

**IN THE
SUPREME COURT OF OHIO**

State, ex rel. THE CINCINNATI	:	
ENQUIRER, a Division of Gannett	:	
GP Media, Inc.,	:	Case No. 2022-0425
	:	
Relator,	:	
	:	
v.	:	
	:	
THOMAS J. STICKRATH,	:	
Director, Ohio Department of	:	
Public Safety,	:	
	:	
Respondent.	:	

ANSWER TO COMPLAINT FOR WRIT OF MANDAMUS

For his answer to the Complaint for Writ of Mandamus, Respondent, Thomas J. Stickrath, Director, Ohio Department of Public Safety, avers as follows:

FIRST DEFENSE

1. Admits that the Cincinnati Enquirer is a newspaper of general circulation in the Cincinnati, Ohio metropolitan area and otherwise denies the remaining allegations contained in paragraph 1 of the Complaint for lack of sufficient information to form a belief as to the truth of the matter asserted.

2. Admits the allegations contained in paragraph 2 of the Complaint.

3. Admits the allegations contained in paragraph 3 of the Complaint.

4. States that Exhibit A to the affidavit of Laura Bischoff speaks for itself and thus no response is deemed necessary to the allegation contained in paragraph 4 of the Complaint.

5. States that the February 14, 2022 request speaks for itself and thus no response is deemed necessary to the allegation contained in paragraph 5 of the Complaint.

6. States that Exhibit B to the affidavit of Laura Bischoff speaks for itself and thus no response is deemed necessary to the allegation contained in paragraph 6 of the Complaint.

7. Denies the allegations contained in paragraph 7 of the Complaint.

8. Denies the allegations contained in paragraph 8 of the Complaint.

9. States that the allegations contained in paragraph 9 of the Complaint call for a legal conclusion for which no response is deemed necessary.

10. Denies the allegations contained in paragraph 10 of the Complaint.

11. Denies the allegations contained in paragraph 11 of the Complaint.

12. Denies each and every allegation contained in the Complaint that is not expressly admitted herein.

SECOND DEFENSE

13. Respondent proceeds in good faith and with a reasonable basis for denial of the request. Respondent reasonably believes based on the ordinary application of statutory law and case law as it existed at the time of the request that the subject records are exempt under R.C. 149.43. Respondent further reasonably believes that assertion of an exemption for the subject records is consistent with Ohio public policy.

WHEREFORE, Respondent prays that:

A. Relator's Complaint be dismissed with prejudice and that judgment be entered for Respondent.

B. Respondent be awarded its costs and attorney fees in defending this action.

C. Respondent be granted such other and further relief as this Court deems just and proper.

Respectfully submitted,

DAVE YOST
Ohio Attorney General

/s/ Marion H. Little, Jr.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 26, 2022, the foregoing was filed with the Clerk of Court via electronic filing and was served via email on the following counsel of record:

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/s/ Marion H. Little, Jr.

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