

ATTENTION

DIRECT ANY QUESTIONS ABOUT THE ANNOUNCEMENT TO WALTER S. KOBALKA,
REPORTER OF DECISIONS, AND DEBORAH J. WHITTEN AT (614) 466-4961 OR
1-800-826-9010.

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

MONDAY
March 8, 1993

MOTION DOCKET

93-459. State ex rel. Tracy v. Franklin Cty. Court of Common Pleas.
In Prohibition. This cause originated in this court on the filing of
a complaint for a writ of prohibition. Upon consideration of
relators' motion for peremptory writ of prohibition in the first
instance, or alternatively, an alternative writ and stay of
preliminary injunction,

IT IS ORDERED by the court that said motion for an alternative
writ be, and the same is hereby granted, and respondents are to show
cause on or before March 29, 1993, why the writ of prohibition should
not be issued.

IT IS FURTHER ORDERED by the court that the operation of the
preliminary injunction issued by respondents against assessment and
collection of the Ohio Soft Drink Tax, Ohio Revised Code Chapter 5753,
in the case styled Cameron Coca-Cola Bottling Co. et al. v. Roger W.
Tracy, Tax Commissioner, et al., case No. 93CVH02-729, filed
February 1, 1993, in the Common Pleas Court of Franklin County, Ohio,
be stayed, pending final hearing and determination of the complaint in
prohibition.

Pfeifer, J., dissents.