

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

WEDNESDAY
October 18, 2000

MOTION DOCKET

**00-1457. State ex rel. Commt. for the Referendum of Ordinance No. 3543-00
v. White.**

In Mandamus. This cause came on for consideration upon respondents' motion for reconsideration, relators' motion for reconsideration to provide clarification of the court's decision, and relators' motion for costs and attorney fees. Upon consideration thereof,

IT IS ORDERED by the court that the motions for reconsideration be, and hereby are, denied.

IT IS FURTHER ORDERED by the court that the motion for costs and attorney fees be, and hereby is, granted, and that relators file a bill and documentation in support of attorney fees, in accordance with the guidelines set forth in DR 2-106 within twenty days of the date of this entry. Respondents may file objections to relators' bill and documentation within ten days of the filing of the bill and documentation; relators may file a reply to respondents' objections, if any, within five days of the filing of the objections.

Pfeifer, J., would grant respondents' motion for reconsideration and would deny the motion for costs and attorney fees.

Cook, J., would deny attorney fees.

Lundberg Stratton, J., would grant reconsideration and defer motion for costs and attorney fees.

MISCELLANEOUS DISMISSALS

00-1322. State ex rel. Recker v. Basinger.

Putnam App. No. 12-2000-07. This cause is pending before the court as an appeal from the Court of Appeals for Putnam County. It appears from the records of this court that appellant has not filed a merit brief, due September 11, 2000, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this case with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that this cause be, and hereby is, dismissed, *sua sponte*.

IT IS FURTHER ORDERED that the appellee recover from the appellant his costs herein expended, that a mandate be sent to the Court of Appeals for Putnam County to carry this judgment into execution, and that a copy of this entry be certified to the clerk of the Court of Appeals for Putnam County for entry.