

Argues on Ohio state law.

Argues all claims could have been filed in state court - relying on S.C.

Argues Congressional intent in enacting 1983 statute 877 right to go to fed ct. regardless of state law.

No present rule in Ohio would bar this second suit.

(BRW noted that DC here did not decide Ohio law - but as WFR noted the DC did say Const. claims would be "barred" in state ct. - see A 29,30)

Vinilla (Petr)

Argues ~~to~~ Ohio state law.

Agrees all claims could have been filed in state court - replying to SO'C.

Argues Congressional intent in enacting 1983 entitled ~~to~~ right to go to fed ct. regardless of state law.

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~~Mass~~

Messenger (Resp)

Should look to Ohio law.

(Counsel "blew it" in responding to B.R.W.'s Q as to whether fed. cts could rely on fed preclusion regardless of state law).

9 PS referred