



Ohio Revised Code

Section 2747.04

Effective: April 9, 2025

Legislation: Senate Bill 237

(A)(1) The court shall conduct a hearing not later than sixty days after the filing of a motion for expedited relief, unless the court orders a later hearing to allow for limited discovery under section 2747.03 of the Revised Code or delays the hearing for other good cause.

(2) If the court orders a later hearing to allow for limited discovery, the court shall conduct the hearing not later than sixty days after the court order allowing discovery unless the hearing is delayed for other good cause.

(B) In ruling on the motion for expedited relief, the court shall consider the pleadings, the motion, any response to the motion, and any evidence that could be considered in ruling on a motion for summary judgment under Rule 56 of the Rules of Civil Procedure.

(C) In ruling on the motion for expedited relief, the court shall dismiss with prejudice a cause of action, or part of a cause of action, if all of the following apply:

(1) The moving party establishes that the cause of action is based on a communication or action described in division (B) of section 2747.01 of the Revised Code.

(2) The responding party fails to establish that this chapter does not apply to the cause of action due to an exception in division (C) of section 2747.01 of the Revised Code.

(3) Either the responding party fails to establish a prima-facie case for each essential element of the cause of action or the moving party establishes one of the following:

(a) The responding party failed to state a cause of action upon which relief can be granted.

(b) There is no genuine issue as to any material fact and the moving party is entitled to judgment as a matter of law on the cause of action or part of the cause of action.



(D) The court shall rule on the motion for expedited relief not later than sixty days after the hearing.

(E)(1) A voluntary dismissal without prejudice of a responding party's cause of action, or part of a cause of action, that is the subject of a motion for expedited relief does not affect a moving party's right to obtain a ruling on the motion for the purpose of obtaining attorney's fees, court costs, and other litigation expenses under section 2747.05 of the Revised Code.

(2) A voluntary dismissal with prejudice of a responding party's cause of action, or part of a cause of action, that is the subject of a motion for expedited relief establishes that the moving party prevailed on the motion for the purpose of awarding attorney's fees, court costs, and other litigation expenses under section 2747.05 of the Revised Code.