

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

October 7, 2004

MOTION AND PROCEDURAL RULINGS

2003-2159. Constellation NewEnergy, Inc. v. Pub. Util. Comm.

Public Utilities Commission, No. 02-2779-EL-ATA. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of the motions of appellees Cincinnati Gas & Electric Company and Dayton Power and Light Company to participate in oral argument scheduled for October 12, 2004,

IT IS ORDERED by the court that the motions be, and hereby are, granted.

IT IS FURTHER ORDERED by the court, sua sponte, that the appellees are allotted eighteen minutes of argument time, to be divided as follows: Cincinnati Gas & Electric shall be allotted three minutes of argument time, and the remaining fifteen minutes shall be divided among all other appellees.

2004-1567. Westmoreland v. Cincinnati.

Hamilton App. No. C-030929. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's emergency motion for stay of the court of appeals' judgment,

IT IS ORDERED by the court that the motion for stay be, and hereby is, denied.

APPEALS NOT ACCEPTED FOR REVIEW

2004-1481. Tatman v. Carley.

Fairfield App. No. 04CA51.

F.E. Sweeney and Pfeifer, JJ., dissent.