

**THE STATE EX REL. LONG v. COUNCIL OF THE VILLAGE OF CARDINGTON ET AL.**

**[Cite as *State ex rel. Long v. Cardington Village Council*, 2001-Ohio-1888.]**

*Mandamus—Application for attorney fees and costs—Relator awarded attorney fees and a refund in costs—Relator’s request for additional attorney fees denied.*

(No. 00-857—Submitted October 30, 2001—Decided December 12, 2001.)

IN MANDAMUS.

ON APPLICATION FOR ATTORNEY FEES and COSTS.

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{¶ 1} On relator’s application for attorney fees and costs and relator’s submission of evidence in support of application, relator is awarded \$17,623.75 in attorney fees and a refund of \$140 in costs (security deposit and docket fees). Relator’s request for additional attorney fees is denied.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER and COOK, JJ., concur.

LUNDBERG STRATTON, J., dissents.

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**LUNDBERG STRATTON, J., dissenting.**

{¶ 2} I did not agree with the majority’s decision to grant a writ of mandamus because I believed that the relator had an adequate remedy in the ordinary course of the law under R.C. 121.22(I)(1). See *State ex rel. Long v. Cardington Village Council* (2001), 92 Ohio St.3d 54, 61-63, 748 N.E.2d 58, 65-67 (Lundberg Stratton, J., dissenting). Consequently, I do not agree that she is entitled to recover her costs and attorney fees. Therefore, I must respectfully dissent.

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SUPREME COURT OF OHIO

*Alden, Taylor & Durkin, L.L.C., Randolph W. Alden, Kevin Durkin and James R. Taylor*, for relator.

*Manos, Martin, Pergram & Dietz, L.P.A., Dennis L. Pergram and James M. Dietz*, for respondents.

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