

COURT OF APPEALS OF OHIO, EIGHTH APPELLATE DISTRICT,
CUYAHOGA COUNTY

Combs v. Sherwin-Williams Co.

2026-Ohio-562 · No. 115175 · Decided February 19, 2026

SUMMARY

The Eighth District Court of Appeals of Ohio affirmed a civil-contempt order against Brett Combs for failing to comply with an agreed order requiring removal and nondisclosure of The Sherwin-Williams Company's information from his website. The court held that the May 1, 2025 order was an enforceable agreed or consent order rather than a temporary restraining order or preliminary injunction subject to the requirements of Civ.R. 65. The court also concluded that Combs received adequate notice and a meaningful opportunity to defend against the contempt motion.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Emanuella D. Groves; Lisa B. Forbes; Eileen A. Gallagher
JURISDICTION	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
DECIDED	February 19, 2026
DOCKET	115175
DISPOSITION	affirmed
PROCEDURAL POSTURE	Combs appealed a trial-court order holding him in civil contempt for violating an agreed order requiring removal and nondisclosure of Sherwin-Williams information from his website. The appellate court previously dismissed the portion of the appeal challenging the preliminary-injunction order because it was not a final appealable order, and reviewed only the contempt order.
STANDARD OF REVIEW	A civil-contempt order is reviewed for abuse of discretion. Abuse of discretion implies that the trial court's attitude was unreasonable, arbitrary, or unconscionable.
PRECEDENTIAL VALUE	published
PARTIES	Brett Combs v. The Sherwin-Williams Company

TOPICS

contempt

due process

appellate jurisdiction

standard of review

trade secrets

PRACTICE AREAS

civil procedure

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contempt

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QUESTIONS PRESENTED

1. Whether the May 1, 2025 order was an agreed or consent order enforceable through contempt rather than a temporary restraining order or preliminary injunction subject to Civ.R. 65 requirements.
2. Whether the contempt order was void because the underlying agreed order allegedly lacked notice, a hearing, specificity, findings, or sufficient limits on the restrained conduct.
3. Whether Combs received due process before being held in civil contempt.
4. Whether the trial court abused its discretion by finding Combs in contempt for failing to comply with the May 1, 2025 order.

HOLDINGS

1. The May 1, 2025 order was an agreed order reflecting the parties' interim agreement, and it was enforceable as both a contract between the parties and an order of the court.
2. The trial court did not abuse its discretion by finding Combs in contempt because Sherwin-Williams established the existence of the order, Combs's knowledge of it, and his violation, while Combs did not rebut the showing or establish an affirmative defense.
3. Combs's due-process rights were not violated because he received notice of the show-cause motion, a reasonable opportunity to defend or explain the allegations in writing and at the hearing, and the opportunity to testify and call witnesses.

KEY QUOTATIONS

“An “agreed order” or “consent order” is based upon the agreements reached by the parties and is considered a contract between those parties as well as an order of the court.”

“To establish contempt of court, the moving party must prove by clear and convincing evidence that (1) a court order exists, (2), the nonmoving party had knowledge of the order, and (3) the nonmoving party violated the order.”

“Due process requires that the alleged contemnor has the right to notice of the charges against him or her, a reasonable opportunity to defend against or explain such charges, representation by counsel, and the opportunity to testify and to call other witnesses, either by way of defense or explanation.”

FACTUAL BACKGROUND

Combs, a former Sherwin-Williams employee, entered into a post-termination agreement concerning Sherwin-Williams work product, proprietary and confidential information, and trade secrets. After Sherwin-Williams alleged that Combs posted protected information on his personal website, the parties reached an interim

agreement reflected in a May 1, 2025 court order requiring Combs to remove the information and refrain from disclosing it before a settlement conference. Sherwin-Williams alleged that Combs failed to comply, and the trial court found that he had flagrantly disregarded the order after considering his written submissions and conducting a show-cause hearing.

PROCEDURAL HISTORY

Combs sued Sherwin-Williams in the Cuyahoga County Court of Common Pleas, and Sherwin-Williams asserted counterclaims involving trade secrets and contract claims. After a status conference, the trial court adopted an agreed order requiring Combs to remove Sherwin-Williams information from his website and refrain from disclosure pending a settlement conference. Sherwin-Williams moved to show cause after alleging noncompliance. Following notice and a hearing at which Combs appeared pro se but relied on his written filings and offered no further response, the trial court found him in contempt and imposed a \$25-per-day sanction. The Court of Appeals affirmed the contempt order.

DISPOSITION

affirmed

CASES CITED

- S.R. v. S.R., 2023-Ohio-531 (8th Dist.)
- Palnik v. Crane, 2019-Ohio-3364 (8th Dist.)
- Pugh v. Pugh, 15 Ohio St. 3d 136, 140 (1984)
- McComb v. Jacksonville Paper Co., 336 U.S. 187, 191 (1949)
- Blue v. Bureau of Workers' Compensation, 2023-Ohio-3481, ¶ 10 (8th Dist.)
- Blakemore v. Blakemore, 5 Ohio St. 3d 217, 219 (1983)
- State v. Powell, 2024-Ohio-4923, ¶ 41 (2d Dist.)
- State ex rel. DeWine v. Washington Court House, 2014-Ohio-3557, ¶ 15 (12th Dist.)
- State ex rel. DeWine v. Miller, 2011-Ohio-2107, ¶ 17 (4th Dist.)
- Infinite Security Solutions, L.L.C. v. Karam Properties II, 2015-Ohio-1101, ¶ 27
- Oberst v. Oberst, 2009-Ohio-13, ¶ 56 (5th Dist.)
- McGee v. McGee, 2006-Ohio-4417, ¶ 11 (9th Dist.)
- Cleveland v. Bright, 2020-Ohio-5180, ¶ 24 (8th Dist.)
- Sansom v. Sansom, 2006-Ohio-3909, ¶ 26 (10th Dist.)
- Turner v. Turner, 1999 Ohio App. LEXIS 2329, *7 (10th Dist. May 18, 1999)
- State ex rel. Fuller v. Mengel, 2003-Ohio-6448, ¶ 10
- Sabouri v. Ohio Department of Job & Family Services, 145 Ohio App. 3d 651, 654 (10th Dist. 2001)
- Fazio v. Gruttadauria, 2008-Ohio-4586, ¶ 9 (8th Dist.)
- Williams v. Lo, 2008-Ohio-2804, ¶ 18 (10th Dist.)

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