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ADAMS COUNTY  
CLERK OF COURTS

2026 MAR 16 AM 8:05

IN THE COURT OF COMMON PLEAS  
CIVIL DIVISION  
ADAMS COUNTY, OHIO

*Spring Hiller*  
CLERK

**SHAWN D. COOLEY, et al.**

PLAINTIFFS,

VS.

**JOSEPH EDGAR FOREMAN, et al.**

DEFENDANTS,

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CASE NO. CVH 2023-0069

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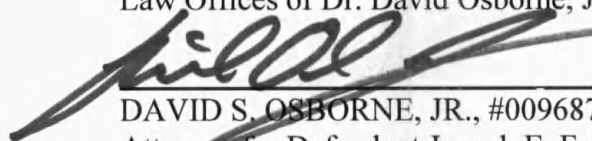
**DEFENDANT JOSEPH EDGAR FOREMAN'S MEMORANDUM IN  
OPPOSITION TO PLAINTIFFS' SUPPLEMENTAL MOTION IN LIMINE**

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Comes now the Defendant, Joseph Foreman, by and through his Counsel and requests the Supplemental Motion in Limine be struck and denied. A memorandum in support is attached hereto and incorporated by reference.

Respectfully submitted,

Law Offices of Dr. David Osborne, Jr., LLC



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## MEMORANDUM IN SUPPORT

In 2023 the Plaintiffs in this case filed a lawsuit against the rapper, Joeseeph Foreman (AKA Afroman). The case has progressed and is set to go to trial on March 16, 2026. On March 13, 2026, Plaintiff's filed a Supplemental Motion in Limine in which they are seeking an Order from the court to prohibit the Defendant and/or his counsel from presenting testimony, making statements, and questioning witnesses about topics that are "highly prejudicial, inflammatory, and irrelevant to the issues." A copy of the Plaintiffs' Supplemental Motion in Limine has been attached hereto as Exhibit A. Further, the Plaintiffs seek to have the court order that the Defendant and his Counsel disclose, with specificity, any potential prejudicial or inflammatory questions, evidence, or statements before presented to the jury.<sup>1</sup> This Motion must be denied as it fails on multiple grounds.

The Ohio Rules of Civil Procedure govern pleadings and motions. Under Rule 7,

An application to the court for an order shall be by motion which, unless made during a hearing or a trial, shall be made in writing. A motion, whether written or oral, *shall state with particularity the grounds* therefor, and shall set forth the relief or order sought. (emphasis added)<sup>2</sup>

Under Rule 7 a party must make a motion before trial in writing and detail out with particularity the specific evidence or testimony sought to be excluded. This is something that the current Supplemental Motion in Limine fails to do.

In the Plaintiff's filing they do not specify what they are seeking to exclude, rather they make a sweeping statement seeking to exclude the Defense from presenting testimony, making statements, and questioning witnesses about topics that are highly prejudicial, inflammatory, and irrelevant to the issues.<sup>3</sup> There is no specificity in the Plaintiffs Motion. Afterall, the Plaintiff does

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<sup>1</sup> See Exhibit A, page 3.

<sup>2</sup> Civ. R. 7(B)(1)

<sup>3</sup> See Exhibit A, page 1 and 3

not even detail what would be considered presenting testimony, making statements, and questioning witnesses about topics that are highly prejudicial, inflammatory, and irrelevant to the issues. Without examples the question of what is highly prejudicial, inflammatory or irrelevant is subjective and vague. This is supported by the fact that each side will have differing opinions on what falls into each of those categories. Rather than putting the Defendant on notice these vague terms constitute a fishing expedition by the Plaintiff to see what is going to be presented as a defense. Thus, the Supplemental Motion in Limine fails as matter of law and should be denied.

The Motion should also be denied because the Plaintiff's are confusing trial evidence with out of court statements. The Plaintiff goes to great lengths to describe how the Defendant is making out of court statements and then postulates that these same things may be presented at trial. The Plaintiff seeks to put an Order on the Defendant when the Plaintiffs themselves have noticed the court and the defendant that they intend to present the same evidence they are claiming is an issue. Thus, by seeking to introduce the evidence the Plaintiff themselves are opening the door to the statements contained therein while attempting to silence the defense. However, the Defendant has also served a motion in limine to exclude any statements, posts or music/music videos made after April of 2025 due to changes in the law.

With the confusion of pre-trial statements and the presentation of evidence the Plaintiff's seem to fundamentally confuses two distinct legal issues: pretrial publicity and its potential impact on jury selection, and the admissibility of specific evidence during trial. The issue of pretrial publicity and its potential impact on jury selection has been addressed by Ohio Courts before.

In the case of *State v. Joseph*, the 2<sup>nd</sup> District Court of Appeals stated that "even pervasive, adverse publicity - 'does not inevitably lead to an unfair trial.'"<sup>4</sup> The issue of pretrial concern is

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<sup>4</sup> *State v. Joseph*, 2025-Ohio-1204, ¶ 9 (2<sup>nd</sup> Dist.): citing *State v. Grate*, 164 Ohio St. 3d 9, 2020-Ohio-5584, ¶ 50, 172 N.E.3d 8; quoting *Neb. Press Ass'n v. Stuart*, 427 U.S. 539, 554, 96 S. Ct. 2791, 49 L. Ed. 2d 683 (1976).

addressed by a separate mechanism, voir dire. "The Ohio Supreme Court has long held that "voir dire examination provides the best test as to whether adverse publicity necessitates a change of venue."<sup>5</sup> A careful and searching voir dire provides the best test of whether prejudicial pretrial publicity has prevented a party from obtaining a fair and impartial jury from the locality.<sup>6</sup> If the record on voir dire establishes that prospective jurors have been exposed to pretrial publicity but would nevertheless determine the case solely on the law and evidence presented at trial, it is not error for the trial court to empanel such jurors.<sup>7</sup> The remedy for the Plaintiffs, if they have concerns with the pretrial statements to the press and posts, is an enhanced voir dire not to limit what the Defense can present nor to have the Defense present its entire case for review and approval by the court and the Plaintiff's. Thus, the Plaintiff's Supplemental Motion in Limine should be denied.

Even more troubling is that the Plaintiffs appear to be filing their Supplemental Motion in Limine to curb the freedom of speech that the Defendant has to comment on his pending litigation, creat artistic work, and engage in public discourse. This is a dangerous and troubling stance of the Plaintiffs as Ohio law has changed since the lawsuit was filed. In April of 2025 the Ohio Uniform Public Expression Protection Act, which was part of the 2023 Ohio Senate Bill 237, went into effect. This was memorialized in ORC 2747 which established a judicial process, that did not exist before, that allows for the early dismissal of strategic lawsuits against public participation (SLAPP). This new law expressly covers comments "an issue under consideration or review in a ... judicial, ... or other governmental proceeding."<sup>8</sup> Thus, the Plaintiff is asking for this court to punish the Defendant for his actions outside of court by requesting the extraordinary: an Order to

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<sup>5</sup> State v. Joseph, 2025-Ohio-1204, ¶ 9 (2<sup>nd</sup> Dist.): citing State v. Issa, 93 Ohio St.3d 49, 62, 2001-Ohio-1290, 752 N.E.2d 904 (2001); Also see Bayless v. Ohio, 438 U.S. 911, 98 S. Ct. 3135, 57 L. Ed. 2d 1155 (1978) ("a careful and searching voir dire provides the best test of whether prejudicial pretrial publicity has prevented obtaining a fair and impartial jury").

<sup>6</sup> State v. Cunningham, 105 Ohio St. 3d 197, 203 (2004).

<sup>7</sup> Id. at 203.

<sup>8</sup> R.C. 2747.01(B)

have the Defendant and his Counsel disclose, with specificity, any potential prejudicial or inflammatory questions, evidence, or statements before asked of a witness. A remedy that Defense counsel could not find a single case on point about, nor did the Plaintiff cite any case in support of their position.

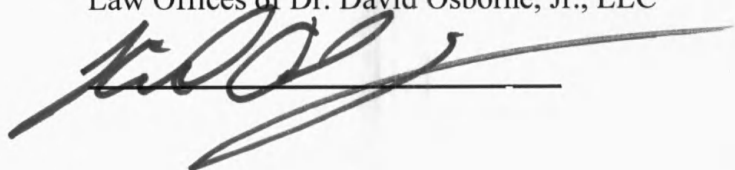
The Plaintiff also fails to acknowledge the truth of trial; you do not know what a person is going to testify to until they are on the stand. Attorneys may prepare and have witnesses ready to testify only to ask a question or things to change during the trial. All attorneys are flexible and must adapt to changes as the testimony and evidence unfolds. Afterall, a witness may state something not covered in depositions and the attorney will want to pursue that line of questioning, to have grant the request of the Plaintiff would require the Defense to try the case twice: once in advance to the Plaintiffs approval and a second time to the jury.

These concerns are entirely speculative. Plaintiffs provide no evidence that Defendant intends to introduce inadmissible evidence or engage in improper conduct during trial. The proper procedure is to address objections to specific evidence or conduct as they arise during trial. If Defendant attempts to introduce irrelevant or unduly prejudicial evidence, Plaintiffs may object at that time, and the Court can rule on the specific proffer. This case-by-case approach protects both parties' rights while allowing the Court to make informed evidentiary rulings. Thus, the Supplemental Motion in Limine must be denied.

WHEREFORE, the Defendant respectfully requests that this Court deny the Supplemental Motion in Limine by the Plaintiffs, and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

Law Offices of Dr. David Osborne, Jr., LLC

A handwritten signature in black ink, appearing to read "David Osborne, Jr.", is written over a horizontal line. The signature is stylized with a large, sweeping flourish at the end.

DAVID S. OSBORNE, JR., #0096879  
Attorney for Defendant Joesph E. Foreman

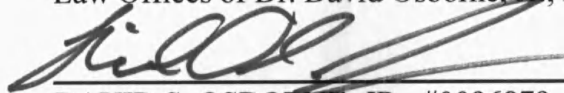
**TO THE COURT**

The undersigned hereby certifies that he did use the Artificial Intelligence program ChatGPT 5 Pro.

legal research was completed using the AI program.

Respectfully submitted,

Law Offices of Dr. David Osborne, Jr., LLC



DAVID S. OSBORNE, JR., #0096879  
Attorney for Joseph Edgar Foreman


**PROOF OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing was served upon to following:

1. **Robert A. Klinger**, Robert A. Klinger Co., LPA, 895 Central Ave. Ste. 300, Cincinnati, Ohio 45202;
2. **Sara McElroy**, Fishel Downey Albrecht and Riepenhoff, LLP, 7775 Walton Parkway, Suite 200, New Albany, Ohio 43054.

by regular U.S. mail, hand delivery, email, fax, by dropping off in the Attorney box at Adams County Court, or email this \_14\_ day of \_March\_, 2026.

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COURT OF COMMON PLEAS  
ADAMS COUNTY, OHIO



SHAWN D. COOLEY, et. al,

Plaintiffs,

v.

JOSEPH EDGAR FOREMAN,  
A/K/A AFROMAN, et. al,

Defendants,

CASE NO. 2023-0069

Judge Jonathan P. Hein

PLAINTIFFS' SUPPLEMENTAL  
MOTION IN LIMINE

Plaintiffs submit this supplemental motion in limine asking for an order prohibiting Defendant and his counsel from presenting testimony, making statements, and questioning witnesses about topics that are highly prejudicial, inflammatory, and irrelevant to the issues being tried. The grounds supporting this motion are set forth in the accompanying Memorandum in Support.

Respectfully submitted,

/s/ Robert A. Klingler  
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## MEMORANDUM IN SUPPORT OF MOTION

In recent days leading up to trial, Defendant Joseph Foreman has ramped up his efforts to defame and humiliate Plaintiffs. He has engaged in a massive pretrial publicity tour and posted additional defamatory material about Plaintiffs on the internet. Unfortunately, and most disturbingly, he has been aided in these efforts by his trial attorney.

On Friday, March 13, 2026, Mr. Foreman posted a sexually explicit, pornographic music video to his YouTube Channel titled "Licc'em Low Lisa." A link to this video has been sent separately to the Court to avoid its unnecessary publication in court documents. Plaintiffs will supplement their exhibit list to include this posting. Mr. Foreman included excerpts of Plaintiff Lieutenant Phillips's video-recorded deposition testimony in this music video. He hired an actor to portray Ms. Phillips, and filmed scenes of this actor pretending to be Ms. Phillips during her deposition in Mr. Osborne's office, where the actual deposition took place. He intersperses scenes from the actual deposition with scenes of the actor. The actor is portrayed in the video as having sex with a variety of women, and with Mr. Foreman. The content of this video is shocking to the conscience of ordinary people.

Mr. Foreman has made other defamatory posts about numerous Plaintiffs on the eve of trial. In one, he references the Court's request for a record of settlement discussions and further defames Plaintiffs. In addition, Mr. Foreman has called for his supporters to gather at the courthouse in support of him Monday morning at the trial. These videos appear to be intended to influence prospective jurors, and to inflict maximum emotional pain on the Plaintiffs.

It is clear that Defendant intends to turn the trial into a carnival of disrespect for the Plaintiffs, the Court, and the judicial process. Plaintiffs are concerned that Defendant will



repeatedly attempt to inject irrelevant, highly prejudicial, inflammatory material into the trial, raising the specter of a tainted jury and the potential of a mistrial. Because of these concerns, Plaintiffs move the Court for an order requiring that Defendant and counsel disclose, with specificity, any potentially prejudicial or inflammatory questions, evidence, or statements before they are presented to the jury, and that the Court instruct all counsel and parties that disrespectful, disruptive, and intentionally inflammatory and highly prejudicial statements or conduct will not be tolerated.

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was served this 13th day of March, 2026, via electronic mail upon the following:

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/s/ Robert A. Klingler  
Robert A. Klingler