

07 - 1819

IN THE SUPREME COURT OF OHIO

<b>BERTHA LOUDEN, EXECUTRIX,</b>	)	<b><u>ON APPEAL FROM THE CUYAHOGA</u></b>
<i>et al.</i>	)	<b><u>COUNTY COURT OF APPEALS,</u></b>
	)	<b><u>EIGHTH JUDICIAL DISTRICT</u></b>
<b>Plaintiff-Appellants,</b>	)	
	)	<b>SUPREME COURT</b>
<b>vs.</b>	)	<b>CASE NO.</b>
	)	
<b>A.W. CHESTERTON CO., et al.</b>	)	<b>COURT OF APPEALS</b>
	)	<b>CASE NO. 90184</b>
<b>Defendant-Appellees</b>	)	
	)	

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**NOTICE OF APPEAL OF PLAINTIFF-APPELLANTS,  
BERTHA LOUDEN, EXECUTRIX AND MARY BORDER, EXECUTRIX**

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*Attorneys for Plaintiff-Appellants, Bertha  
Louden, Executrix, et al.*

**FILED**  
 OCT 04 2007  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

**NOTICE**

Plaintiff-Appellants, Bertha Loudon, Individually and as Executrix of the Estate of Roger Loudon, Deceased, and Mary J. Border, Individually and as Executrix of the Estate of Wayne Border, Deceased, *et al.*, hereby serve notice of their appeal to the Supreme Court of Ohio from the Judgment of the Cuyahoga County Court of Appeals, Eighth Judicial District, entered in Case Nos. 90184 on August 20, 2007, a copy of which is appended hereto as *Exhibit A*. This action involves issues of great general and public importance.

Respectfully submitted,

John I. Kittel (per authority)

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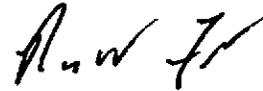
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Notice** has been sent by regular U.S. Mail on this 3<sup>rd</sup> day

of October, 2007 upon:

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Attorney for Plaintiff-Appellants

AUG 20 2007

# Court of Appeals of Ohio, Eighth District

County of Cuyahoga  
Gerald E. Fuerst, Clerk of Courts

BERTHA LOUDEN, EXECUTOR, ETC., ET AL

Appellant

COA NO.  
90184

LOWER COURT NO.  
CP CV-590044  
CP CV-592502

COMMON PLEAS COURT

-vs-

A.W. CHESTERTON COMPANY, ET AL.

Appellee

MOTION NO. 399329

Date 08/01/07

Journal Entry

SUA SPONTE, APPEAL IS DISMISSED PER ENTRY NO. 399174.

**FILED AND JOURNALIZED  
PER APP. R. 22(E)**

**AUG 20 2007**

**GERALD E. FUERST  
CLERK OF THE COURT OF APPEALS  
BY [Signature] DEP**

**ANNOUNCEMENT OF DECISION  
PER APP. R. 22(B), 22(D) AND 26(A)  
RECEIVED**

**AUG - 1 2007**

**GERALD E. FUERST  
CLERK OF THE COURT OF APPEALS  
BY [Signature] DEP**

Judge JAMES J. SWEENEY, Concurs

[Signature]  
Administrative Judge  
FRANK D. CELEBREZZE, JR.

N.B. This entry is an announcement of the court's decision. See App.R. 22(B), 22(D) and 26(A); Loc.App.R. 22. This decision will be journalized and will become the judgment and order of the court pursuant to App.R. 22(E) unless a motion for reconsideration with supporting brief, per App.R. 26(A), is filed within ten (10) days of the announcement of the court's decision. The time period for review by the Supreme Court of Ohio shall begin to run upon the journalization of this court's announcement of decision by the clerk per App.R. 22(E). See, also S.Ct.Prac.R. 11, Section 2(A)(1).

NOTICE MAILED TO COUNSEL  
FOR ALL PARTIES-COSTS TAXED

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**EXHIBIT**  
A