

IN THE SUPREME COURT OF OHIO

**State of Ohio Ex Rel.
Northwestern Ohio Building
& Construction Trades
Council, et al.,**

Relators-Appellants,

v.

**Ottawa County Improvement
Corp., et al.,**

Respondents-Appellees.

* On Appeal from the Ottawa County
Court of Appeals, Sixth Appellate
* District

*

* Supreme Court
Case No: 2008-1069

*

*

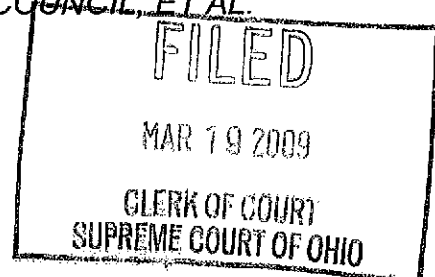
* Court of Appeals
Case No. OT-07-017

*

SUGGESTION OF DEATH OF RELATOR-APPELLANT KEVIN FLAGG

Joseph M. D'Angelo (0063348)
COSME, D'ANGELO & SZOLLOSI CO., L.P.A.
The CDS Building
202 North Erie Street
Toledo, Ohio 43604-1608
(419) 244-8989
Fax No. (419) 244-8990
jdangelo@cdslaw.net

COUNSEL FOR APPELLANT, STATE OF OHIO EX REL. NORTHWESTERN
OHIO BUILDING & CONSTRUCTION TRADES COUNCIL, ET AL.



Vincent Atriano (0041084), *Counsel of Record*
David S. Farkas (0076033)
Matthew L. Sagone (0063281)
SQUIRE, SANDERS, & DEMPSEY L.L.P.
1300 Huntington Center
41 South High Street
Columbus, Ohio 43215
(614) 365-2783
Fax No. (614) 365-2499

Mark E. Mulligan (0024891)
Ottawa County Prosecutor
OTTAWA COUNTY PROSECUTOR
Ottawa County Courthouse
315 Madison Street, 2nd Floor
Port Clinton, Ohio 43452
(419) 734-6845
Fax No. (419) 734-3862

Gary A. Kohli (0021896)
KOHLI & CHRISTIE
142 West Water Street
Oak Harbor, Ohio 43449
(419) 898-2671
Fax No. (419) 898-3327

*COUNSEL FOR APPELLEES OTTAWA COUNTY IMPROVEMENT CORP. AND
OTTAWA COUNTY BOARD OF COMMISSIONERS*

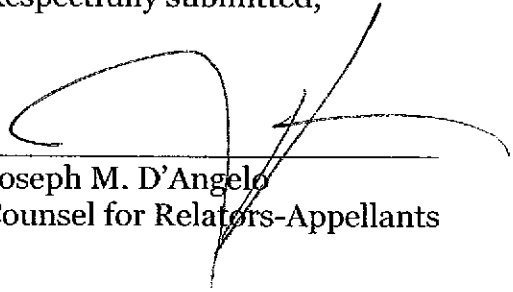
Alan G. Ross (0011478)
Nick A. Nykulak (0075961), *Counsel of Record*
ROSS, BRITTAIN, & SCHONBERG CO., L.P.A.
6480 Rockside Woods Blvd. South, Suite 350
Cleveland, Ohio 44131
(216) 447-1554
Fax No. (216) 447-1554
alanr@rbslaw.com
nnykulak@rbslaw.com

COUNSEL FOR APPELLEE FELLHAUER MECHANICAL SYSTEMS, INC.

Suggestion of Death of Relator-Appellant Kevin Flagg

State of Ohio ex rel. Northwestern Ohio Building & Construction Trades Council, Relator-Appellant, pursuant to Civil Rule 25(e), hereby notifies the Court that Relator-Appellant Kevin Flagg died on Tuesday, February 24, 2009.

Respectfully submitted,



Joseph M. D'Angelo
Counsel for Relators-Appellants

Certificate of Service

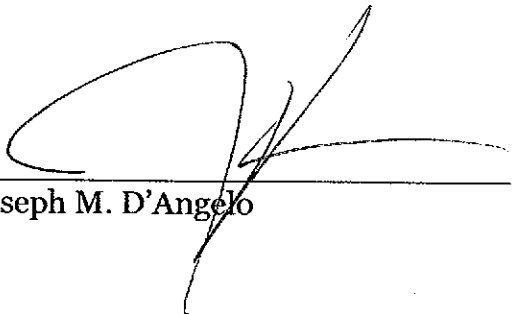
I certify that on this 17th day of March, 2009, a copy of this Suggestion of Death of Relator-Appellant Kevin Flagg was sent by ordinary U.S. Mail to counsel for Appellees:

Vincent Atriano (0041084)
David S. Farkas (0076033)
Matthew L. Sagone (0063281)
Squire, Sanders, & Dempsey L.L.P.
1300 Huntington Center
41 South High Street
Columbus, Ohio 43215

Mark E. Mulligan (0024891)
Ottawa County Prosecutor
Ottawa County Prosecutor's Office
Ottawa County Courthouse
315 Madison Street, Second Floor
Port Clinton, Ohio 43452

Gary A. Kohli (0021896)
Kohli & Christie
142 West Water Street
Oak Harbor, Ohio 43449

Alan G. Ross (0011478)
Nick A. Nykulak (0075961)
Ross, Brittain, & Schonberg Co., L.P.A.
6480 Rockside Woods Blvd. South, Suite 350
Cleveland, Ohio 44131



Joseph M. D'Angelo