

**IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT  
HAMILTON COUNTY, OHIO**

RANDALL FIROR, et al.,	:	Appeal No.: C-1700137
Appellants,	:	Trial No.: A-1505916
vs.		
DEBORAH R. LYDON, et al.,	:	<b><u>MOTION TO RECONSIDER</u></b>
Appellees.	:	
	:	

Now comes Nancy Kibbee, by and through undersigned counsel, and hereby moves this Honorable Court to reconsider the decision issued on October 14, 2020 denying Mrs. Kibbee's Motion To Seal Case From Internet Or For Redaction. Said motion was filed with the Court on September 2, 2020, wherein Mrs. Kibbee sought an ORDER to seal and remove the written opinion of this Court or to redact her personal identifiers and personal information. The opinion of this case was issued on April 27, 2018. Movant respectfully asks this Honorable Court to reconsider the decision, pursuant to Rule 45(E) of the Rules of Superintendence for the Court of Ohio.

Respectfully submitted,



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Kip Guinan (0066641)  
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## MEMORANDUM

Nancy Kibbee was not a party to this case. However, in the written opinion of this Court, Mrs. Kibbee is written about in a manner that is contrary to all the final judgments and rulings of the multiple litigations surrounding the lawsuit her brothers filed against her, which ended, with rulings against the Firor brothers, in 2014. Nancy Kibbee moves the Court to seal the April 27, 2018 opinion from the internet records of the Hamilton County Clerk of Courts, on both, but not limited to, CourtClerk.org and HamiltonCountyOhio.gov, and/or redact the written opinion of this Court, pursuant to rule 45(E) of the Rules of Superintendence for the Courts of Ohio.

In the Entry denying Mrs. Kibbee's motion, the Court overruled sealing the April 27, 2018 opinion or to remove the opinion from the Internet. The Court, however, did not make any ruling or decision in regards to her request to redact her personal identifiers nor her personal information from the written opinion. Pursuant to Rule 45(E)(1), Mrs. Kibbee is an "other person who is the subject of information in a case document." As such, she is permitted to request the court restrict public access to the information. Rule 45(E)(2) states that the Court shall restrict public access to said information, or the entire document, if it finds by clear and convincing evidence that the presumption of allowing public access is outweighed by a higher interest after considering each of the following:

- (a) Whether public policy is served by restricting public access;
- (b) Whether any state, federal, or common law exempts the document or information from public access;
- (c) Whether factors that support restriction of public access exist, including risk of injury to persons, individual privacy rights and interests, proprietary business information, public safety, and fairness of the adjudicatory process.

As stated above, Nancy Kibbee is mentioned in numerous paragraphs of the written opinion of this Court. The statements against her, however, run contrary to the final judgments and rulings made in the multiple litigations of these cases, both in Ohio and Federal Courts, and ended in her brothers' claims being overruled and denied. The Firor brothers then sued Deborah Lydon and others, and the brothers' accusations are repeated in this Honorable Court's 2018 opinion. To read this written opinion, one would conclude that this Honorable Court finds the allegations against Mrs. Kibbee to be true and factual. This is simply not the case and Mrs. Kibbee is entitled to the relief she seeks.

Nancy Kibbee has previously filed a pro se motion seeking this same relief in August, 2018. This Honorable Court overruled said motion, without hearing, on September 25, 2018. Since that time, Nancy Kibbee has suffered real harm as a result of the access of the public to this written opinion. She has lost several employment opportunities due to this publication. Any internet search of her name, Nancy Kibbee, Nancy Firor Kibbee or Nancy Firor, on any search engine, pulls up a reference and link to this case and opinion. Examples of screenshots of searches of "Nancy Kibbee" through the search engines of Google, Bing, and Yahoo are attached as exhibits to demonstrate how the Court's opinion in *Firor v. Lydon* is consistently and repeatedly attached to her name. Please note that some of the descriptions below the links state that Nancy Kibbee "fraudulently" took money, when there was never any such judgment in her case.

Nancy Kibbee's privacy rights and interests under all of these circumstances certainly outweigh the public's right to access this case. As such, she respectfully asks this Court to reconsider its decision in denying her the relief of having this Honorable Court Order that the

opinion be sealed and removed from the Hamilton County government website, the Clerk of Court's website, and that the order be applicable to websites, such as Leagle.com, that have copied the opinion and posted it on their websites. In the alternative, Nancy Kibbee moves this Honorable Court to Order that her name and any reference to her be redacted from the written opinion in this case, and that this redaction order be worded in a way that allows it to be applied to publications that copied the opinion to their websites. Such a remedy is permitted pursuant to Rule 45(E)(3), which states:

**(3) When restricting public access to a case document or information in a case document pursuant to this division, the court shall use the least restrictive means available, including but not limited to the following:**

- (a) Redacting the information rather than limiting public access to the entire document;**
- (b) Restricting remote access to either the document or the information while maintaining its direct access;**
- (c) Restricting public access to either the document or the information for a specific period of time;**
- (d) Using a generic title or description for the document or the information in a case management system or register of actions;**
- (e) Using initials or other identifier for the parties' proper names.**

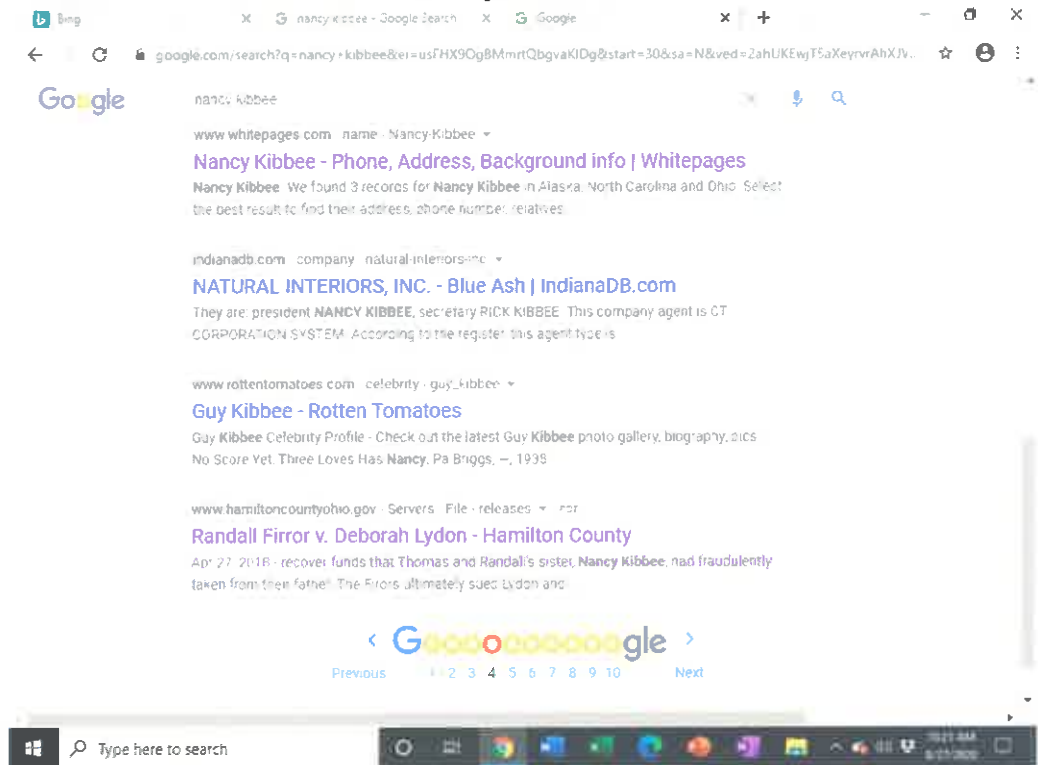
Based upon all of the foregoing, Movant, Nancy Kibbee respectfully moves this Honorable Court to Reconsider its previous decision and grant her the remedies she seeks so that she may protect her privacy interests and gain employment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kip Guinan", written over a horizontal line.

Kip Guinan  
Attorney for Nancy Kibbee

# GOOGLE SEARCH OF Nancy Kibbee



[https://www.hamiltoncountyohio.gov/UserFiles/Servers/Server\\_3788196/File/releases/2018/C-170137\\_04272018.pdf](https://www.hamiltoncountyohio.gov/UserFiles/Servers/Server_3788196/File/releases/2018/C-170137_04272018.pdf)

## BING SEARCH

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the Kibbee litigation, we affirm the trial court's judgment. The Kibbee Litigation (#3) Thomas and Randall sought Lydon's services based on their concerns that their sister had stolen millions of dollars from their father, which should have been distributed equally among Thomas, Randall, and Nancy.

**Images of Nancy Kibbee**  
<bing.com/images>



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Type here to search



[https://www.hamiltoncountyohio.gov/UserFiles/Servers/Server\\_3788196/File/releases/2018/C-170137\\_04272018.pdf](https://www.hamiltoncountyohio.gov/UserFiles/Servers/Server_3788196/File/releases/2018/C-170137_04272018.pdf)

YAHOO SEARCH

nancy kibbee - Yahoo Search Results

Want more to discover? Make Yahoo Your Home Page. See breaking news & more every time you open your browser.

nancy kibbee

IN THE COURT OF APPEALS FIRST APPELLATE DISTRICT OF OHIO ...

www.hamiltoncountyohio.gov/UserFiles/Servers/... the Kibbee litigation, we affirm the trial court's judgment. The Kibbee litigation (03) Thomas and Randall sought Lydon's services based on their concerns that their sister had stolen millions of dollars from their father, which should have been distributed equally among Thomas, Randall, and Nancy upon Dr. Firor's death.

Nancy Kibbee - Image Results



More Nancy Kibbee images

Nancy Kibbee - Phone, Address, Background info | Whitepages

www.whitepages.com/name/Nancy-Kibbee

View phone numbers, addresses, public records, background check reports and possible arrest records for Nancy Kibbee. Whitepages people search is the most trusted directory.

https://r.search.yahoo.com/\_ylt=A2KLfS7iwkdfmw0Ay0JXNyoA;\_ylu=X3oDMTEyYTJhZHAwBGNvbG8DYmYxBHBvcwMxBHZ0aWQDQzA5MzRfMQRzZWMDc3I-/RV=2/RE=1598567267/RO=10/RU=https%3a%2f%2fwww.hamiltoncountyohio.gov%2fUserFiles%2fServers%2fServer\_3788196%2fFile%2freleases%2f2018%2fC-170137\_04272018.pdf/RK=2/RS=8v3qXr7Cfc6N0laUxO91aicaMKA-

nancy kibbee - Google Search

nancy kibbee

**Shirley Kibbe (1936 - 2018) - Obituary**

Shirley was pre-deceased by her husband of 64 years Stuart A. Kibbe Jr. who ... NY, Nancy Wessale of Sacramento, CA, and Virginia Kibbe of Southwick, MA.

green-cincinnati.com - Green Cincinnati News

**Green Home Tours, USGBC SW Ohio Chapter, Residential ...**

Sep 18, 2017 — Thanks to Nancy Kibbee for suggesting this tour. Learn more by reading her blog post "Raising the Barn" in Natural Interiors. House Trends

hamilton hosted civiclive.com - Servers - File - releases

**Randall Firor v. Deborah Lydon - Hamilton County**

Apr 27, 2018 — recover funds that Thomas and Randall's sister, Nancy Kibbee, had fraudulently the Kibbee litigation, we affirm the trial court's judgment

www.ballardfamilymortuaries.com - memorials - obituaries

**Mark K. Kibbee Obituary - Kahului, Hawaii | Ballard Family ...**

mother, Patricia Rice Kent, brothers, Staats Austin Kibbee, and Wade Kibbee, sisters, Sherie Johni Weinberg, and Nancy Clark, grandchildren, Parker, Nate

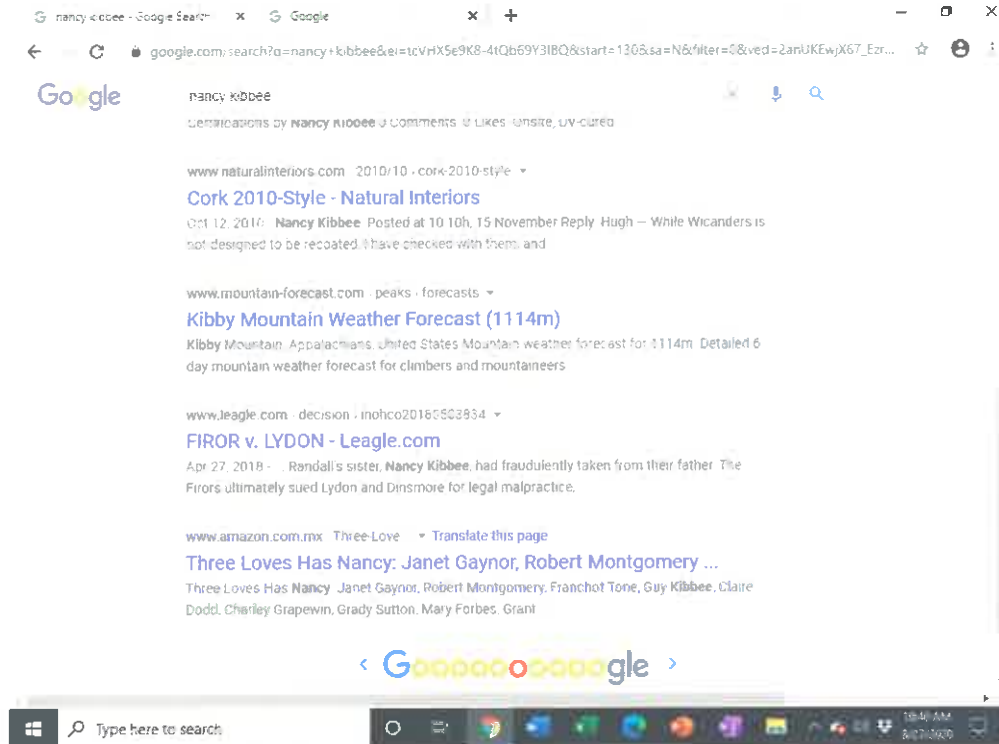
www.sullivanfunerathome.com - obituary - lillian breen

**Obituary | Lillian A. Breen of Hanover | Sullivan Funeral Homes**

Feb 14, 2020 — ... the sister of Nancy Mahoney of Quincy and Grace Kibbee of Marshfield and is survived by many nieces, nephews, cousins and friends

Newest posting:

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<https://www.leagle.com/decision/inohco20180503834>