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CASE INFORMATION

CV-22-971495 WILLIAM EASTON HORNER vs. ALLISON MARIE STARK ET AL

Summary

Case Number:	CV-22-971495
Case Title:	WILLIAM EASTON HORNER vs. ALLISON MARIE STARK ET AL
Case Designation:	TORT-MEDICAL MALPRACTICE
Filing Date:	11/17/2022
Judge:	DAVID T MATIA
Magistrate	N/A
Mediator:	N/A
Room:	N/A
Next Action:	N/A
File Location:	COC ARCHIVE FILES
Last Status:	INACTIVE
Last Status Date:	12/14/2023
Last Disposition:	DIS. W/O PREJ
Last Disposition Date:	12/14/2023
Prayer Amount:	\$.00
Court of Appeals Case:	N/A
Original Case:	N/A
Refiled Case:	N/A

Service

Party Role	Name	Service Description	Sent Date	Response	Response Date
P(1)	WILLIAM EASTON HORNER	N/A			
D(1)	ALLISON MARIE STARK	SUMS COMPLAINT CERTIFIED MAIL	11/21/2022	NO RETURN AFTER 60 DAYS	01/23/2023
D(1)	ALLISON MARIE STARK	MOTION CUYAHOGA SHERIFF SERVICE	02/28/2023	COMPLETED	03/28/2023
D(1)	ALLISON MARIE STARK	E-FILING SERVICE EMAIL	04/13/2023		

D(1)	ALLISON MARIE STARK	E-FILING SERVICE EMAIL	08/31/2023		
D(1)	ALLISON MARIE STARK	E-FILING SERVICE EMAIL	08/31/2023		
D(1)	ALLISON MARIE STARK	E-FILING SERVICE EMAIL	09/20/2023		
D(1)	ALLISON MARIE STARK	E-FILING SERVICE EMAIL	09/20/2023		
D(1)	ALLISON MARIE STARK	E-FILING SERVICE EMAIL	10/02/2023		
D(1)	ALLISON MARIE STARK	E-FILING SERVICE EMAIL	10/02/2023		
D(2)	ST. VINCENTS CHARITY HOSPITAL	SUMS COMPLAINT CERTIFIED MAIL	11/21/2022	COMPLETED	11/28/2022
D(2)	ST. VINCENTS CHARITY HOSPITAL	E-FILING SERVICE EMAIL	04/04/2023		
D(2)	ST. VINCENTS CHARITY HOSPITAL	E-FILING SERVICE EMAIL	04/04/2023		
D(2)	ST. VINCENTS CHARITY HOSPITAL	E-FILING SERVICE EMAIL	04/13/2023		
D(2)	ST. VINCENTS CHARITY HOSPITAL	E-FILING SERVICE EMAIL	04/13/2023		
D(2)	ST. VINCENTS CHARITY HOSPITAL	E-FILING SERVICE EMAIL	06/06/2023		
D(2)	ST. VINCENTS CHARITY HOSPITAL	E-FILING SERVICE EMAIL	06/06/2023		
D(2)	ST. VINCENTS CHARITY HOSPITAL	E-FILING SERVICE EMAIL	10/02/2023		
D(2)	ST. VINCENTS CHARITY HOSPITAL	E-FILING SERVICE EMAIL	10/02/2023		

Case Parties

PLAINTIFF (1) WILLIAM EASTON HORNER
2899 BLUE RIDGE DRIVE
MORRISTOWN, TN 37814-0000

ATTORNEY / PRO SE (9999999)

DEFENDANT (1) ALLISON MARIE STARK

ATTORNEY KRISTIN L WEDELL (0072500)
600 SUPERIOR AVENUE EAST
FIFTH THIRD CENTER, SUITE 2330
CLEVELAND, OH 44114-0000
Ph: 216-685-1827
Answer Filed: N/A

DEFENDANT (2) ST. VINCENTS CHARITY HOSPITAL
2351 E. 22ND STREET
CLEVELAND, OH 44115-0000

ATTORNEY THOMAS W WRIGHT (0017529)
35000 CHARDON ROAD, SUITE 100
WILLOUGHBY HILLS, OH 44094-0000

Docket Information

Filing Date	Docket Party	Docket Type	Docket Description	View Image
02/07/2024	P1	\$\$	PAYMENT ON ACCOUNT MADE ON BEHALF OF HORNER/WILLIAM/EASTON IN THE AMOUNT OF \$3.54	
01/12/2024	N/A	CS	COURT COST ASSESSED WILLIAM EASTON HORNER BILL AMOUNT 253.54 PAID AMOUNT 250 AMOUNT DUE 3.54	
12/14/2023	N/A	JE	MOTION FOR JOINDER IN DEFENDANT ST. VINCENT CHARITY MEDICAL CENTER'S MOTION TO DISMISS AND REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS, FILED 10/02/2023, IS GRANTED. DEFENDANT ST. VINCENT CHARITY MEDICAL CENTER'S MOTION TO DISMISS, FILED 08/31/2023, IS GRANTED. THIS CASE IS DISMISSED WITHOUT PREJUDICE. PLAINTIFF'S PETITION FOR DISCOVERY MEDICAL POWER OF ATTORNEY AUTHORIZED MEDICAL SIGNATURES, FILED 07/27/2023, IS DENIED. COURT COST ASSESSED TO THE PLAINTIFF(S). NOTICE ISSUED	
12/13/2023	N/A	SC	SETTLEMENT CONFERENCE SCHEDULED FOR 01/16/2024 AT 02:30 PM IS CANCELLED.	
12/13/2023	N/A	SC	TRIAL BY JURY SCHEDULED FOR 02/12/2024 AT 09:30 AM IS CANCELLED.	
10/02/2023	D1	MO	MOTION FILED FOR D1 ALLISON MARIE STARK KRISTIN L WEDELL 0072500 MOTION FOR JOINDER IN DEFENDANT ST. VINCENT CHARITY MEDICAL CENTER'S MOTION TO DISMISS AND REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS 12/14/2023 - GRANTED	
09/21/2023	P1	OT	PLAINTIFF'S OBJECTION TO DISMISSAL AND RE-PETITION FOR DISCOVERY. FILED PRO SE (9999999) BY PLAINTIFF	
09/20/2023	D2	BR	REPLY BRIEF FILED BY D2 ST. VINCENTS CHARITY HOSPITAL THOMAS W WRIGHT 0017529 DEFENDANT ST. VINCENT CHARITY MEDICAL CENTER'S REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS	
08/31/2023	D2	MO	MOTION TO DISMISS FILED DEFENDANT ST. VINCENT CHARITY MEDICAL CENTER'S MOTION TO DISMISS 12/14/2023 - GRANTED	
08/04/2023	P1	OT	P1 WILLIAM EASTON HORNER PLAINTIFF'S PETITION FOR DISCOVERY MEDICAL POWER OF ATTORNEY AUTHORIZED MEDICAL SETTINGS.. PRO SE 9999999	
07/31/2023	N/A	OT	PLAINTIFF'S PETITION FOR DISCOVERY MEDICAL POWER OF ATTORNEY AUTHORIZED MEDICAL SIGNATURES, FILED PRO SE (9999999) WILLIAM HORNER	
07/27/2023	P1	MO	PLAINTIFF'S PETITION FOR DISCOVERY MEDICAL POWER OF ATTORNEY AUTHORIZED MEDICAL SIGNATURES PRO SE (9999999) 12/14/2023 - DENIED	
06/21/2023	P1	OT	PLAINTIFF'S SUPPLEMENTAL DISCLOSURES & M PETITION FOR DISCOVERY OF MEDICAL RECORDS . PRO SE (9999999)	
06/21/2023	P1	OT	PLAINTIFF'S PETITION FOR DISCOVERY MEDICAL POWER OF ATTORNEY . PRO SE (9999999)	
06/06/2023	D1	NT	NOTICE FILED BY D1 ALLISON MARIE STARK ATTORNEY KRISTIN L WEDELL 0072500 DEFENDANT ALLISON STARK'S NOTICE OF	

SERVICE OF RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS

Date	Party	Case No.	Description
05/09/2023	N/A	JE	CMC BY PHONE HELD ON 04/26/2023. ALL PARTIES PRESENT. FACT DISCOVERY TO BE COMPLETED BY 06/26/2023. PLAINTIFF'S EXPERT REPORT DUE 07/26/2023. DEFENDANT'S EXPERT REPORT DUE 09/26/2023. DISPOSITIVE MOTION TO BE FILED BY 10/26/2023. PARTIES ARE ADVISED THAT COURTESY COPIES OF ALL E-FILED DISPOSITIVE MOTIONS, AND ANY OTHER E-FILED MOTION LONGER THAN 10 PAGES MUST BE DELIVERED IN PERSON OR BY MAIL TO CHAMBERS WITHIN 5 DAYS OF FILING. DO NOT EMAIL COURTESY COPIES. REPLY BRIEFS MAY BE FILED WITHOUT LEAVE OF COURT. SETTLEMENT CONFERENCE SET FOR 01/16/2024 AT 02:30 PM. ALL PARTIES WITH SETTLEMENT AUTHORITY MUST APPEAR. JURY TRIAL SET FOR 02/12/2024 AT 09:30 AM. MOTIONS IN LIMINE, IF ANY, ARE TO BE FILED AT LEAST 14 DAYS PRIOR TO TRIAL. (COPIES TO BE HAND-DELIVERED TO COURTROOM 17-D.) PARTIES TO EXCHANGE PROPOSED STIPULATIONS 14 DAYS PRIOR TO TRIAL. COUNSEL TO PROVIDE COPIES OF ALL EXHIBITS TO OPPOSING COUNSEL AND TO THE COURT ON THE MORNING OF TRIAL. COUNSEL TO PROVIDE THE COURT WITH PROPOSED JURY INSTRUCTIONS AND WITNESS LISTS ON MORNING OF TRIAL. THE COURT PREFERS JURY INSTRUCTIONS ALSO BE PROVIDED IN WORD FORMAT AND E-MAILED TO STAFF ATTORNEY, CARA KOZYK, AT CAKOZYK@CUYAHOGACOUNTY.US. NOTICE ISSUED
04/13/2023	D1	AN	ANSWER FILED BY D1 ALLISON MARIE STARK ATTORNEY KRISTIN L WEDELL 0072500 DEFENDANT ALLISON STARK'S ANSWER TO PLAINTIFF'S COMPLAINT
04/04/2023	D1	NT	NOTICE OF APPEARANCE, FILED D1 ALLISON MARIE STARK KRISTIN L WEDELL 0072500. NOTICE OF APPEARANCE OF COUNSEL FOR DEFENDANT ALLISON STARK
04/04/2023	N/A	JE	THE CLERK OF COURTS IS ORDERED TO ISSUE SHERIFF SERVICE ON THE COMPLAINT TO DEFENDANT ALLISON MARIE STARK AT THE ADDRESS LISTED ON THE COMPLAINT. SHERIFF TO ATTEMPT SERVICE ON THE COMPLAINT WITHIN 7 DAYS OF THIS ORDER. AS SERVICE HAS NOT BEEN PERFECTED, THE CMC SET FOR 03/29/2023 IS CONTINUED. CMC BY PHONE SET FOR 04/26/2023 AT 03:30 PM. PLAINTIFF'S COUNSEL, OR PLAINTIFF, IF PROCEEDING PRO SE, SHALL INITIATE THE CONFERENCE CALL WITH ALL OTHER PARTIES, AND THEN CONTACT THE COURT'S STAFF ATTORNEY, CARA KOZYK, AT 216-443-5595. PLEASE DO NOT APPEAR IN PERSON. NOTICE ISSUED
03/29/2023	D1	SH	CUYAHOGA COUNTY SHERIFF DEPT SERVICE FEE \$32.00
03/29/2023	D1	SR	49903756 ON 03/28/2023 I SERVED THE WITHIN NAMED STARK/ALLISON/MARIE BY LEAVING A TRUE AND CERTIFIED COPY THEREOF WITH ALL THE ENDORSEMENTS THEREON.
02/28/2023	D1	SR	MOTION(49903756) SENT BY CUYAHOGA SHERIFF SERVICE. TO: ALLISON MARIE STARK
02/27/2023	N/A	JE	A REVIEW OF PLAINTIFF'S MOTION FOR EXPLANATION REGARDING LACK OF SHERIFF SERVICE, FILED 02/07/2023, INDICATES THAT IT IS IN FACT A MOTION TO ISSUE SHERIFF SERVICE ON DEFENDANT. THIS REQUEST IS GRANTED. THE CLERK OF COURTS IS ORDERED TO ISSUE SHERIFF SERVICE ON DEFENDANT ALLISON MARIE STARK AT THE ADDRESS INDICATED ON THE COMPLAINT. NOTICE ISSUED
02/13/2023	N/A	JE	CASE CALLED FOR CMC ON 02/08/2023. PLAINTIFF AND COUNSEL FOR DEFENDANT ST. VINCENT CHARITY HOSPITAL APPEARED. THE CMC WAS CONTINUED TO ALLOW FOR PLAINTIFF'S MOTION FOR SHERIFF'S SERVICE TO BECOME RIPE SO THAT THE COURT MAY RULE ON IT. CMC BY PHONE SET FOR 03/29/2023 AT 02:00 PM. PLAINTIFF SHALL INITIATE THE CONFERENCE CALL BY CONTACTING THE COURT'S STAFF ATTORNEY, CARA KOZYK, AT 216-443-5595. THE

			STAFF ATTORNEY WILL THEN CONTACT ALL OTHER SERVED PARTIES. PLEASE DO NOT APPEAR IN PERSON. NOTICE ISSUED	
02/13/2023	N/A	JE	MOTION TO SET THIS MATTER FOR AN IN-PERSON STATUS CONFERENCE AND OR TO STAY THIS CASE, FILED 01/04/2023, IS DENIED. THE CASE WILL PROCEED TO A CMC BY PHONE WHERE THE COURT WILL SET A TRIAL SCHEDULE. PARTIES MAY BRIEF THIS ISSUE REGARDING SPECIFIC COURT APPEARANCES AND PRETRIALS ONCE THEY ARE SCHEDULED. NOTICE ISSUED	
02/07/2023	P1	MO	PLAINTIFF'S MOTION FOR EXPLANATION REGARDING LACK OF SHERIFF SERVICE PRO SE (9999999) 02/27/2023 - GRANTED	
01/25/2023	P1	OT	PLAINTIFF'S AGREEMENT TO SET THIS MATTER FOR A ZOOM CONFERENCE . PRO SE (9999999)	
01/23/2023	D1	SR	CERTIFIED MAIL NUMBER 49122370 ADDRESSED TO ALLISON MARIE STARK(D1) NOT RETURNED BY THE U.S. POSTAL SERVICE AFTER 60 DAYS. NOTICE MAILED TO PLAINTIFF(S) ATTORNEY.	
01/17/2023	D2	NT	NOTICE FILED BY D2 ST. VINCENTS CHARITY HOSPITAL ATTORNEY THOMAS W WRIGHT 0017529 ST. VINCENT CHARITY MEDICAL CENTER'S NOTICE OF CONTACT INFORMATION FOR CASE MANAGEMENT CONFERENCE	
01/16/2023	N/A	SR	SCHEDULE ATTORNEY NOTICE. NOTICE GENERATED FOR STARK/ALLISON/MARIE 01/16/2023 17:01:22	
01/16/2023	N/A	SR	SCHEDULE ATTORNEY NOTICE. NOTICE GENERATED FOR HORNER/WILLIAM/EASTON 01/16/2023 17:01:22	
01/16/2023	N/A	SR	SCHEDULE ATTORNEY NOTICE. NOTICE GENERATED FOR WRIGHT/THOMAS/W 01/16/2023 17:01:22	
01/16/2023	N/A	SC	CMC BY PHONE SET FOR 02/08/2023 AT 03:00 PM. PLAINTIFF'S COUNSEL, OR PLAINTIFF, IF PROCEEDING PRO SE, SHALL INITIATE THE CONFERENCE CALL WITH ALL OTHER PARTIES, AND THEN CONTACT THE COURT'S STAFF ATTORNEY, CARA KOZYK, AT 216-443-5595. PLEASE DO NOT APPEAR IN PERSON.	
01/04/2023	D2	MO	MOTION FILED FOR D2 ST. VINCENTS CHARITY HOSPITAL THOMAS W WRIGHT 0017529 ST. VINCENT CHARITY MEDICAL CENTER'S MOTION TO SET THIS MATTER FOR AN IN-PERSON STATUS CONFERENCE AND OR TO STAY THIS CASE 02/13/2023 - DENIED	
12/27/2022	D2	AN	ANSWER FILED BY D2 ST. VINCENTS CHARITY HOSPITAL ATTORNEY THOMAS W WRIGHT 0017529 ANSWER OF DEFENDANT ST. VINCENT CHARITY MEDICAL CENTER	
12/07/2022	N/A	SR	USPS RECEIPT NO. 49122371 DELIVERED BY USPS 11/28/2022 ST. VINCENTS CHARITY HOSPITAL PROCESSED BY COC 12/07/2022.	
11/21/2022	D2	SR	SUMS COMPLAINT(49122371) SENT BY CERTIFIED MAIL. TO: ST. VINCENTS CHARITY HOSPITAL 2351 E. 22ND STREET CLEVELAND, OH 44115-0000	
11/21/2022	D1	SR	SUMS COMPLAINT(49122370) SENT BY CERTIFIED MAIL. TO: ALLISON MARIE STARK [REDACTED] 0000	
11/18/2022	D2	CS	WRIT FEE	
11/18/2022	D1	CS	WRIT FEE	
11/17/2022	N/A	SF	JUDGE DAVID T MATIA ASSIGNED (RANDOM)	
11/17/2022	P1	SF	LEGAL RESEARCH	
11/17/2022	P1	SF	LEGAL NEWS	
11/17/2022	P1	SF	LEGAL AID	
11/17/2022	P1	SF	COURT SPECIAL PROJECTS FUND	
11/17/2022	P1	SF	COMPUTER FEE	

11/17/2022	P1	SF	CLERK'S FEE
11/17/2022	P1	SF	DEPOSIT AMOUNT PAID WILLIAM EASTON HORNER
11/17/2022	N/A	SF	CASE FILED
11/17/2022	P1	SR	COMPLAINT FILED. SERVICE REQUEST - SUMMONS BY CERTIFIED MAIL TO THE DEFENDANT(S).



Costs

Account	Amount
CLERK'S FEES	\$112.80
COMPUTER FEES	\$20.00
COURT SPECIAL PROJECTS FUND	\$50.00
CUYAHOGA COUNTY SHERIFF DEPT	\$32.00
LEGAL AID	\$25.74
LEGAL NEWS	\$10.00
LEGAL RESEARCH - CIVIL	\$3.00
TOTAL COST	\$253.54

Only the official court records available from the Cuyahoga County Clerk of Courts, available in person, should be relied upon as accurate and current.

[Website Questions or Comments.](#)

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