

IN THE COURT OF COMMON PLEAS,  
CHAMPAIGN COUNTY, OHIO

IN RE:

Case No. 2020 MS 008

CONTINUANCE OF SALES  
PROCEEDINGS IN CERTAIN  
FORECLOSURES CASES DUE TO  
CORONAVIRUS (COVID-19)  
PUBLIC HEALTH EMERGENCY

Judge Nick A. Selvaggio

Case Nos. 2019 CV 180  
2019 CV 143  
2019 CV 140  
2019 CV 132  
2019 CV 092  
2019 CV 006  
2017 CV 070

PENNY S. UNDERWOOD  
COMMON PLEAS COURT  
CHAMPAIGN COUNTY, OHIO

2020 MAR 23 PM 2:33

FILED

---

JOURNAL ENTRY

---

The Champaign County Court of Common Pleas, General Division makes the following Findings of Fact:

1. On March 9, 2020, Ohio Governor Mike DeWine issued Executive Order 2020-01D "Declaring a State of Emergency" in response to the growing COVID-19 public health crisis.
2. On March 11, 2020, the World Health Organization officially declared COVID-19 to be a global "pandemic" requiring "urgent and aggressive action" to control the spread of the virus.
3. On March 11, 2020, the first "community transfer" positive case of COVID-19 in the State of Ohio was confirmed to be in Stark County. Since then, as of the date of this filing, over 321 positive cases of COVID-19 have been confirmed in the State of Ohio.

4. On March 13, 2020, President Donald J. Trump declared the COVID-19 virus pandemic a “national emergency beginning March 1, 2020”.
5. From March 13, 2020 through the filing of this entry, Ohio Governor DeWine, after consultation with the Ohio Department of Health, has issued an number of additional executive orders, and mandated the closure of schools, private businesses and public agencies such as the Bureau of Motor Vehicles in order to protect the health of all Ohioans. Through televised news conferences, Ohio Governor DeWine has also encouraged Ohio’s public and private sector employers to monitor its workforce and enact protocols to reduce the possibility of the “public spread.”
6. On March 16, 2020, Ohio Department of Health Director Amy Acton issued a Director’s Order that mandated the closure of polling locations in the State of Ohio on March 17, 2020 “to avoid the imminent threat with a high probability of widespread exposure to COVID-19 with a significant risk of substantial harm to a large number [of persons]”, thus effectively postponing the scheduled March 17, 2020 Ohio Primary Election.
7. On March 18, 2020, President Donald J. Trump announced that the Department of Housing and Urban Development will suspend foreclosures and evictions for mortgages insured by the Federal Housing Administration until the end of April. The Federal Housing Finance Agency also ordered Fannie Mae and Freddie Mac to suspend foreclosures and evictions for any single-family mortgages for at least sixty days in order to, according to FHFA Director Mark Calabria, “allow people to stay in their homes during this national emergency.”
8. On March 19, 2020, the Honorable Maureen O’Connor, Chief Justice of the Supreme Court of Ohio, noted during a press conference that some lower courts are staying foreclosure actions and sheriff’s sales for sixty days to “ensure that individuals are not forced out of their homes during the public health crisis.”

9. The Centers for Disease Control and Prevention (CDC) and other national and State of Ohio health authorities have advised people to take precautions to reduce the possibility of exposure to the COVID-19 virus.
10. Specifically, the CDC and Ohio health officials are recommending that people attempt to keep physical distance between themselves and other people. This technique, known as social distancing, is especially important for people who have a higher health risk should they contract the disease.
11. On March 22, 2020, Ohio Department of Health Director Amy Acton issued a Director's "Stay at Home Order," effective at 11:59 p.m. on March 23, 2020 to 11:59 p.m. on April 6, 2020, unless rescinded or modified by the Ohio Department of Health, in order to prevent the spread of COVID-19 into the State of Ohio.

Due to humanitarian concerns raised by the Coronavirus (COVID-19) Public Health Emergency, the suspension of foreclosures by the Federal Housing Finance Agency and the Department of Housing and Urban Development, and with acknowledgment to the reference made by Chief Justice O'Connor, the Champaign County Court of Common Pleas takes the following actions regarding certain foreclosure cases:

Until further review and notice:

1. The Sheriff's Sales in the following listed cases scheduled for April 3, 2020 and April 24, 2020 are continued for a period of 60 days from the date of this entry, after which time the Court shall determine whether to re-issue the Orders of Sale or order a further continuance:
  - a. 2019 CV 143 – *Towne Mortgage Company v. Douglas O. Kelly, et al.*
  - b. 2019 CV 132 – *The Peoples Savings Bank v. Matthew E. Eckurd, et al.*
  - c. 2019 CV 006 – *U.S. Bank National Association v. Adam J. Trommer, et al.*

The Sheriff shall return the Orders of Sale without execution to the Clerk of Courts for these cases.

2. The Sheriff's Sales in the following listed cases scheduled for April 24, 2020 and May 15, 2020 are continued for a period of 60 days from the date of this entry, after which time the Court shall determine whether to re-issue the Orders of Sale or order a further continuance:

- a. 2019 CV 180 – *Wells Fargo Bank, N.A. v. Branden Skabla, et al.*
- b. 2017 CV 070 – *Stonegate Mortgage Corporation v. Ryan Lee Edwards, et al.*

The Sheriff shall return the Orders of Sale without execution to the Clerk of Courts for these cases.

3. The sales by Private Selling Officer in the following listed cases are hereby suspended for a period of 60 days from the date of this entry, after which time the Court shall determine to whether re-issue the Orders of Sale or order a further continuance:

- a. 2019 CV 140 – *Quicken Loans, Inc. v. Daniel E. Block, et al.,*
- b. 2019 CV 092 – *Selene Finance LP v. Thomas J. Jordan, et al.,*


**Counsel for Plaintiff shall notify the Private Selling Officer of this Order and direct the suspended Orders of Sale to be returned to the Clerk of Courts for these cases.**

The Court may order further continuances and suspensions in other foreclosure cases as deemed necessary.

**The Clerk of Courts is ORDERED to file a copy of this *Journal Entry* in the case file of every case noted herein.**

**No costs are to be assessed for the filings.**

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
Nick A. Selvaggio  
Judge

Copies by Clerk:

- Angela D. Kirk, Counsel for Plaintiff in Case Nos. 2019 CV 180 and 2019 CV 006, Manley Deas Kochalski LLC, P.O. Box 165028, Columbus, OH 43216-5028
- Emily A. Hubbard, Counsel for Plaintiff in Case No. 2019 CV 143, Lerner, Sampson & Rothfuss, P.O. Box 5480 Cincinnati, OH 45201-5480
- Melissa J. Whalen, Counsel for Plaintiff in Case No. 2019 CV 140, Lerner, Sampson & Rothfuss, P.O. Box 5480 Cincinnati, OH 45201-5480
- Stephen D. Miles, Counsel for Plaintiff in Case No. 2019 CV 132, 18 W. Monument Ave., Dayton, OH 45402
- Stacey M. Piepmeier, Counsel for Plaintiff in Case No. 2019 CV 092, 4805 Montgomery Rd., Suite 320, Norwood, OH 45212
- Susana E. Lykins, Kelly M. Doherty & Jessica S. Owens, Counsel for Plaintiff in Case No. 2017 CV 070, Anselmo Lindberg Oliver LLC, 1771 W. Diehl, Ste. 120, Naperville IL 60563
- Jane A. Napier, Champaign County Prosecutor's Office, 200 N. Main St., Urbana, OH 43078
- Samuel A. Usmani, Champaign County Prosecutor's Office, 200 N. Main St., Urbana, OH 43078
- Lt. Chris Copeland, Champaign County Sheriff's Office
- Branden Skabla, 332 Scioto Street, Urbana, OH 43078, Defendant-Mortgagor in Case No. 2019 CV 180
- Douglas O. Kelly, Defendant, 10118 McCarthy Rd., Woodstock, OH 43084, Defendant-Mortgager in Case No. 2019 CV 143
- Kathleen J. Kelly, Defendant, 10118 McCarthy Rd., Woodstock, OH 43084, Defendant-Mortgager in Case No. 2019 CV 143
- Daniel E. Block, 5447 Phillips Circle, Urbana, OH 43078, Defendant-Mortgagor in Case No. 2019 CV 140
- Daniel E. Block, 587 Catamount Rd., East Hardwick, VT 05836, Defendant-Mortgagor in Case No. 2019 CV 140
- Jillian P. Sephel, 1440 Slade Avenue, Apt. 102, Columbus, OH 43235, Defendant in Case No. 2019 CV 140
- Matthew E. Eckurd, 4131 Swisher Rd., Urbana, Ohio 43078, Defendant-Mortgagor in Case No. 2019 CV 132

- Russ B. Cope, 6826 Loop Rd., Dayton, OH 45459, Counsel for Defendants in Case No. 2019 CV 092
- Adam J. Trommer, 4406 Middle Urbana Rd., Urbana, Ohio 43078, Defendant-Mortgagor in Case No. 2019 CV 006
- B. Hastings-Trommer, AKA Brielle A. Trommer, 4406 Middle Urbana Rd., Urbana, Ohio 43078, Defendant-Mortgagor in Case No. 2019 CV 006
- Ryan Lee Edwards, 15 Weldon Lane, North Lewisburg, Ohio 43060, Defendant-Mortgagor in Case No. 2017 CV 070