

IN THE SUPREME COURT OF OHIO

CHARLES D. ABOOD, JUDGE, : Case No. 2006-1913
Appellant, : On Appeal from the Lucas County
-vs- : Court of Appeals, Sixth Appellate
District
A.J. BORKOWSKI, JR., :
Appellee. :

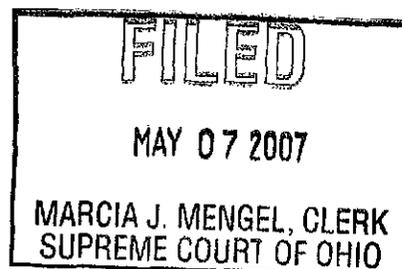
APPELLEE A.J. BORKOWSKI, JR. A.J. MOTION TO CONSOLIDATE PURSUANT
S. CT. PRAC. R. 14, SEC. 4(A) OHIO SUPREME COURT CASE 2007-0564 WITH
2006-1913

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Pro-se Plaintiff, Appellee-Relator

Counsel for Defendant, Appellant-Respondent
the Honorable Judge Charles D. Abood

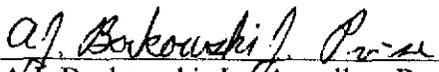


MOTION TO CONSOLIDATE

Appellee, A.J. Borkowski, Jr. moves the Court, pursuant to S. Ct. Prac. R. 14, Sec. 4(a) and/or Rule 42(a) of the Ohio Rules of Civil Procedure for an order consolidating the above-entitled action with the case of *State ex rel. Borkowski v. Shaffer*, Ohio Supreme Court Case No. 2007-0564, of which is now pending in this Court, into one action on the ground that they both involve a common question of law and fact since these actions depend upon an unconsidered cross-claim filed in *Humbert, et al. v. Borkowski, et al.* Fulton County Court of Common Pleas Case No. 01CV000274 on June 4, 2002, and a consolidation of these cases will avoid unnecessary costs and delay and prevent duplication of evidence

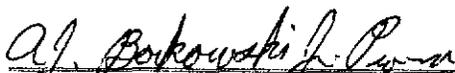
WHEREFORE, Appellee Borkowski respectfully requests that Case No. 2007-0564 be consolidated with case No. 2006-1913 as provided by Ohio Civ. R. 42(A) and other applicable legal provisions for the preceding reason as well as all other relief this Court shall deem proper and just. (Emphasis added).

Respectfully submitted,


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CERTIFICATE OF SERVICE

This is to certify that on May 3rd, 2007 a true copy of this Motion to Consolidate was served, by via U.S. Mail, upon George D. Jonson, Esq., Linda L. Woeber, Esq., Kimberly Vanover Riley, Esq., (Counsel of Record), MONTGOMERY, RENNIE & JONSON, 36 East Seventh Street, Suite 2100, Cincinnati, Ohio 45202, Counsel for Appellant-Respondent the Honorable Judge Charles D. Abood, also upon John S. Shaffer, Esq., 117 West Maple, Bryan, Ohio 43506, Respondent


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