

## IN THE SUPREME COURT OF OHIO

**STATE OF OHIO EX REL. WILLIAM SCHUCK**2353 McCauley Court  
Columbus, Ohio 43220

Relator,

v.

**CITY OF COLUMBUS, et al**

Respondents.

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: CASE NO. 18-0427

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: Original Action in Mandamus

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: Expedited Election Matter

: Pursuant to S. Ct. Prac. R. 12.08

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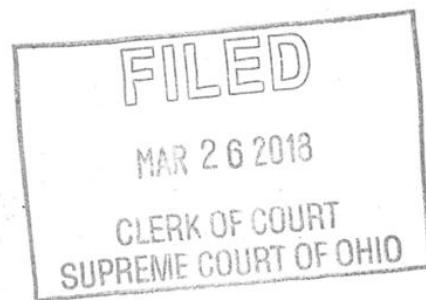
**MOTION OF RELATOR WILLIAM SCHUCK FOR LEAVE TO AMEND  
HIS AMENDED COMPLAINT TO ADD PARTIES RESPONDENT AND  
MEMORANDUM IN SUPPORT**

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RELATOR'S MOTION FOR LEAVE TO AMEND  
AND MEMORANDUM IN SUPPORT

Motion for Leave to Amend

Relator, William Schuck, respectfully moves the Court, pursuant to S. Ct. Prac. R. and Rule 15(A) of O.R.C.P., for leave to amend his Amended Complaint in order to add as additional parties respondent the Secretary of State of Ohio, the Delaware County Board of Elections, and the Fairfield County Board of Elections. The reasons for adding these parties to this action are set forth in the following memorandum.

Respectfully submitted

William Schuck

William Schuck (0007220)  
*Counsel for Relator*

Memorandum in Support of Relator's Motion

The Fifth Affirmative Defense of Respondent City of Columbus is that "Relator has failed to name all necessary parties to action including Secretary of State John Husted". Presumably, the unnamed parties are the Delaware County Board of Elections and the Fairfield County Board of Elections, because portions of the City of Columbus are located in those counties.

Relator believes that an order issued in the case with respect to Respondent Franklin County Board of Elections ("Board") will serve the cause of justice and achieve the ends sought, because the Board is the body responsible for determining whether the local ballot issue in question legally qualifies for the May 8, 2018 ballot. Relator believes that, under existing practices of election officials, a determination of that question by the Board will be communicated to the Board of Elections in Delaware County and Fairfield County, and they will follow that determination with respect to portions of the City of Columbus in those counties.

However, to be responsive to this concern of Respondent City of Columbus, to promote judicial economy, and in the interests of complete adjudication with respect to this action, Relator William Schuck respectfully moves the Court to grant leave to add the Secretary of State, the Delaware County Board of Elections, and the Fairfield County Board of Elections as parties respondent so they can assert their interests, if any, in this action and complete relief can be afforded to all parties.

Certificate of Service

I certify that a copy of this Motion For Leave to Amend and Memorandum in Support was served by email upon the following on March 26, 2018:

Richard N. Coglianese (0066830), counsel of record for Respondent City of Columbus, at [mcoglianese@columbus.gov](mailto:mcoglianese@columbus.gov)

Timothy A. Lecklider (0022852), counsel of record for Respondent Franklin County Board of Elections, at [tlecklider@franklincountyohio.gov](mailto:tlecklider@franklincountyohio.gov)

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