



**NAILAH K. BYRD**  
**CUYAHOGA COUNTY CLERK OF COURTS**  
1200 Ontario Street  
Cleveland, Ohio 44113

**Court of Common Pleas**

**MOTION FOR...**  
**April 14, 2021 12:06**

By: AARON MINC 0086718

Confirmation Nbr. 2228126

MINC LLC

CV 20 937026

vs.

**Judge:** EMILY HAGAN

MELISSA FARMER

**Pages Filed:** 10



*/s/ Joseph J. Triscaro*

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Joseph J. Triscaro (#0081209)  
Triscaro & Associates, LTD.

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*Attorney for Defendant Melissa A. Farmer*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was filed and served on all parties on this 13th day of April 2021 via this Court's electronic filing system and via regular mail to:

Dr. Nicole R. Prause

*/s/ Aaron Minc*

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Aaron M. Minc (0086718)

# **EXHIBIT A**

**COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO**

AARON M. MINC	)	CASE NO. CV-20-937026
	)	
<i>Plaintiff,</i>	)	
	)	JUDGE: EMILY HAGAN
v.	)	
	)	
MELISSA A. FARMER, <i>et al.</i>	)	
	)	<b><u>FINAL JUDGMENT</u></b>
	)	
<i>Defendants.</i>	)	

This Final Judgment is agreed upon and entered between Plaintiff Aaron M. Minc (“Plaintiff”) and Defendant Melissa Farmer (“Famer”) (collectively “the Parties”). The Parties hereby stipulate that:

1. This Court has jurisdiction over the subject matter hereof and of the Parties to this action.
2. The Parties have agreed to settle this matter by jointly executing a Settlement Agreement and this stipulated Final Judgment.
3. Plaintiff filed this lawsuit because of defamatory allegations published by Farmer and Defendant Nicole Prause (“Prause”), claiming that Plaintiff had disclosed Prause’s confidential home and business addresses to a group that had been threatening to kill Prause for years. Farmer also accused Plaintiff of violating attorney ethical rules. A copy of Farmer’s publication is attached as Exhibit A-1.
4. Farmer admits that she published these statements about Plaintiff and that Farmer had no evidence that Plaintiff engaged in conduct that violated the Ohio Rules of Professional Conduct. Farmer acknowledges and admits that she has no evidence that the claims made by Prause against Plaintiff are true. Farmer’s affidavit confirming these admissions in support of this Stipulated Order is attached as Exhibit A.

5. The Parties agree that the Court should enter a final judgment against Farmer on Plaintiff's claims and that Farmer should hereby be dismissed from this action with prejudice with each party is to bear their own costs and attorney's fees.

**IT IS THUS ORDERED, ADJUDGED, & DECREED**, that this Court finds for Plaintiff Aaron Minc on his claims against Farmer set forth in Plaintiff's Amended Complaint.

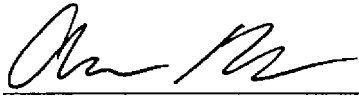
**IT IS FURTHER ORDERED**, that all other relief requested and prayed for by the Parties expressly set forth above is **GRANTED** and Defendant Melissa Farmer is dismissed from this action with prejudice.

Dated: April \_\_\_\_\_, 2021.

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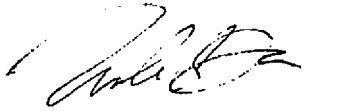
JUDGE EMILY HAGAN

SO STIPULATED BY:



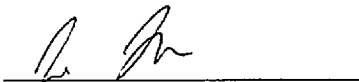
Aaron M. Minc  
Plaintiff

Signed: April 9, 2021



Melissa Farmer  
Defendant

Signed: April 8, 2021



Joseph J. Triscaro  
Triscaro & Associates, LTD.  
Attorney for Defendant  
#0082109

Signed: April 9, 2021

# **EXHIBIT A-1**



COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

AARON M. MINC

*Plaintiff,*

v.

MELISSA A. FARMER, *et al.*

*Defendants.*

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CASE NO. CV-20-937026

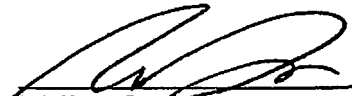
JUDGE: EMILY HAGAN

AFFIDAVIT OF MELISSA  
FARMER

I, Melissa Farmer, being first duly sworn, depose as follows:

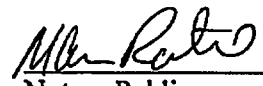
1. My name is Melissa Farmer. I am a defendant in the above-captioned case.
2. I am over eighteen years of age, a resident of the state of Illinois, competent to testify, and have personal knowledge of the facts and matters set forth herein.
3. I acknowledge that I have been provided with a copy of the Plaintiff's First Amended Complaint that was filed in the above captioned case. I have read and understand the contents of that document.
4. On June 30, 2020, I published a tweet that claimed Aaron Minc engaged in conduct that violates Ohio's Rules of Professional Conduct. A true and correct copy of the tweet is attached hereto as Exhibit 1.
5. At the time I published the tweet, I had no evidence that Aaron Minc had engaged in conduct that violates Ohio's Rules of Professional Conduct, nor did I have any personal knowledge that Aaron Minc directly sent Nicole R. Prause's home and work address to a group of people that have been threatening to kill her for years. I fully regret publishing the tweet and I realize it was a mistake to publish the tweet. I have no evidence that the allegations against Mr. Minc are true. I have no evidence that the claims made by Nicole R. Prause are true. I apologize to Mr. Minc for any distress caused by my actions.
6. I make this affidavit in support of the Stipulated Motion for Final that I have also signed and agreed to have entered to resolve this matter.
7. I have signed this affidavit of my own free will and have not been paid or otherwise coerced by Plaintiff to sign or resolve this dispute.

I declare under penalty of perjury that the foregoing is true and correct. Signed on the 8  
day of April, 2021.

  
\_\_\_\_\_  
Melissa Farmer

The above signed personally before me and reviewed the contents of this affidavit before  
signing. Sworn to and subscribed in my presence this 8 day of April, 2021.



  
\_\_\_\_\_  
Notary Public

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1 Tweet

Dr. Melissa A. Farmer  
@Farmer\_MindBody

Attention @OSBA @CleMetroBar @OHSupremeCourt - Ohio lawyer @RepLawyer engaging in ethics violations that endanger third party (Ohio Rules of Prof Conduct Rule 4.4).

8:18 Not Secure — supremecourt.ohio.gov

**RULE 4.4: RESPECT FOR RIGHTS OF THIRD PERSONS**

(a) In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, harass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a third person.

(b) A lawyer who receives a document or electronically stored information relating to the representation of the lawyer's client and knows or reasonably should know that the document or electronically stored information was inadvertently sent shall promptly notify the sender.

**Comment**

(1) Discoverability in a class action is subordinate to the interests of others to whom the class, but that discoverability does not imply that a lawyer may disregard the rights of third persons. It is recognized to recognize all such rights, but they include legal restrictions on methods of obtaining evidence from third persons and unwarranted intrusion into privileged relationships, such as the client-lawyer relationship.

(2) Division (b) recognizes that lawyers sometimes receive a document or electronically stored information that was inadvertently sent or produced by opposing parties or their lawyers. A document or electronically stored information is inadvertently sent when it is accidentally transmitted, such as when an email or letter is misaddressed or a document or electronically stored information is inadvertently included with information that was intentionally transmitted. If a lawyer knows or reasonably should know that such a document or electronically stored information was sent inadvertently, then this rule requires the lawyer to promptly notify the sender. For purposes of this rule, "document or electronically stored information" includes paper and electronic documents, e-mails, electronic communications, and other forms of electronically stored information, including embedded and externally stored data. "Inadvertently" does not require the sender to be negligent or to have made a mistake. Includes an electronic document received as a attachment under this rule only if the receiving lawyer knows or reasonably should know that the material was sent inadvertently to the receiving lawyer.

(3) Some lawyers may choose to return a document or data electronically stored information unopened. On occasion, where the lawyer learns before receiving it that it was sent inadvertently, where a lawyer is not required by applicable law to do so, the decision to voluntarily return such a document or data electronically stored information is a matter of professional judgment already reserved to the lawyer, subject to applicable law that may govern discovery. See Rules 1.2 and 1.4.

**Comparison to former Ohio Code of Professional Responsibility**

Rule 4.4(a) language mirrors language introduced by several provisions of the Ohio Code of Professional Responsibility. Specifically, it contains elements of (1) DR 7-102(A)(1), which in part prohibits a lawyer from taking action that causes injury to third parties; (2) DR 7-102(C), which in part prohibits a lawyer from taking any action that the lawyer has no reasonable basis to believe is relevant and that is intended to degrade a third person; and (3) DR 7-102(D) and (F), which in part prohibit a lawyer from taking action that directly embarrasses or harms a third person.

Rule 4.4(b) addresses the situation of when a lawyer receives a document that was inadvertently sent to the lawyer. There is no disciplinary rule comparable to Rule 4.4(b).

**Comparison to ABA Model Rules of Professional Conduct**

Rule 4.4(a) is identical to Model Rule 4.4(a), as is the additional prohibition of actions that have no substantial purpose other than to "harass" a third person.

Rule 4.4(b) is identical to Model Rule 4.4(b).

Libera @NicoleRPruse · Jul 28  
You can ask @RepLawyer why he just sent my physical location to this group that offered to kill me multiple times.

Show this thread

# AmAntiPorn

# n kill that b

1:21 PM · Jul 29, 2020 · Twitter for iPhone

sarahlaurensmith  
@sarahlaurensmi

- Relevant people
- Dr. Melissa A. Farmer @Farmer\_MindBody #blackwsmatter Entrepreneur and eternal student. Training in pain neuroscience, clinical psychology, and theology. [Follow](#)
  - Ohio State Bar Ass... @OSBA Connecting law students, lawyers & consumers to Ohio's legal resources: Supreme Court cases, breaking news, CLE, practice tips & more. ohioabar.org/rfpoc [Follow](#)
  - Cleveland Metro Bar @CleMetroBar We are a local nonprofit professional organization dedicated to serving the needs of legal professionals here in Greater Cleveland. [Follow](#)

- What's happening
- US News · 1 hour ago Southern California hit by a 4.2 magnitude earthquake in the early morning. Trending with: Aearthquake and San Fernando
  - #MichelleObamaPodcast Listen free, only on Spotify. Promoted by Spotify Podcasts
  - Politics - Trending Delay 219K Tweets
  - NBA · Last night How the NBA bubble will work as the league plans to resume play in Orlando. Trending with: NBA IS BACK and The NBA
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