

IN THE SUPREME COURT OF OHIO

07-0954

ELIZABETH BURNETT,)

Plaintiff/Appellee,)

v.)

MOTORISTS MUTUAL INSURANCE)
COMPANIES, et al.,)

Defendant/Appellant.)

CASE NO. _____

Appeal from the Trumbull County Court of Appeals, Eleventh Appellate District, Case No. 2006-T-0085

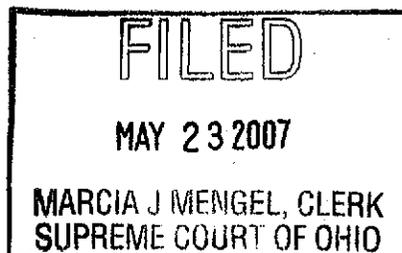
NOTICE OF DEFENDANT/APPELLANT MOTORISTS MUTUAL INSURANCE COMPANY'S PENDING MOTION TO CERTIFY A CONFLICT

James L. Pazol (#0004787)
Raymond J. Tisone (#0021726)
ANZELLOTTI, SPERLING, PAZOL
& SMALL CO., LPA
21 N. Wickliffe Circle
Youngstown, Ohio 44515
Telephone (330) 792-6033

Attorney for Plaintiff/Appellee
Elizabeth Burnett

Merle D. Evans, III (#0019230)
DAY KETTERER LTD.
Millennium Centre, Suite 300
200 Market Avenue North
P.O. Box 24213
Canton, Ohio 44701-4213
Telephone (330) 455-0173
Facsimile (330) 455-2633
Email: mdevans@day-ketterer.com

Attorney for Defendant/Appellant
Motorists Mutual Insurance Company



**Notice Of Defendant/Appellant Motorists Mutual Insurance Company's
Pending Motion To Certify A Conflict**

Defendant/Appellant Motorists Mutual Insurance Company hereby gives notice, pursuant to Sup. Ct. Prac. R. II Section 2(B)(3) and Sup. Ct. Prac. R. IV Section 4(A), that a Motion to Certify Conflict is currently pending before the Trumbull County Court of Appeals, Eleventh Appellate District, concerning the Opinion and Judgment Entry entered in Case No. 2006-T-0085 on April 9, 2007. Said Motion was filed with the Clerk of the Trumbull County Court of Appeals, Eleventh Appellate District, on April 18, 2007.

Respectfully submitted,



Merle D. Evans, III (#0019230)

Jude B. Streb (#0071529)

DAY KETTERER LTD.

Millennium Centre, Suite 300

200 Market Avenue North

P.O. Box 24213

Canton, Ohio 44701-4213

Telephone (330) 455-0173

Facsimile (330) 455-2633

Email: mdevans@day-ketterer.com

Email: jbstreb@day-ketterer.com

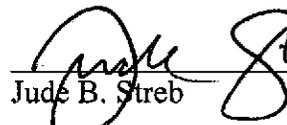
Attorneys for Defendant/Appellant

Motorists Mutual Insurance Company

PROOF OF SERVICE

I certify that a copy of the foregoing Notice of Defendant/Appellant, Motorists Mutual Insurance Company's, Pending Motion to Certify Conflict was sent by ordinary U.S. mail to the following, this 23rd day of May, 2007:

James L. Pazol, Esq.
Raymond J. Tisone, Esq.
21 N. Wickliffe Circle
Youngstown, OH 44515
Counsel for Plaintiff/Appellee Elizabeth Burnett



Jude B. Streb