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State ex rel. Rittman v. Spitler

Supreme Court of Ohio - December 5, 2024 - N.E.3d - 2024 WL 4982524 - 2024-Ohio-5668

City sought a writ of prohibition against Common Pleas Court judge that sought to bar judge from exercising jurisdiction over putative class action lawsuit, vacate or stay all orders issued in case, and stay all discovery and other proceedings in case.

Plaintiffs in underlying putative class action lawsuit were allowed to intervene in action.

The Supreme Court held that Common Pleas Court judge had jurisdiction and authority over purported class action lawsuit.

Common Pleas Court judge had jurisdiction and authority over purported class action lawsuit that sought to have the 1.5% income tax that was imposed after 2007 declared illegal and to recover funds that were collected through that illegal tax, and thus city was not entitled to writ of prohibition barring judge from exercising jurisdiction over lawsuit, where statute provided “Courts of common pleas may enjoin the illegal levy or collection of taxes and assessments and entertain actions to recover them when collected.”

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