

IN THE SUPREME COURT OF OHIO

STATE *ex rel.* THE CITY OF
NELSONVILLE, OHIO
211 Lake Hope Drive
Nelsonville, OH 45764

and

THE NELSONVILLE CITY
COUNCIL
211 Lake Hope Drive
Nelsonville, OH 45764

Relators,

v.

THE ATHENS COUNTY BOARD
OF ELECTIONS.
15 S. Court Street #130
Athens, OH 45701

Respondent.

Case No. 2025-1061

Original Action in
Mandamus and
Prohibition

Preemptory or
Alternative Writs
Requested

Expedited Election
Matter Under
S.Ct.Prac.R.12.08

**JOINT NOTICE OF NO INTENT TO OPPOSE AND REQUEST TO
ESTABLISH A MODIFIED BRIEFING SCHEDULE**

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Board of Elections

Yesterday, the parties received service copies of Ashley Hashman's Motion to Intervene (the "Proposed Intervenor"). S.Ct.Prac.R.12.08(A)(2). The Parties have conferredenced with counsel for the Proposed Intervenor. The Parties defer to the Court's decision here on whether this intervention is proper. Considering the expedited nature of these proceedings, the Parties give notice that they do not intend to file any response to this Motion on the procedural relief requested.¹

Relatedly, the Motion to Intervene presents scheduling uncertainty. Respondent Athens County filed their Answer on Friday, August 15, 2025. Under S.Ct.Prac.R.12.08(A)(2), Relators' Evidence and Brief are due three days later, so, today. Of course, if the Court accepts the intervention, and Proposed Intervenor's Answer, that will change things, creating a "new" answer which impacts deadlines. Accordingly, the Parties respectfully request that this Court extend the Briefing Schedule provided under S.Ct.Prac.R.12.08. Specifically, Relator's request three days to file Evidence and a Brief from the date the Court rules on the Motion to Intervene and that the rest of the schedule thereafter follow the deadlines outlined in S.Ct.Prac.R.12.08(A)(2). A proposed order is attached for the Court's consideration.

[signatures on following page]

¹ The Motion goes into the substance of the matter as well, and the Parties reserve all rights to respond to those points in the merit briefing stage.

Respectfully submitted:

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was served on counsel for Respondents pursuant to Supreme Court Rule of Practice 12.08 on August 18, 2025.

/s/ Thomas Spyker
Thomas N. Spyker (0098075)