

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

March 12, 2010

[Cite as *03/12/2010 Case Announcements, 2010-Ohio-919.*]

MOTION AND PROCEDURAL RULINGS

2009-2298. In re Application of Columbus S. Power Co.

Public Utilities Commission, No. 08-917-EL-SSO. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of the motion for leave to intervene as appellee of the Office of the Ohio Consumers' Counsel,

It is ordered by the court that the motion is granted.

2009-2332. In re A.C.

Warren App. No. CA2009-07-098, 2009-Ohio-6242. This cause came on for further consideration upon appellant's motion to redact.

It is ordered by the court that the motion is granted, and appellant shall come to the Supreme Court of Ohio Clerk's office within ten days of the date of this entry and redact all personal identifiers, as defined by Rule 44(H) of the Rules of Superintendence for the Courts of Ohio, from the attachment to the motion to strike false information filed in this case.

2010-0330. State ex rel. Gaylor, Inc. v. Goodenow.

In Mandamus and Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition and mandamus. Upon consideration of relator's motion for emergency stay and expedited alternative writ,

It is ordered that the prohibition claim is dismissed and relator's motion for an emergency stay and expedited alternative writ is denied insofar as it is based on the prohibition claim.

It is further ordered that an alternative writ is granted on relator's mandamus claim, and respondents are sua sponte stayed from enforcing or proceeding on their

decisions disqualifying relator's bid and awarding the contract to an alternate contractor pending the court's resolution of relator's mandamus claim. Relator may file an amended complaint to name the board of county commissioners as an additional respondent.

The respondents shall file an answer to the complaint within seven days of this entry; the parties shall file any evidence they intend to present within 20 days of this entry; relator shall file a brief within ten days of the filing of the evidence; respondents shall file a brief within 20 days after the filing of relator's brief; and relator may file a reply brief within seven days after the filing of respondents' brief.

Pfeifer, J., dissents and would dismiss the cause.

2010-0367. State ex rel. LetOhioVote.org v. Brunner.

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. Upon consideration of the joint motion to consolidate this case with 2010-0415, *State ex rel. New Models v. Brunner*, and 2010-0421, *State ex rel. Cummings v. Brunner*,

It is ordered by the court that the motion to consolidate is granted. The briefing and presentation of evidence in case Nos. 2010-0367, 2010-0415, and 2010-0421 shall be consolidated. The parties shall file three originals of all documents and include all case numbers on the cover page. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. 10.6 through 10.8.

It is further ordered, sua sponte, that the parties shall comply with the following revised schedule for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 10.6:

If the respondent has not already filed an answer, then respondent shall file an answer within three days of the date of this entry. The parties shall file any evidence they intend to present within seven days of the date of this entry; relators shall file a brief within five days of the filing of the evidence; respondent shall file a brief within ten days after the filing of relators' brief; and relators may file a reply brief within five days after filing of respondent's brief.

2010-0415. State ex rel. New Models v. Brunner.

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. Upon consideration of the joint motion to consolidate this case with 2010-0367, *State ex rel. LetOhioVote.org v. Brunner*, and 2010-0421, *State ex rel. Cummings v. Brunner*,

It is ordered by the court that the motion to consolidate is granted. The briefing and presentation of evidence in case Nos. 2010-0367, 2010-0415, and 2010-0421 shall be consolidated. The parties shall file three originals of all

documents and include all case numbers on the cover page. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. 10.6 through 10.8.

It is further ordered, sua sponte, that the parties shall comply with the following revised schedule for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 10.6:

If the respondent has not already filed an answer, then respondent shall file an answer within three days of the date of this entry. The parties shall file any evidence they intend to present within seven days of the date of this entry; relators shall file a brief within five days of the filing of the evidence; respondent shall file a brief within ten days after the filing of relators' brief; and relators may file a reply brief within five days after filing of respondent's brief.

2010-0421. State ex rel. Cummings v. Brunner.

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. Upon consideration of the joint motion to consolidate this case with 2010-0367, *State ex rel. LetOhioVote.org v. Brunner*, and 2010-0415, *State ex rel. New Models v. Brunner*,

It is ordered by the court that the motion to consolidate is granted. The briefing and presentation of evidence in case Nos. 2010-0367, 2010-0415, and 2010-0421 shall be consolidated. The parties shall file three originals of all documents and include all case numbers on the cover page. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. 10.6 through 10.8.

It is further ordered, sua sponte, that the parties shall comply with the following revised schedule for the presentation of evidence and filing of briefs pursuant to S.Ct.Prac.R. 10.6:

If the respondent has not already filed an answer, then respondent shall file an answer within three days of the date of this entry. The parties shall file any evidence they intend to present within seven days of the date of this entry; relators shall file a brief within five days of the filing of the evidence; respondent shall file a brief within ten days after the filing of relators' brief; and relators may file a reply brief within five days after filing of respondent's brief.

MISCELLANEOUS DISMISSALS

2009-1292. State ex rel. Doner v. Logan.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator Kuhn Farms' application for dismissal of its claims,

It is ordered by the court that the application to dismiss is granted, and Kuhn Farms' claims are dismissed. All other claims remain pending.

Cupp, J., not participating.

MEDIATION REFERRALS

The following cases have been referred to mediation pursuant to S.Ct.Prac.R. 17.1(A):

2010-0368. Mt. Sinai Hous. Dev. Corp. v. Levin.

Board of Tax Appeals, No. 2006-M-2129.

2010-0385. State ex rel. Whirlpool Corp. v. Indus. Comm.

Franklin App. No. 09AP-380, 2010-Ohio-255.

2010-0389. Hilliard City Schools Bd. of Edn. v. Franklin Cty Bd of Revision.

Board of Tax Appeals, No. 2007-M-277.

The following case has been returned to the regular docket pursuant to S.Ct.Prac.R. 17.1(E):

2010-0083. State ex rel. Rohr v. Indus. Comm.

Franklin App. No. 09AP-94, 2009-Ohio-6416.