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IN THE SUPREME COURT OF OHIO  
CASE NO. 2006-1025

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Appeal from the Court of Appeals  
Eighth Appellate District  
Cuyahoga County, Ohio  
Case No. 86339

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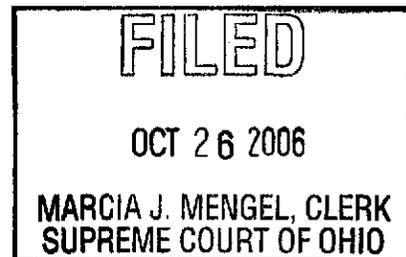
NORFOLK SOUTHERN RAILWAY COMPANY

Plaintiff-Appellant

vs.

HOMER R. BOGLE, et al.

Defendants-Appellees



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**STIPULATION TO EXTENSION OF TIME TO FILE APPELLANT,  
NORFOLK SOUTHERN RAILWAY COMPANY'S MERIT BRIEF**

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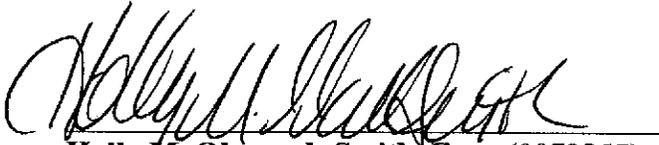
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Individually and in his capacity as  
Executor of the Estate of Larry Arnold  
Wiles**

**STIPULATION TO EXTENSION OF TIME**

We, the attorneys for the respective parties in the captioned appeal, do hereby stipulate pursuant to S. Ct. Prac. R. XIV, Section 3(B)(2)(a), that Appellant, Norfolk Southern Railway Company, be granted a twenty (20) day extension of time until November 20, 2006 to file its Merit Brief, which is currently due on October 30, 2006.

No previous extensions of time to file Appellant's Merit Brief has been requested.



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Per telephone consent on October 20, 2006

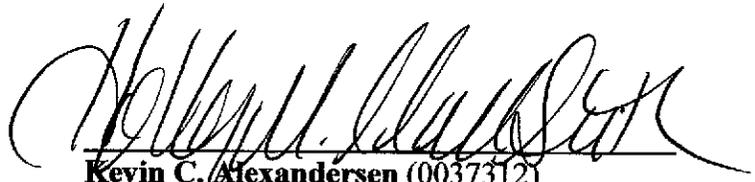
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**PROOF OF SERVICE**

A copy of the Stipulation to Extension of Time to File Appellant's Merit Brief was mailed this 23<sup>rd</sup> day of October, 2006 on the following parties of record:

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