to jurisdictions that host marijuana dispensaries.

B. S.B. 56 Opponents' Referendum Challenge Fails.

On December 29, 2025, Ohioans for Cannabis Choice filed initial signatures in an effort to repeal the recent changes enacted through S.B. 56. Plaintiff Jacob Wright attested that he was involved in the referendum efforts. (*See* Wright Aff. ¶ 19.) According to Mr. Wright, Ohio Attorney General Dave Yost rejected the petition on January 13, 2026. (*Id.*) So, the group submitted a revised petition on January 20, 2026. (*Id.*)

On February 3, 2026, the Attorney General's Office certified the petition, requiring the campaign to collect 248,092 valid signatures before the law took effect on March 20, 2026. (*See* Wright Aff. ¶¶ 19–20.) The group collected 208,000 signatures within 38 days of certification. But the 90-day signature-collection period was largely consumed by the Attorney General's review process. (*Id.* ¶ 21.)

At the hearing, Mr. Fashian testified that he was also involved in the referendum efforts. As an Ohio-based hemp wholesaler, he monitored S.B. 56's legislative progress because "it was still cannabis." Mr. Fashian testified that he recalled waiting for paperwork from the Attorney General and that the certification process for the petition took approximately 35 days, which limited the group's ability to move forward. He stated that the referendum effort fell approximately 40,000 signatures short.

C. S.B. 56's Impact on Plaintiffs' Businesses.

Plaintiff Doug Strahm, owner of the Plaintiffs Happy Harvest Entities, explains that although he sells federally compliant hemp and hemp-derived products, he nonetheless faces criminal exposure under S.B. 56 and would be forced to immediately cease business operations. (*See* Strahm Aff. ¶ 5.) Mr. Strahm emphasizes that his current inventory represents a substantial financial investment, yet the statute provides no safe harbor or mechanism for lawful disposal of existing products. (*See id.* at 4.) As a result, enforcement of S.B. 56 would lead to loss of employees and customers, loss of business goodwill, and the destruction of his business operations. (*Id.* at 6.) Likewise, Mr. Wright describes that, under S.B. 56's framework, he now has "no lawful product to sell [and] no licensing pathway that would permit [him] to continue in the hemp business." (Wright Aff. ¶ 23.)

At the hearing, Mr. Fashian testified that, since 2022, he has wholesaled hemp products to more than 500 customers across Ohio, including the Happy Harvest Entities and Get Wright. He explained that he sources his hemp primarily from out-of-state suppliers such as those in California, Kentucky, Texas, and Oregon. According to Mr. Fashian, S.B. 56 would make it unlawful for him to continue purchasing products from these out-of-state suppliers for resale to Ohio distributors such as the Happy Harvest Entities and Get Wright. He further stated that the enacted version of S.B. 56 provides no lawful means for him or the Plaintiffs to dispose of their existing hemp and hemp products inventory. Mr. Fashian also described the resulting impact on his customers, stating that the Happy Harvest Entities and Get Wright have suffered significant financial harm and that their business operations is no longer viable.

IV. CONCLUSIONS OF LAW

Before considering the merits of Plaintiffs' preliminary-injunction request, the Magistrate addresses State Defendants' argument that laches bars Plaintiffs claims.

A. Doctrine of Laches

State Defendants argue that Plaintiffs' alleged delay undercuts Plaintiffs' claims. But delay alone does not constitute laches. *Hugin Sweda, Inc. v. Ohio Dept. of Adm. Servs.*, 1988 Ohio App. LEXIS 1217, at *11 (10th Dist. Mar. 22, 1988). To establish laches, a party must show: (1) an unreasonable delay in asserting a right; (2) no valid excuse for that delay; (3) actual or constructive knowledge of the injury; and (4) material prejudice resulting from the delay. *Watson v. Caldwell Hotel*, 2017-Ohio-4007, ¶ 45 (7th Dist.). State Defendants make no such showing.

A three-month delay is not unreasonable, particularly given that Plaintiffs were lawfully exercising their referendum rights during that time period. They filed this action only 10 days after S.B. 56 took effect. Nothing in the record indicates unreasonable delay, lack of excuse, or prejudice.

B. Motion for Preliminary Injunction

A preliminary injunction is an extraordinary remedy; therefore, the moving party has a substantial burden to meet to be entitled to the injunction. *Sinoff v. Ohio Permanente Med. Group*, 2001-Ohio-4186, ¶ 39 (8th Dist.). The issue of whether to grant or deny an injunction is a matter solely within the discretion of the trial court. *Danis Clarkco Landfill Co. v. Clark Cty. Solid Waste Mgt. Dist.*, 73 Ohio St.3d 590, 604 (1995). A trial court must consider whether: (1) there is a substantial likelihood that the plaintiff will prevail on the merits of its claims; (2) the plaintiff will suffer irreparable harm if the injunction is denied; (3) third parties will be unjustifiably harmed if the injunction is granted; and (4) the public interest will be served if the injunction is granted. *Hydrofarm, Inc. v. Orendorff*, 2008-Ohio-6819, ¶ 18 (10th Dist.).

The moving party must establish a right to a preliminary injunction by showing clear and convincing evidence of each element of the claim. *Vanguard Transp. Sys. v. Edwards Transfer & Storage Co. Gen. Commodities Div.*, 109 Ohio App. 3d 786, 790 (10th Dist.1996). "Clear and convincing evidence is that measure or degree of proof which will produce in the mind of the trier of facts a firm belief or conviction as to the allegations sought to be established." *Connor Group v. Raney*, 2016-Ohio-2959, ¶ 20 (2nd Dist.) (citation omitted). It is more than a mere preponderance of the evidence but less than beyond a reasonable doubt. *Id.*

1) Plaintiffs Have Not Established a Substantial Likelihood of Success on the Merits.

Plaintiffs argue that they have established a substantial likelihood of success on the merits because S.B. 56 is unconstitutional on the following bases: (1) the One-

Subject Rule, Article I, § 15(D); (2) the Three-Readings Rule, Article II, § 15(C); (3) Article II, §§ 1 and 15(D) concerning referendum challenge; (4) the Dormant Commerce Clause, U.S. Const. Art. I, § 8, and (5) federal preemption, U.S. Const. Art. VI, § 2. To Plaintiffs, any of these alleged violations provides an independent ground to support injunctive relief.[5] The Magistrate will consider each in turn.

a) Plaintiffs Have Failed to Establish that S.B. 56 Violates the One-Subject Rule.

Article II, § 15(D) provides, in relevant part, that "[n]o bill shall contain more than one subject, which shall be clearly expressed in its title."

Plaintiffs contend that S.B. 56 violates Article II, § 15(D), of the Ohio Constitution because it "logrolled" multiple unrelated provisions and therefore violates the one-subject rule. (Pl. Mot., 3; Pl. Br. at 2-4; *see generally* Pl. Am. Br.[6]) In response, State Defendants argue that S.B. 56 is unified around the regulation of cannabis in its various forms and, relying on its historical background, assert that

[5] In Plaintiffs' initial Complaint, they alleged that the Governor's line-item veto with respect to S.B. 56 is unconstitutional under Article II, § 16 of the Ohio Constitution, asserted under Count IV. (*See* Compl.) However, the First Amended Complaint ("FAC") includes no allegations regarding the Governor's line-item veto and does not request it in their prayer for relief. (*See generally* FAC.) In fact, that claim was removed as a count from the FAC. Although Plaintiffs removed that claim as a basis for relief, they nonetheless contend that the line-item veto is unconstitutional in their Amended Motion. (*See* Am. Mot. p. 2.) Plaintiffs also mention that S.B. 56 violates the Due Process Clause of the Ohio Constitution and the Fourteenth Amendment. (*See* Pl. Am. Br. at 3.) However, Plaintiffs neither allege this in the FAC nor develop any argument to that effect. Because these claims are not before the Court, the Magistrate declines to address them. *See Recovery Funding, LLC v. Spiers*, 2020-Ohio-364, ¶ 28 (10th Dist.) (noting that having been replaced with an amended complaint, assertions made in the original complaint are no longer viable because an amended complaint constitutes an abandonment of the earlier pleading).

[6] Both the Plaintiffs and State Defendants incorporate their prior briefing by reference. (*See* Pl. Am. Br. at 1; *see* State Def. Br. at 4.) The Magistrate considered the earlier arguments to the extent they remain applicable to the amended complaint.

the one-subject rule has been treated as merely "directory" rather than "mandatory," thereby warranting substantial judicial deference. (*See* State Def. Br. at 8-9.)

The Ohio Supreme Court has struggled to describe the one-subject rule's precise nature, at times attributing to it both mandatory and directory qualities thereby advancing "the anomalous concept of a directory provision that operates with invalidating force." *In re Nowak*, 2004-Ohio-6777, ¶ 28. That is, a directory provision, by definition, involves no invalidating consequence for its disregard. *Id.* at ¶ 37. Indeed, to construe the one-subject rule as "wholly without teeth" would be nothing less than an abdication of the court's duty to enforce the Ohio Constitution. *State ex rel. Ohio Academy of Trial Lawyers v. Sheward*, 86 Ohio St.3d 451, 512 (1999).

Any remaining uncertainty was finally resolved in *In re Nowak*, in which the Ohio Supreme clarified the matter and struck the appropriate balance. The Court reiterated that a statute or provision may be invalidated under the one-subject rule only when there has been "a manifestly gross and fraudulent violation" of the rule. *See In re Nowak*, at ¶ 45-46 *see also State ex rel. Dix v. Celeste*, 11 Ohio St.3d 141, 145 (1984) (… "a manifestly gross and fraudulent violation of this rule will cause an enactment to be invalidated.") "Once the court held that a blatant violation of the one-subject rule will cause an enactment to be invalidated, it could no longer legitimately claim that the rule is directory in nature." *In re Nowak*, at ¶ 46. This limiting principle preserves the one-subject rule's constitutional purpose while preventing undue judicial interference. *See, e.g., In re Nowak*, at ¶ 47.

The Ohio Constitution's one-subject provision serves a critical function: it prevents logrolling—"the practice of several minorities combining their several proposals as different provisions of a single bill and thus consolidating their votes" to pass a measure that no individual proposal could secure on its own. *Dix*, 11 Ohio St.3d at 142–143. It does so by disallowing "unnatural combinations of provisions in acts" and ensuring that legislation maintains unity of subject matter rather than devolving into an assemblage of unrelated provisions. *Id.* at 143, 146. Indeed, the one-subject rule does not prohibit a plurality of topics, only a disunity of subjects. *State ex rel. Ohio Civ. Serv. Emples. Assn. v. State*, 2016-Ohio-478, ¶ 17. To balance appropriate deference to the legislature with the judiciary's constitutional responsibility, courts must liberally construe the term "subject" when applying the one-subject rule. *Id.* at 16. This carefully calibrated approach preserves both the force of the constitutional safeguard and the practical realities of the legislative process.

S.B. 56 amends, enacts, or repeals over 100 sections of the Revised Code. Consisting of 130 pages with 14 sections, the bill begins with a description of its subject matter, stating "…to revise specified provisions of the liquor control, hemp, and adult-use marijuana laws, and to make an appropriation, and to amend section 4506.01 of the Revised Code effective December 31, 2026, to revise the law governing commercial driver's licenses."

Section 1, the most voluminous of the bill's sections, presents a comprehensive regulatory framework governing marijuana and hemp products through coordinated amendments across multiple sections of the Revised Code. Additionally, it integrates marijuana licensing into the state's occupational-licensing and criminal-record standards (R.C. 9.79), requires BCI background checks for applicants and employees (R.C. 109.572), and reorganizes regulatory authority within the Department of Commerce (R.C. 121.04, 121.08). The law clarifies zoning and municipal control over cannabis-related businesses (R.C. 519.21; R.C. 715.013), while overhauling hemp regulation through new definitions and classifications (R.C. 928.01), revised cultivation and processing requirements (R.C. 928.02–928.04), and distinct regulation and enforcement for hemp products (R.C. 928.031, 928.08). It updates criminal-law definitions and establishes limited expungement eligibility for marijuana-related offenses (R.C. 2925.01; R.C. 2953.321; R.C. 3719.01; R.C. 3719.41), consolidates adult-use and medical marijuana into a unified program under the DCC (R.C. 3796.01–3796.04), and regulates cultivation, processing, testing, dispensaries, home grow, and possession (R.C. 3796.05–3796.15). The law also imposes standards on advertising, packaging, testing, and penalties (R.C. 3796.16–3796.24; 3796.221) and revises tax administration and revenue distribution for marijuana and hemp-derived cannabinoid products (R.C. 3796.27–3796.310; R.C. 5703.052; R.C. 5713.30).

Section 2 repeals the prior versions of all Revised Code sections amended and reenacted in Section 1. While Section 3 repeals the former hemp-definitions statute (R.C. 928.01) and most of former Chapter 3780, consolidating adult-use marijuana law into Chapter 3796.

Section 4 never took effect because the Governor vetoed the provision that would have sunset the DCP statutes on December 31, 2026. Likewise, Sections 5 through 7 created a future-effective amendment to Ohio's commercial driver licensing statute (R.C. 4506.01) to account for DCP-related provisions enacted elsewhere; however, these sections were also vetoed.

Section 8 ensures continuity of rulemaking during the transition from Chapter 3780 to Chapter 3796 while Section 9 contains a severability clause. Further, Section 10 designates R.C. 519.21 as a composite section to reconcile amendments from H.B. 523 and S.B. 75, specifying that the composite is the controlling version immediately prior to this bill's amendments.

Sections 11 through 13 concern appropriations. Section 11 appropriates the amounts contained in the bill from the designated state-treasury funds and clarifies fiscal-year allocations. Section 12 establishes appropriations for the Host Community Cannabis Payments—approximately $47.5 million for FY 2026 and $49 million for FY 2027—to be distributed to municipalities and townships hosting dispensaries or marijuana facilities, consistent with R.C. 3796.40, and provides that any additional required amounts are deemed appropriated. Section 13 authorizes the Director of Budget and Management to establish accounts, identify funding sources, and maintain them accordingly.

Section 14 expresses the General Assembly's intent regarding anticipated federal regulation of hemp-derived cannabinoid beverages and Ohio's intent to reevaluate its regulatory scheme should federal law materially change, underscoring the temporary nature of several hemp-beverage provisions.

This complexity does not itself create a one-subject violation; rather, the question is whether these provisions share a common regulatory theme. Although the provisions appear across multiple titles and chapters of the Revised Code, they each relate to the State's regulation of cannabis and the licensing systems that govern their cultivation, processing, possession, and sale.

This Magistrate finds no "unnatural combinations" of provisions in S.B. 56. Indeed, the provisions bear a natural and logical connection to one another because they regulate the same underlying subject: the lawful and unlawful production, possession, sale, and control of cannabis and cannabis-derived substances in Ohio. Plaintiffs overlook that marijuana and hemp are defined in relation to the cannabis plant, which S.B. 56 expressly addresses (*see* R.C. 928.01, 3719.01). The bill then regulates both within a unified statutory framework governing public health, product safety, licensing, commercial oversight, and criminal penalties. The General Assembly's decision to amend multiple chapters across multiple titles reflects the interdependence of these statutes, not a departure into unrelated subject matter. Accordingly, the bill's components are germane to a single purpose.

Nor do the bill's appropriations defeat this unity, as Plaintiffs contend. The appropriations directly support regulation of cannabis by funding the Host Cannabis Community Fund, which allocates a portion of the adult-use marijuana excise tax to jurisdictions hosting dispensaries. Because these appropriations reinforce, rather than diverge from, the bill's central regulatory purpose, they remain consistent with the bill's subject.

Plaintiffs likewise fail to meet their burden on their logrolling theory. Although Plaintiffs note that no Democratic member voted for the conference-committee version, they identified no evidence that unrelated provisions were combined to marshal votes from otherwise antagonistic minority factions, as required to establish unconstitutional logrolling.

While S.B. 56 approaches the outer boundary of what may be treated as a single subject, the one-subject rule is to be liberally construed to uphold legislation that fits within a reasonably unified regulatory plan. The record contains no evidence of a "manifestly gross and fraudulent violation" of that rule. Accordingly, the Magistrate finds and concludes that S.B. 56 comports with the one-subject rule of the Ohio Constitution.

b) Plaintiffs Have Failed to Show that S.B. 56 Violates the Three-Readings Rule.

Plaintiffs assert that S.B. 56 violates Article II, § 15(C) of the Ohio Constitution, which states,

> Every bill shall be considered by each house on three different days, unless two-thirds of the members elected to the house in which it is pending suspend this requirement, and every individual consideration of a bill or action suspending the requirement shall be recorded in the journal of the respective house.

The Ohio Supreme Court has held "where it can be proven that the bill in question was not considered the required three times, the consequent enactment is void and without legal effect." *Hoover v. Franklin Cty. Bd. of Commrs.*, 19 Ohio St.3d 1, 3 (1985); *Youngstown City School Dist. Bd. of Edn. v. State*, 2020-Ohio-2903, ¶ 14.

At the same time, a bill need not contain precisely the same language at each reading to satisfy the clause. *Youngstown*, ¶ 14. Amendments that do not "vitally alter the substance of a bill" do not require three new considerations. *Id.* But "[w]hen the subject or proposition of the bill is thereby wholly changed, it would seem to be proper to read the amended bill three times, and on different days." *Id.* (citations omitted).

A "vitally altered" bill is one that "depart[s] entirely from a consistent theme." *State ex rel. Ohio AFL-CIO v. Voinovich*, 69 Ohio St.3d 225, 233 (1994). So, a bill is valid "if the requisite entries are made in the legislative journals and there is no indication that the *subject matter of the original bill was* '*vitally altered*' such that there is no longer a common purpose or relationship between the original bill and the bill as amended." *Id.* (Emphasis original). Yet, the Supreme Court cautioned that adopting a bright-line rule distinguishing heavy amendment from vital alteration would "set[] dangerous and impracticable precedent." *Youngstown*, ¶ 15.

Plaintiffs contend that S.B. 56 violated the Ohio Constitution's Three-Readings Rule, because the version ultimately enacted contained "vital alterations" that never received three separate readings. According to Plaintiffs, the conference committee version contained "vital alterations" from House Version 18. Specifically, Plaintiffs assert that the following provisions vitally changed the bill such that the House and Senate did not each consider the same legislation on three occasions: (1) the addition of 12 new provisions under R.C. Chapter 3779 regulating "intoxicating hemp"; (2) the adoption of the 70%/35% THC "potency caps"; (3) the reduction of the expungement threshold from 200 grams to 100 grams of marijuana; (4) amendments relating to CDL requirements; and (5) the $96.5 million appropriation. (*See* Pl. Br. at 4-5.)

State Defendants retort that Plaintiffs rely on provisions that were never enacted and that the bill satisfied the constitutional requirement because both the introduced bill and the bill ultimately passed shared the same common purpose of regulating cannabis and therefore was not "vitally altered." (*See* State Def. Br. at 13–14.)

There is no dispute that the Senate passed version of S.B. 56 and the House passed version received its three constitutionally required readings in each chamber. Plaintiffs' challenge indeed rests, in part, on a faulty premise: certain provisions they identify never became law. The Governor vetoed the intoxicating hemp provisions formerly located in R.C. Chapter 3779 and related provisions in their entirety. Language that never became law cannot form the basis of a three-readings challenge.

Next, certain provisions Plaintiffs complain did not receive three-readings were a part of the bill at introduction or earlier versions and did not "vitally alter" the subject matter of the bill. Plaintiffs characterize as "new" the THC potency limits in the enacted version—70% for extracts and 35% for plant material. These exact limits were included in S.B. 56 from the outset and appeared in each version of the bill throughout the legislative process. Because these THC limits were part of the original legislation, so their presence in the enacted bill cannot constitute a "vital alteration." Likewise, the criminal expungement eligibility provisions were present in the Senate-passed version and remained. That the expungement eligibility threshold shifted from less than 200 grams of marijuana to only offenses involving 100 grams of marijuana or less in the enacted version does not constitute a "vital alteration."

Finally, all the revisions identified by Plaintiffs, including CDL-related amendments and the appropriations provisions, do not reflect a departure from the bill's original purpose. S.B. 56 at each iteration shared the same subject: a statutory and regulatory framework governing cannabis in Ohio. The Three-Readings Rule requires that a bill's subject not be "wholly changed"; it does not require that the precise language heard at the first reading be the same language enacted at the end of the legislative process. Because S.B. 56 as introduced and S.B. 56 as enacted addressed the same general subject—comprehensive regulation of cannabis—none of the identified amendments constitutes a "vital alteration."

Accordingly, the Magistrate finds and concludes that S.B. 56 does not violate the Three-Readings Rule.

c) Plaintiffs Failed to Carry Their Burden on the Referendum Challenge.

Plaintiffs raise two constitutional challenges to the referendum process concerning S.B. 56 under Article II, § 1 and § 15(D). First, Plaintiff contends that the General Assembly improperly included an appropriations measure to "inoculate" S.B. 56 from a referendum. (Pl. Br. at 6.) Second, Plaintiff asserts that the Ohio Attorney General delayed certification of the referendum petition, thereby preventing proponents from obtaining the required number of signatures within the allotted timeframe. (*Id.*) Both arguments are unsupported by the record.

The Magistrate finds and concludes that as to the Plaintiff's first challenge, a referendum petition was in fact filed. Plaintiff's own witness, Mr. Wright, attested to his efforts to file the referendum petition. (Wright Aff. ¶¶ 19–21.) And at the hearing, Plaintiff's witness, Mr. Fashian, testified to the same. Whether or not the appropriations were intended to exempt the bill from referendum, the record demonstrates a referendum was in fact pursued.

As to Plaintiff's second challenge, that question falls outside this Court's jurisdiction. Under R.C. 3519.01(C), "[a]ny person who is aggrieved by a certification decision…may challenge the certification or failure to certify of the attorney general in the supreme court, which shall have exclusive, original jurisdiction in all challenges of those certification decisions." Thus, challenges to the Attorney General's certification or alleged delay must be brought directly to the Ohio Supreme Court.

d) Plaintiffs Failed to Establish a Dormant Commerce Clause and Federal Preemption Violation.

Plaintiffs argue that S.B 56 violates the Dormant Commerce Clause because it "facially discriminated against out-of-state hemp manufacturers and distributors such as Plaintiffs Fox Ventures and Spencer White by reserving the Ohio hemp market exclusively for Ohio-licensed, in-state marijuana supply chain while categorically excluding all out of state producers." (Pl. Am. Br. at 3.). They also claim S.B. 56 is preempted by the 2018 Farm Bill because S.B. 56 "criminalizes the interstate transportation and shipment of federally compliant hemp." (*Id.*) These arguments fail at the threshold, because Plaintiffs have either not established standing or have presented no competent evidence to support either claim.

Before a court may consider the merits, the plaintiff must establish standing to sue. *State ex rel. Walgate v. Kasich*, 2016-Ohio-1176, ¶ 18. Standing requires a litigant to "have a direct, personal stake in the outcome of the case; ideological opposition to a program or legislative enactment is not enough." *Walgate* at ¶ 18 (international quotations omitted).

To demonstrate traditional standing, the plaintiff must show that it has "suffered (1) an injury that is (2) fairly traceable to the defendant's allegedly unlawful conduct, and (3) likely to be redressed by the requested relief." *Moore v. Middletown*, 2012-Ohio-3897, ¶ 22. The injury must be concrete, not simply abstract or suspected. *State ex rel. Food & Water Watch v. State*, 2018-Ohio-555, ¶ 20. Additionally, the injury must be particularized, "meaning the injury is not bourne by the population in general, but affects the plaintiff in a personal and individual way." *Ohio Democratic Party v. LaRose*, 2020-Ohio-4664, ¶ 19 (10th Dist.). (citation omitted).

As to their Dormant Commerce Clause claim, Plaintiffs Mr. Strahm, Harvest Entities, Jacob Wright, and Get Wright Lounge—all Ohio-based hemp distributors—presented no evidence of a concrete, particularized injury traceable to discriminatory treatment of out-of-state producers. At the hearing, Mr. Fashian referenced past purchases from out-of-state suppliers, including California-based Plaintiff Fox Ventures, and stated only that he (who is not a plaintiff in this case) can no longer buy hemp-derived products from those manufacturers. He did not assert that Plaintiffs suffer any injury as *consumers* of out-of-state hemp. Nor did Plaintiffs submit any affidavits, declarations, or even bald allegations that any Ohio-based Plaintiff has sustained a personal injury arising from alleged discrimination against out-of-state producers.

With respect to their federal preemption claim, these Ohio-based Plaintiffs have failed to demonstrate that they transport hemp out of state or ship federally compliant hemp out of state, as they argued.

California-based Plaintiffs, Fox Ventures and Spencer White, fare no better. Every affidavit they submitted was defective—unsigned, unnotarized, or otherwise inadmissible—and all versions have been stricken from the record. With no competent evidence showing that either Plaintiffs have suffered, or is imminently likely to suffer, an injury in fact caused by S.B. 56, they cannot establish standing for either their Dormant Commerce Clause or their federal preemption claim. Without such evidence, Plaintiffs cannot meet their burden to demonstrate a likelihood of success on the merits.

Given the evidentiary record, Plaintiffs have not met their clear-and-convincing burden and cannot show a substantial likelihood of success on their Dormant Commerce Clause and federal preemption claims.

2) Plaintiffs Have Not Shown Irreparable Harm If the Injunction Is Not Granted.

Irreparable harm is harm for which there is no plain, adequate, and complete remedy at law, and for which money damages would be impossible, difficult, or incomplete. *Keefer v. Ohio Dept. of Job & Family Servs.*, 2003-Ohio-6557, ¶ 17 (10th Dist.). What constitutes irreparable harm depends on the context of each case. *Ohio Democratic Party v. LaRose*, 2020-Ohio-4664, ¶ 60 (10th Dist.). In the context of constitutional challenges, the finding that a constitutional right has been threatened or impaired mandates a finding of irreparable injury as well. *Magda v. Ohio Elections Comm.*, 2016-Ohio-5043, ¶ 38 (10th Dist.).

Because of this framework, the irreparable-harm inquiry in this case turns first on the constitutionality of S.B. 56. *See, e.g.*, *UAW Local Union 1112 v. Blackwell*, Franklin County C.P. No. 05CVH-03-2553, 2005 Ohio Misc. LEXIS 4033, at *8-9 (Mar. 7, 2005). If S.B. 56 is constitutional, Plaintiffs lose no protected right; if unconstitutional, they would face irreparable harm if the statute were allowed to take effect. Thus, a substantial likelihood of success on the merits is a necessary predicate to any finding of irreparable harm.

Because there is no such finding of a substantial likelihood of success on the merits that S.B. 56 violates the Ohio Constitution, Plaintiffs cannot establish any threatened constitutional injury. Without a likelihood of success on the merits, the necessary predicate for irreparable harm is absent, and their claim of irreparable injury necessarily fails.

3) The Balance of Harms to Third Parties and the Public Interest Does Not Support Injunctive Relief.

State Defendants have shown that the unchecked sale of “intoxicating hemp” products in Ohio has created real dangers for third parties and the public at large. These products did not merely appear on store shelves—they proliferated, reaching children with alarming frequency. Since 2021, Ohio's poison control centers have witnessed an explosion in accidental delta-8 THC exposures: more than a 330% surge among children under six and an astonishing 550% increase among children ages six to twelve. (*See* Hays Aff. ¶¶ 3–4.)

State Defendants also explain that the absence of any mandatory laboratory testing means consumers are effectively blind to what they are ingesting. Without testing requirements, the public is left to guess whether hemp-derived products contain harmful contaminants, elevated THC levels, or other unknown compounds. (*See* Makowski Aff. ¶¶ 8–9.) In short, pre-S.B. 56 created risks to not only individual consumers, but to families, communities, and the broader public health landscape.

Plaintiffs, by contrast, offer no evidence that third parties would avoid harm if the Court were to halt enforcement. Hemp consumers would retain access to lawful products sold through Ohio's licensed dispensaries—products that meet testing and safety requirements designed precisely to protect the public.

Because Plaintiffs have not carried their burden by clear and convincing evidence, these factors strongly favor the State Defendants.

V. DECISION

On the present record, the Magistrate finds and concludes no constitutional infirmity at this stage. This Decision concerns only the request for preliminary relief and does not resolve the ultimate merits of the Plaintiffs' claims, nor does it provide any final determination regarding the constitutionality of S.B. 56.

Based on the Findings of Fact and Conclusions or Law set forth above, Plaintiffs' request for a Preliminary Injunction should be **DENIED**.

A PARTY SHALL NOT ASSIGN AS ERROR ON APPEAL THE COURT'S ADOPTION OF ANY FACTUAL FINDING OR LEGAL CONCLUSION, WHETHER OR NOT SPECIFICALLY DESIGNATED AS A FINDING OF FACT OR CONCLUSION OF LAW UNDER CIV.R. 53(D)(3)(a)(ii), UNLESS THE PARTY TIMELY AND SPECIFICALLY OBJECTS TO THAT FACTUAL FINDING OR LEGAL CONCLUSION AS REQUIRED BY CIV.R. 53(D)(3)(b).

Copies electronically to all counsel of record.

Franklin County Court of Common Pleas

Date: 06-24-2026

Case Title: DOUG STRAHM ET AL -VS- DAVID A YOST ET AL

Case Number: 26CV002963

Type: MAGISTRATE DECISION

So Ordered

/s/ Magistrate Jhay Spottswood-Harrison