

IN THE MUNICIPAL COURT OF CLARK COUNTY, OHIO  
CIVIL DIVISION

FILED

16 NOV 21 PM 2:01

GUY A. FERGUSON, CLERK  
MUNICIPAL COURT

BY \_\_\_\_\_ DEPUTY

Eric and Theresa Crow  
5335 Lehman Road  
Springfield, Ohio 45502  
Plaintiff's,

and

Andrew H. Elder,  
Elder & Elder,  
Attorney at Law  
2233 N. Limestone Street  
Springfield, Ohio 45503  
Attorney for Plaintiffs,

Defendant's Answer to Plaintiff's  
Response to Defendant's Motion...

-v-

Margaret Baldino  
1734 Yardley Circle  
Centerville, Ohio 45459  
Defendant,

In re: Case No. 15CVF02981

Margaret Baldino, Defendant in this case, state as follows:

The Plaintiffs' Attorney has apparently missed the numerous points thus far submitted to the Court by the Defendant.

The Defendant asserts no liability to the Plaintiff for any damages.

The Burden of proof to the Plaintiffs' allegations are on the Plaintiffs.

The Plaintiffs' Attorney makes mention in their Response that the Defendant should file a Claim with her Insurance Company. Whereas the Defendant asserts that it ought to be the Plaintiff who is the Claimant to file the Claim against the Defendant's Insurance Company, if the Plaintiff feels so compelled.

In other words, why would the Defendant want to file the Claim on behalf of the Claimant? The Claim would suddenly be validated and be to the injury of the Defendant.

The contact numbers of the Insurance Company, as well as the Defendant's Policies are contained at the bottom of this Answer, and copies of such have already been submitted formerly to the Court, and are on the Court Record as such.

To clarify, it is the Plaintiffs' Claim, which states that,

***"Defendant failed to leave the premises in good condition, ordinary wear and tear excepted, have caused the destruction of fixtures of the premises and excessive trash and filth on the premises. Extensive cleaning and repairs were required of Plaintiffs as outlined in Exhibit B attached hereto, all to the damage of the Plaintiffs."***

- 1.) The **Plaintiffs' Claim**, in of itself, is not **evidence** of any wrongdoing by the Defendant.
- 2.) The **Plaintiffs' pictures** are not **evidence** that the Defendant caused damage to the Plaintiffs' property.
- 3.) The **Plaintiffs' bills** for their own property maintenance, upgrades, repairs, etc. are not **evidence** that the Defendant caused the damages.
- 4.) The Burden of Proof is on the Plaintiff to prove, with **evidence**, that the Defendant caused the alleged damages.

***In closing, the Plaintiffs appear to have nothing we are privy of that would constitute as being evidence to substantiate a Claim against the Defendant, and that the Plaintiffs have been unwilling to avail any of the Demand for Discovery.***

Here are the contact numbers, along with the Policy Number of the Defendant's Insurance Company:

Ray & Angie are contacts to the Registered Insurance Company for the Defendant: 937-399-5432  
Regina, Claims Department, State Farm Insurance Co. : 855-259-8568  
Policy Number : 95-B8-T586-4

Respectfully,



Margaret Baldino  
1734 Yardley Circle  
Centerville, Ohio 45459  
(727) 278-0954  
CERTIFICATE OF SERVICE

A Copy of this Notice was mailed to the Plaintiff  
and their Attorney on the 21 day of November 2016