

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO

SAUCY SELTZER CORPORATION, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
	:	Case No. 26 CV 2464
-vs-	:	Judge Page
	:	
RICHARD M DEWINE, <i>et al.</i> ,	:	
	:	
Defendants.	:	

DECISION AND ENTRY ON THE PLAINTIFFS’ MOTION FOR A TEMPORARY RESTRAINING ORDER

This case is before the Court on Saucy Seltzer Corporation (Saucy), SS Beverages 1 Inc (SB1), Amy Ellwood (Ellwood), and Organic Pharma Techs LLC’s (OPT) (together the “Plaintiffs”) Motion for Temporary Restraining Order (the “TRO”), filed on March, 17, 2026. The Court held a hearing on the TRO on March 19, 2026, at 1:00 p.m. Andrew Mayle participated on behalf of the Plaintiffs. Julie Pfeiffer, Michael Walton, and Stephen Tabatowski participated on behalf of Defendants Richard DeWine, David Yost, William Rowland, and Charles Jones. Dexter Dorsey participated on behalf of Defendant Shalya Favor. No other party or counsel participated. At the hearing, the Court allowed counsel to make oral argument.

Thereafter, the Court considered the propriety of the Plaintiffs’ request for a TRO. “In determining whether to grant a temporary restraining order, a trial court must consider whether the movant has a strong or substantial likelihood of success on the merits of his underlying claim, whether the movant will be irreparably harmed if the order is not granted, what injury to others will be caused by the granting of the motion, and whether the public interest will be served by the granting of the motion.” *Coleman v. Wilkinson*, 147 Ohio App. 3d 357, 770 N.E.2d 637, *358 (10th Dist.2002). The party seeking an injunction must demonstrate by clear and convincing

evidence that they are entitled to relief under applicable statutory law, that an injunction is necessary to prevent irreparable harm, and that no adequate remedy at law exists. *Garb-Ko, Inc. v. Benderson*, 10th Dist. Franklin No. 12AP-430, 12AP-474, 12AP-475, 12AP-476, 2013-Ohio-1249, ¶ 32. Clear and convincing evidence is

the measure or degree of proof that will produce in the mind of the trier of fact a firm belief or conviction as to the allegations sought to be established. It is intermediate, being more than a mere preponderance, but not to the extent of such certainty as required beyond a reasonable doubt as in criminal cases. It does not mean clear and unequivocal.

In re Z.N., ¶ 11, quoting *In re Estate of Haynes*, 25 Ohio St.3d 101, 104. No one of the four factors is dispositive; rather, a balancing test should be applied. *Intralot, Inc. v. Blair*, 10th Dist. Franklin No. 17AP-444, 2018-Ohio-3873, ¶ 31, quoting *Youngstown City School Dist. Bd. of Edn. v. State*, 10th Dist. Franklin No. 15AP-941, 2017-Ohio-555, ¶ 50.

The Court applied this legal standard to the facts contained in the Plaintiffs’ verified complaint, TRO, attachments, and presented by counsel during oral argument. It then provided a ruling from the bench. For the reasons set forth in the Court’s oral ruling, it finds that the Plaintiffs have failed to meet their burden to obtain a TRO in this case. Accordingly, the Plaintiffs’ motion for TRO is **DENIED**. Upon receiving service of this ruling, the parties shall contact the Court to schedule a preliminary injunction hearing.

IT IS SO ORDERED.

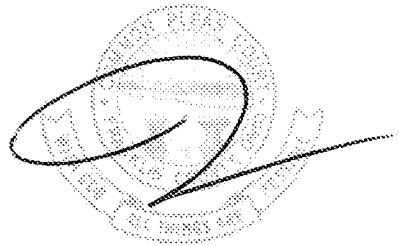
Copies to all parties.

SIGNATURE PAGE ATTACHED

Franklin County Court of Common Pleas

Date: 03-20-2026
Case Title: SAUCY SELTZER CORPORATION ET AL -VS- RICHARD M DEWINE ET AL
Case Number: 26CV002464
Type: ORDER

It Is So Ordered.



/s/ Judge Jaiza Page

Court Disposition

Case Number: 26CV002464

Case Style: SAUCY SELTZER CORPORATION ET AL -VS- RICHARD M DEWINE
ET AL

Motion Tie Off Information:

1. Motion CMS Document Id: 26CV0024642026-03-1799780000

Document Title: 03-17-2026-MOTION FOR TEMPORARY RESTRAINING
ORDER - PLAINTIFF: SAUCY SELTZER CORPORATION

Disposition: MOTION DENIED