

**In the  
Supreme Court of Ohio**

<b>STATE, <i>ex rel.</i> THE CINCINNATI</b>	:	<b>Case No.</b>
<b>ENQUIRER,</b>	:	
<b>a Division of Gannett GP Media, Inc.</b>	:	
312 Elm Street	:	
Cincinnati, Ohio 45202	:	
	:	
<b>Relator,</b>	:	
	:	<b>COMPLAINT FOR WRIT OF</b>
vs.	:	<b><u>MANDAMUS</u></b>
	:	
	:	
<b>THOMAS J. STICKRATH,</b>	:	
<b>Director, Ohio Department of Public</b>	:	
<b>Safety</b>	:	
1970 W. Broad Street	:	
Columbus, OH 43223	:	
	:	
	:	
<b>Respondent.</b>	:	

---

**JOHN C. GREINER** (0005551)\*

*\*Counsel of Record*

Kellie A. Kulka (0095749)

GRAYDON HEAD & RITCHEY LLP

312 Walnut Street

Suite 1800

Cincinnati, OH 45202

Phone: (513) 629-2734

Fax: (513) 651-3836

E-mail: jgreiner@graydon.law

kkulka@graydon.law

*ATTORNEYS FOR RELATOR  
THE CINCINNATI ENQUIRER*

For its Complaint for Writ of Mandamus and Prohibition against Thomas J. Stickrath, Director, Ohio Department of Public Safety (“Respondent”), Petitioner The

Cincinnati Enquirer, a Division of Gannett GP Media, Inc. (“The Enquirer”) states as follows:

**The Parties**

1. The Enquirer operates and does business as *The Cincinnati Enquirer*, a newspaper of general circulation in the Cincinnati, Ohio metropolitan area.

2. Respondent is the Director of the Ohio Department of Public Safety (“ODPS”).

3. ODPS is a “Public Office” within the meaning of Ohio Revised Code 149.011(A).

**Background**

4. On February 14, 2022, Enquirer reporter Laura Bischoff made a public records request to the ODPS. A copy of the request is attached to the affidavit of Laura Bischoff as Exhibit A.

5. The request sought “electronic copies of the travel and expenses for troopers and/or staff attending the 2022 Super Bowl in Los Angeles, CA with Gov. DeWine. Specifically, we are requesting overtime pay expenses, airline ticket expenses, meal and hotel expenses, vehicle rental expenses for the trip.”

6. On March 11, 2022 the ODPS denied the request in its entirety, claiming the requested were “security records” pursuant to R.C. 149.433(A)(1). See Exhibit B attached to the affidavit of Laura Bischoff.

7. Expense records relating to the travel to the 2022 Super Bowl do not contain “information directly used for protecting or maintaining the security of a public office against attack, interference or sabotage” and are, therefore, not “security records” under R.C. 149.433(A).

8. In refusing to make the requested records available for inspection and copying upon the request by the Enquirer, the ODPS has failed to comply with its duties set forth at R.C. 143.43(B)(1).

### **COUNT I – Mandamus**

9. R.C. 149.43(C)(1) provides that a person aggrieved by the failure of a public office to comply with an obligation in accordance with R.C. 149.43(B) may file a Mandamus action as an original action in this Court.

10. Relator is aggrieved by Respondent’s failure to comply with R.C. 149.43(B), thus making mandamus the appropriate remedy.

11. Respondent has a clear legal duty to comply with R.C.149.43(B) and make the requested records available for public inspection.

**WHEREFORE**, Relator respectfully requests:

A. that the Court issue a writ of mandamus to Respondent directing him to comply with R.C. 149.43(B) and allow public access to the requested records;

B. an order awarding Relator its costs and reasonable attorney fees; and

C. an order awarding Relator statutory damages pursuant to R.C. 149.43(C)(2); and

D. all other relief that is just and equitable.

Dated: April 20, 2022

Respectfully submitted,

*Of Counsel:*

GRAYDON HEAD & RITCHEY LLP  
312 Walnut Street, Suite 1800  
Cincinnati, OH 45202  
Phone: (513) 621-6464  
Fax: (513) 651-3836

/s/ John C. Greiner  
**John C. Greiner** (0005551)  
**Kellie A. Kulka** (0095749)  
GRAYDON HEAD & RITCHEY LLP  
312 Walnut Street, Suite 1800  
Cincinnati, OH 45202  
Phone: (513) 629-2734  
Fax: (513) 651-3836  
E-mail: jgreiner@graydon.law  
kkulka@graydon.law

COUNSEL FOR RELATOR THE  
CINCINNATI ENQUIRER

**PRAECIPE FOR SERVICE**

TO THE CLERK:

Please issue a Summons along with a copy of this COMPLAINT FOR WRIT OF MANDAMUS to the Respondent identified in the caption on page one via certified mail service, return receipt requested.

John C. Greiner  
**John C. Greiner** (0005551)

11733109.1